



Planning and Zoning Board / Local Planning Agency

Brevard County Government Center

2725 Judge Fran Jamieson Way, Building C, Commission Room, Viera, Florida

Agenda

Monday, November 23, 2020

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

Call To Order

Approval of Minutes - October 19, 2020

H. Public Hearings

- H.1.** Clarence Coomer requests a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from AG to RES 1:2.5. (20PZ00080) (Tax Accounts 2001246 and 2001250) (District 1)
- H.2.** Clarence Coomer requests a change of zoning classification from GU to RRMH-2.5. (20Z00024) (Tax Accounts 2001246 and 2001250) (District 1)
- H.3.** 4725 Fay Blvd Land Trust (Carmine Ferraro) requests a Small Scale Comprehensive Plan Amendment (20S.10), to change the Future Land Use Designation from NC to CC. (20PZ00088) (Tax Account 2308841) (District 1)
- H.4.** 4725 Fay Blvd Land Trust (Carmine Ferraro) requests a change of zoning classification from BU-1-A with a BDP, to BU-1 and an amendment to existing BDP. (20Z00031) (Tax Account 2309941) (District 1)
- H.5.** Amendments to Chapter 62, Article VI, Zoning Regulations, Relating to Vacation Rental as a Permitted Use in Certain Zoning Classifications.

Public Comment

Adjournment

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the Planning and Development Department no later than 48 hours prior to the meeting at (321) 633-2069.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the Planning and Zoning Board is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.1. 11/23/2020

Subject:

Clarence Coomer requests a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from AG to RES 1:2.5. (20PZ00080) (Tax Accounts 2001246 and 2001250) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Local Planning Agency conduct a public hearing to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from AG (Agriculture) to RES 1:2.5 (Residential 1:2.5)

Summary Explanation and Background:

The applicant is requesting to amend the FLU (Future Land Use) designation from AGRIC (Agricultural) to RES 1:2.5 (Residential 1:2.5) on two parcels totaling 3.56 acres located on the south side of Lloyd Street, approximately 0.42 mile west of Meadow Green Road. The subject property is currently undeveloped and has retained the FLU designation of AGRIC since the adoption of the FLU map in 1988. The applicant intends to combine the two subject parcels in order to place a mobile home on the property. The subject property has direct access to Lloyd Street.

The AGRIC FLU requires residential densities not to exceed one dwelling unit per five acres.

A companion rezoning application was submitted accompanying this FLU amendment request to change the zoning classification of the 3.56-acre subject property from GU (General Use) to RRMH-2.5 (Rural Residential Mobile Home).

The subject property and surrounding properties are within an approximately 25 square-mile area mostly designated as AGRIC. The closest residential FLU designation is Residential 1 located approximately 1,650 feet to the south of the subject property on a 1.17 acre parcel on Pine Needle Street (adopted in 2008 as FLUM amendment 08S.18). Additional RES 1 Future Land Use is located approximately 0.31 mile east of the subject property, on Meadow Green Road.

The Board may wish to consider Policy 1.1 and whether the request is consistent and compatible with the surrounding neighborhood given the fact of the surrounding future land use, the introduction of a new future land use, and whether the request meets the goal of the recommendations of the 2007 Mims Small Area

Study to preserve the “minimal development heritage” of this area.

The Board may also wish to consider the environmental constraints such as hydric soils and the presence of wetlands and floodplains on the subject parcel.

The Board of County Commissioners will consider the request on **Thursday, December 3, 2020**, at **5:00 p.m.** at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, 1st Floor, Viera, Florida.

Clerk to the Board Instructions:

None

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the director of the Planning and Development staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County Planning and Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
2. actual development over the immediately preceding three years; and
3. development approved within the past three years but not yet constructed.

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

Administrative Policy 4

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 of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- 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.
 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.
 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.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

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 unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application.”

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

(b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.

**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

STAFF COMMENTS

Small Scale Plan Amendment 20S.07 (20PZ00080)
Township 20G, Range 34, Section 15

Property Information

Owner / Applicant: **Clarence Coomer**

Adopted Future Land Use Map Designation: Agricultural (AGRIC)

Requested Future Land Use Map Designation: Residential 1:2.5 (RES 1:2.5)

Acreage: 3.56 acres

Tax Account #: 2001250 and 2001246

Site Location: South side of Lloyd Street, approximately two thousand two hundred feet (2,200') west of Meadow Green Road

District: One (1)

Current Zoning: General Use (GU)

Requested Zoning: Rural Residential Mobile Home (RRMH-2.5) (20Z00024)

Background & Purpose

The applicant is requesting to amend the Future Land Use (FLU) designation from Agricultural (AGRIC) to Residential 1:2.5 (RES 1:2.5) on two (2) parcels totaling 3.56 acres located on the south side of Lloyd Street, approximately two thousand two hundred feet (2,200') west of Meadow Green Road. The subject property is currently undeveloped and has retained the FLU designation of AGRIC since the adoption of the FLU map in 1988. The applicant intends to combine the two (2) subject parcels (1.23 acres and 2.33 acres) so that a mobile home may be placed on the property. The subject property has direct access to Lloyd Street.

Agricultural Land Use (AGRIC) requires residential densities not to exceed one dwelling unit per five (5) acres.

A companion rezoning application (20Z00024) was submitted accompanying this FLU amendment request to change the Zoning classification of the 3.56 acre subject property from General Use (GU) to Rural Residential Mobile Home (RRMH-2.5).

The preliminary concurrency analysis did not indicate that the proposed development would cause a deficiency in the transportation adopted level of service. The parcel is not serviced by public water or sewer. The closest available Brevard County potable water line is approximately three (3) miles southeast of the subject property. No school concurrency information has been provided as the development potential is considered de minimis and is below the minimum number of new residential lots that would require a formal review.

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Across Lloyd Street - Vacant Land and One (1) Single-Family Residence	GU, RRMH-1	AGRIC
South	Vacant Land	GU	AGRIC
East	One (1) Single-Family Residence	RR-1	AGRIC
West	Vacant Land	GU	AGRIC

To the north of the subject property (across Lloyd Street) is vacant land and one (1) single-family residence; to the south is vacant land; to the east is one (1) single-family residence; and to the west is vacant land.

The subject property and surrounding properties are within an approximately 25 square mile area mostly designated as Agricultural (AGRIC) Future Land Use. The closest residential Future Land Use designation is Residential 1 (RES 1) located approximately 1,650 feet to the south of the subject property on a 1.17 acre parcel on Pine Needle Street (adopted in 2008 as FLUM amendment 08S.18). Additional RES 1 Future Land Use is located approximately 2,224 feet east of the subject property on Meadow Green Road.

Environmental Resources

Preliminary review of mapped resources indicates seven (7) noteworthy land use issues:

- NWI Wetlands
- SJRWMD Wetlands
- Hydric Soils
- Aquifer Recharge Soils
- Floodplain
- Protected and Specimen Trees
- Protected Species

Please refer to the attached comments provided by the Natural Resources Management Department.

Historic Resources

There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in *italics*.

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Future Land Use Element – Policies/Analysis:

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- 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;

This area is characterized by large lot GU zoned properties with scattered nodes of mobile home development zoned RRMH-1 and RRMH-5. Underlying this area is a 1914 plat initially recording 10-acre tract/lot sizes that have been further divided to mostly 1.25-acre lots. Upon adoption of the Comprehensive Plan in September 1988, these lots became legally non-conforming but remain developable, provided they are not further subdivided. Platted lots that had been subdivided prior to the adoption of the Comprehensive Plan in 1988 were also considered legally nonconforming. Such is the case with the 1+ acre RRMH-1 zoned properties lying to the north of the subject property, across Lloyd Street.

The property that is the subject of this Comprehensive Plan amendment does not have a legal nonconforming status in that it was created subsequent to the adoption of the Comprehensive Plan in 1988. Therefore, a Future Land Use Map amendment from Agricultural to Residential 1:2.5 (along with a rezoning to RRMH-2.5) is required for development of this

property. Granting this request would introduce RES 1:2.5 into the area, as the closest RES 1:2.5 is approximately one (1) mile away, east of I-95.

Residential Land Use Designations

Policy 1.1

The residential land use designations adopted as part of the Future Land Use Map represent maximum density thresholds. Approved densities may be lower than the maximum allowed by a residential land use designation as a result of one or more of the following:

Criteria:

- A. Environmental constraints identified in applicable objectives and policies of the Conservation Element which impose more stringent density guidelines;

Portions of the subject property are mapped as containing National Wetlands Inventory (NWI) wetlands, SJRWMD wetlands, and hydric soils. Please refer to attached comments provided by the Natural Resources Management Department.

- B. Land use compatibility pursuant to Administrative Policy 3;

While the area has retained Agricultural land use designation since the adoption of the Future Land Use Map in 1988, there is a pattern of residential land use in portions of this area as many single family platted parcels were created prior to 1988. A number of non-conforming lots of record in the area have been developed as residential.

- C. Unavailability or inadequacy of public facilities and services, including educational facilities, to accommodate adopted density allowances, as set forth in Policy 1.2 and the policies found in the 'Service Delivery, Concurrency and Growth' section of this Element as well as related objectives and policies in the Capital Improvements Element; Character of the general area, pursuant to Administrative Policy 4;

The parcel is not serviced by public water or sewer. The closest available Brevard County potable water line is approximately three (3) miles southeast of the subject property. Policy 1.2.F of the Future Land Use Element states that the County shall not extend public utilities and services outside of established service areas to accommodate new development in Residential 2, Residential 1 and Residential 1:2.5 land use designations, unless an overriding public benefit can be demonstrated. This criterion is not intended to preclude acceptance of dedicated facilities and services by the County through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.

- D. Character of the general area, pursuant to Administrative Policy 4;

The developed character of the surrounding area is a mix of undeveloped land, single family detached dwellings and mobile homes on lots of 1+ acres zoned GU, AU, RRMH-5, RR-1 and RRMH-1. The subject parcel and the surrounding area have a Future Land Use (FLU) designation of Agriculture. The developed neighboring lots zoned RR-1, RRMH-1 and AU were all rezoned prior to the 1988 Comprehensive Plan and are considered non-conforming to the Comprehensive Plan.

- F. Policies established in specialized plans as may be adopted by the Board of County Commissioners.

The subject parcel is located within the study area boundaries of the 2007 Mims Small Area Study. Recommendations resulting from the Study suggested preserving the area's "minimal development heritage" in the large Agricultural FLU property in the northwest part of the study area (Recommendation 5.1).

Residential 1:2.5 (RES 1:2.5) establishes the lowest density of all the residential future land use designations and is required to allow development of these lots. (along with a rezoning to RRMH-2.5).

Residential 1:2.5 (maximum of 1 unit per 2.5 acres)

Policy 1.10

The Residential 1:2.5 land use designation, which establishes the lowest density of all the residential future land use designations, permits a maximum density of up to one (1) unit per 2.5 acres, except as otherwise may be provided for within this element. Development in the Residential 1:2.5 land use designation should seek to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. The Residential 1:2.5 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than 1:2.5 units per acre and areas with lesser density or lower intensity uses; or

The subject property is surrounded by approximately 25 square miles of Agricultural Future Land Use comprised of a mix of undeveloped land, single family detached dwellings and mobile homes on lots of 1+ acres. The developed neighboring lots were all rezoned prior to the 1988 Comprehensive Plan and are considered non-conforming to the Comprehensive Plan.

This request can be considered a bridge between the existing Agriculture FLUM and smaller substandard lots which are not determined to be non-conforming lots of record. The proposed RES 1:2.5 Future Land Use designation is required for development with the proposed RRMH-2.5 zoning (20Z00024).

For Board Consideration

The Board may wish to consider Policy 1.1 and whether the request is consistent and compatible with the surrounding neighborhood given the fact of the surrounding future land use, the introduction of a new future land use, and whether the request meets the goal of the recommendations of the 2007 Mims Small Area Study to preserve the “minimal development heritage” of this area.

The Board may also wish to consider the environmental constraints such as hydric soils and the presence of wetlands and floodplains on the subject parcel.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Future Land Use (FLU) Review & Summary
Item # 20PZ00080**

Applicant: Clarence Coomer

FLU: AU to RES 1:2.5

Note: Applicant wants a mobile home.

P&Z Hearing Date: 11/09/20; **BCC Hearing Date:** 12/03/20

Tax ID Nos: 2001250 & 2001246

- 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:

- NWI Wetlands
- SJRWMD Wetlands
- Hydric Soils
- Aquifer Recharge Soils
- Floodplain
- Protected and Specimen Trees
- Protected Species

The subject parcel contains a large mapped area of National Wetlands Inventory (NWI) wetlands, SJRWMD wetlands, and hydric soils. Information available to NRM indicates that impacts to wetlands may have occurred between 2018 and 2019 when a portion of the site was cleared. A wetland determination/delineation will be required prior to any site plan design, land clearing activities, or building permit submittal. The discovery of unpermitted wetland impacts may result in enforcement action. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) including avoidance of impacts, and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal.

Land Use Comments:

Wetlands

The subject parcel contains mapped NWI (Freshwater forested shrub wetlands), SJRWMD (Wetland Mixed Forest), and hydric soils (Samsula muck-frequently ponded and St. Johns sand) as shown on the NWI Wetlands, SJRWMD Florida Land Use & Cover Codes, and USDA Soil Conservation Service Soils Survey maps, respectively. All are indicators that wetlands may be present on the property. Per Section 62-3694(c)(2), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. The preceding limitation of one dwelling unit per five (5)

acres within wetlands may be applied as a maximum percentage limiting wetland impacts as described in Section 65-3694(c)(1)a above. Application of the one-unit-per-five-acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property as defined in Section 65-694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. A wetland delineation will be required prior to any land clearing activities.

Aquifer Recharge Soils

St. Johns sand also functions as aquifer recharge soils. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Floodplain

The entire property is mapped as being within an isolated floodplain as identified by FEMA and as shown on the FEMA Flood Zones Map. The portion of the property located within the floodplain is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. Per Section 62-3724(3)(d), compensatory storage shall be required for fill in excess of one third (1/3) acre in size, that would provide an upland buildable area within an isolated floodplain. Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Protected and Specimen Trees

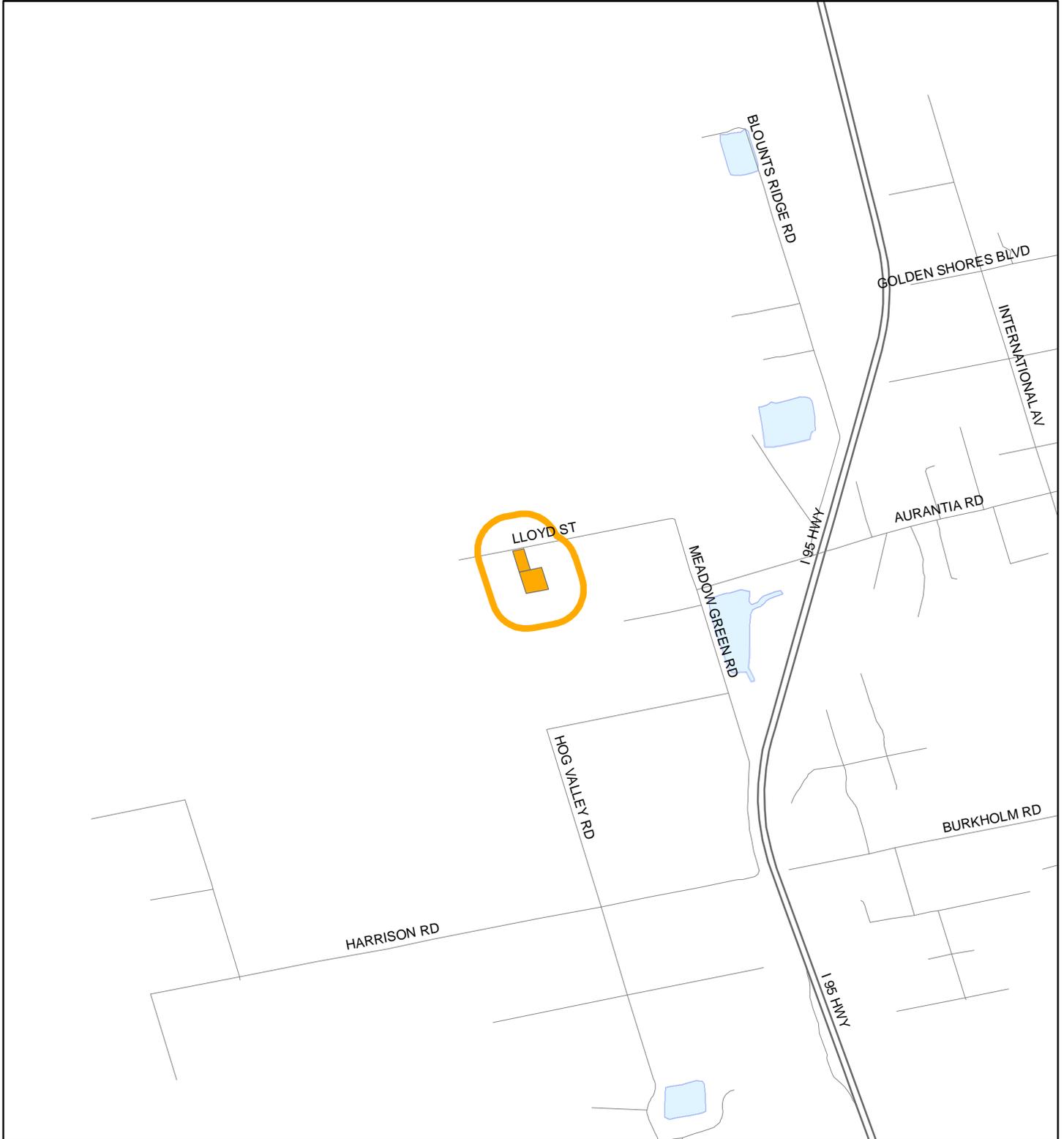
Aerials indicate that Protected (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) may reside on subject property. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. 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 and/or U.S. Fish and Wildlife Service, as applicable.

LOCATION MAP

COOMER, CLARENCE
20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 8/14/2020

-  Buffer
-  Subject Property

ZONING MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

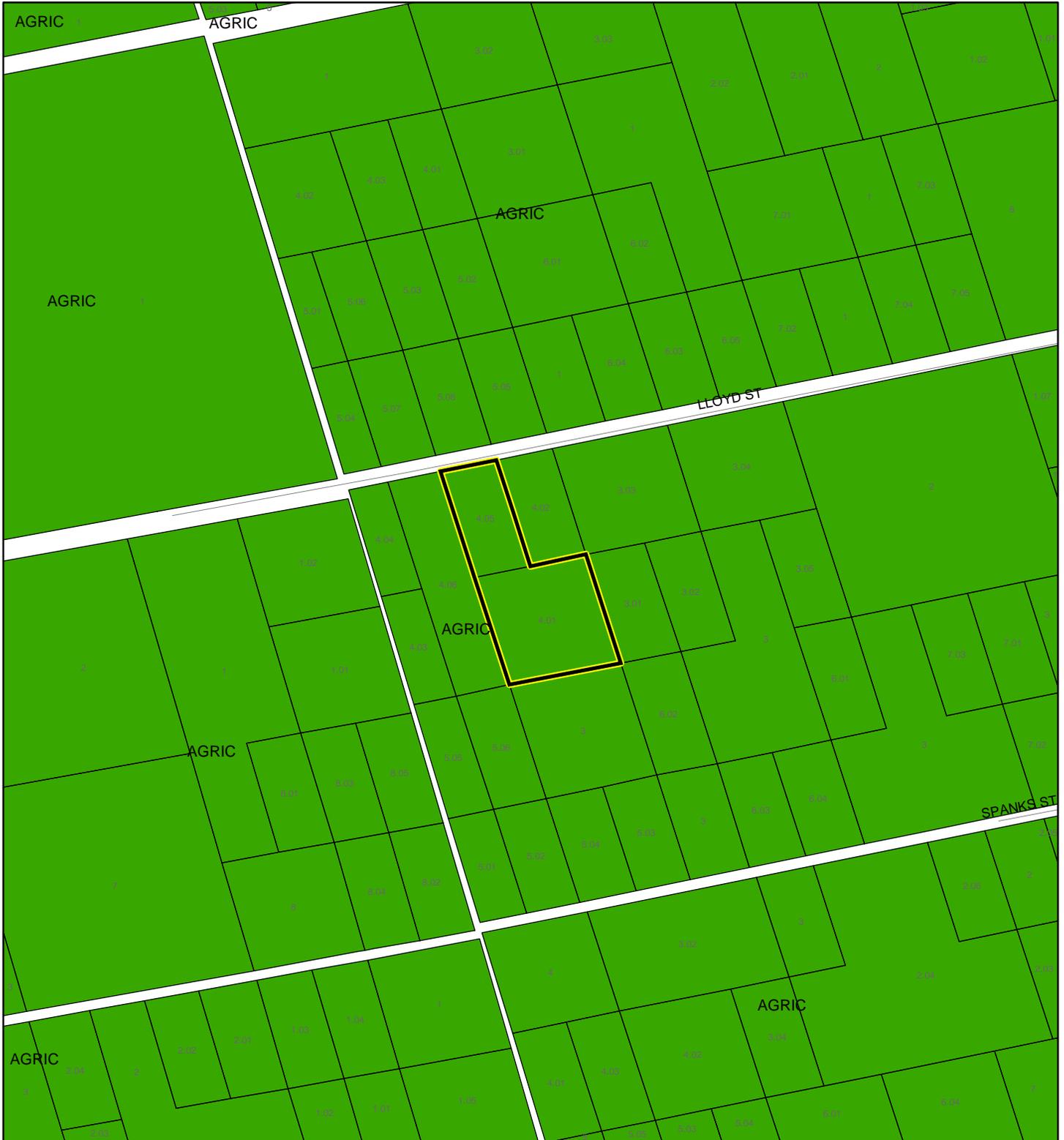
Produced by BoCC - GIS Date: 8/14/2020

-  Subject Property
-  Parcels
-  Zoning

FUTURE LAND USE MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

 Subject Property
 Parcels

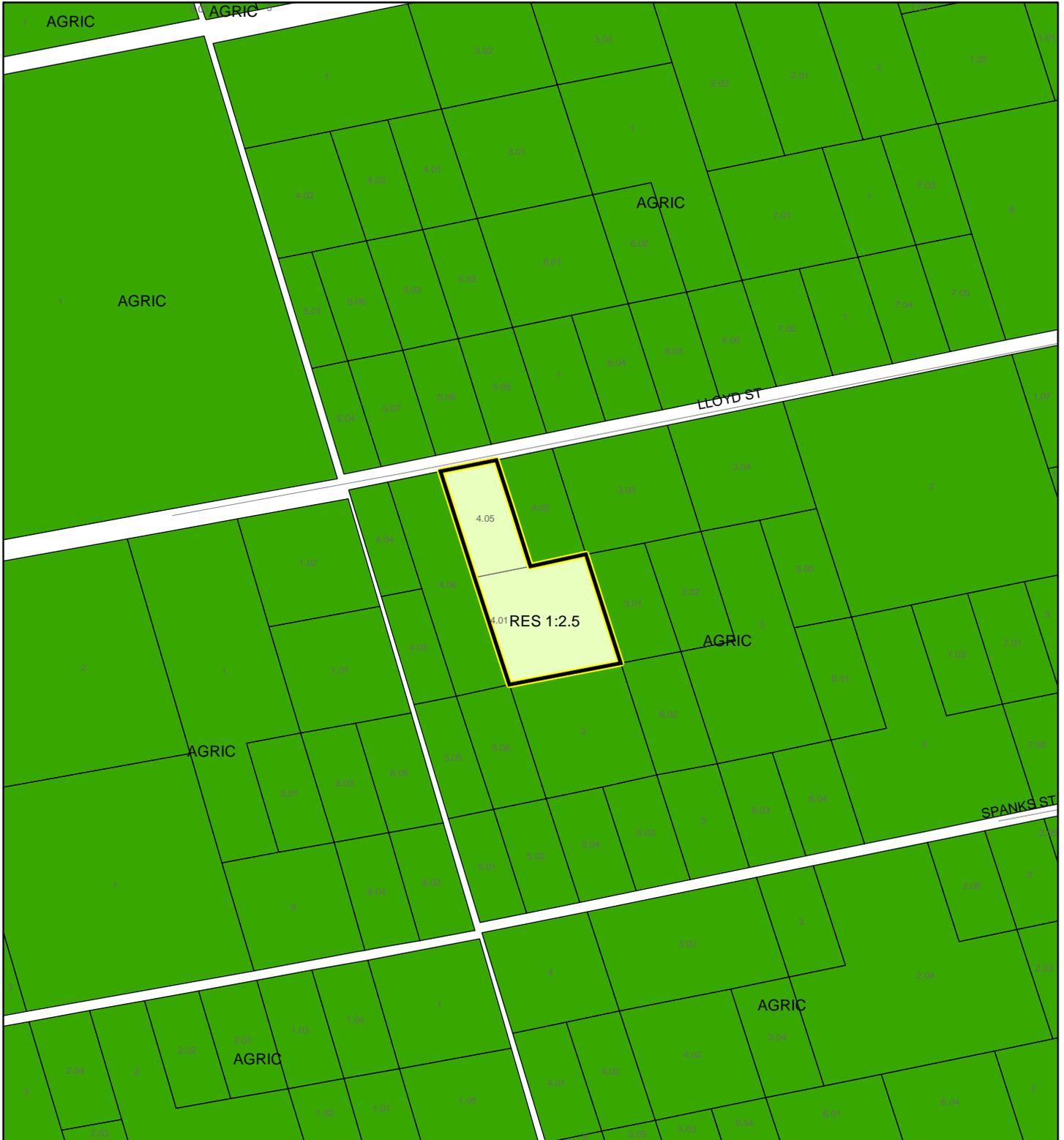
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 8/14/2020

PROPOSED FUTURE LAND USE MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

 Subject Property
 Parcels

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AERIAL MAP
COOMER, CLARENCE
20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2020

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

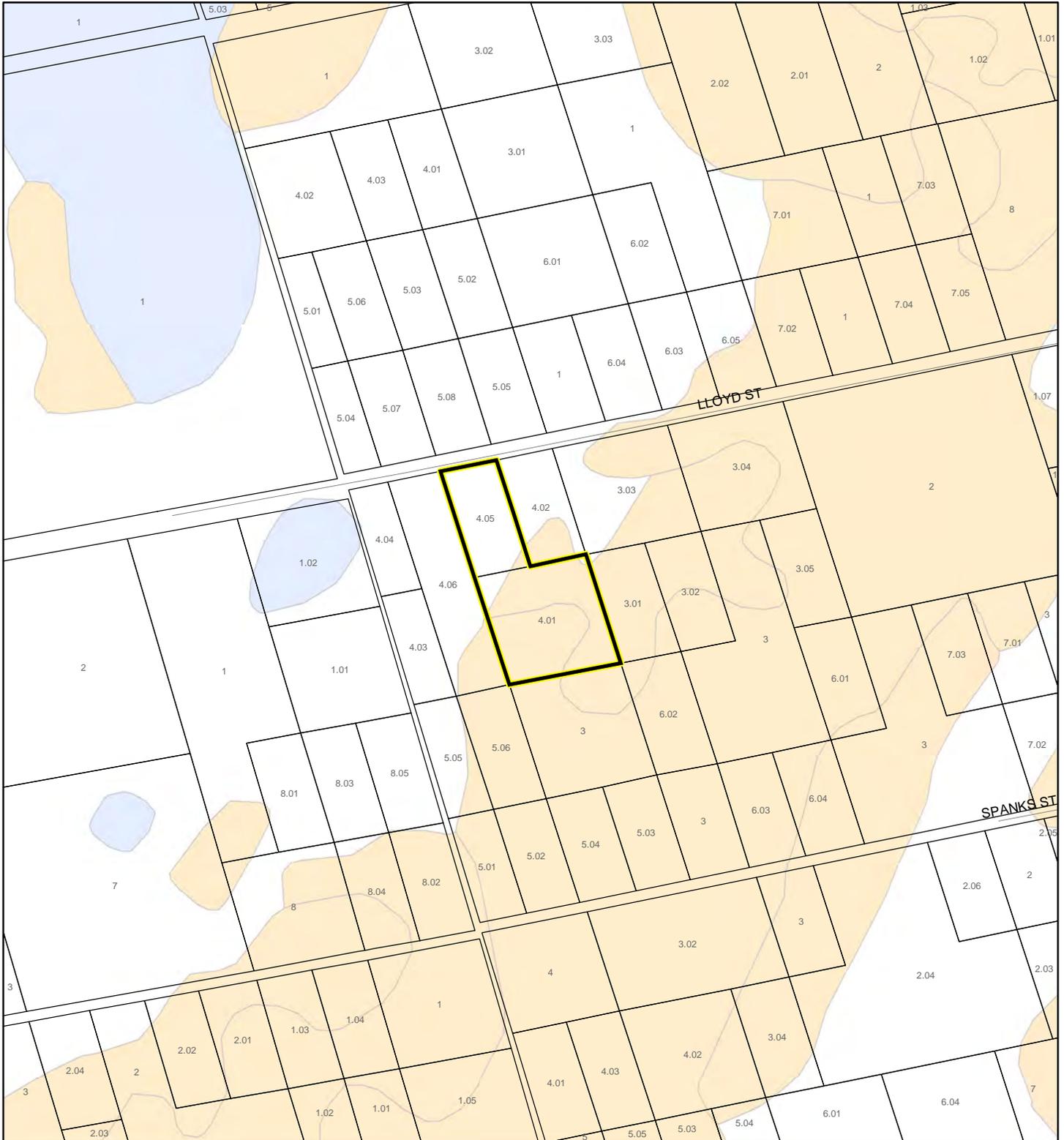
Produced by BoCC - GIS Date: 8/14/2020

 Subject Property
 Parcels

NWI WETLANDS MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

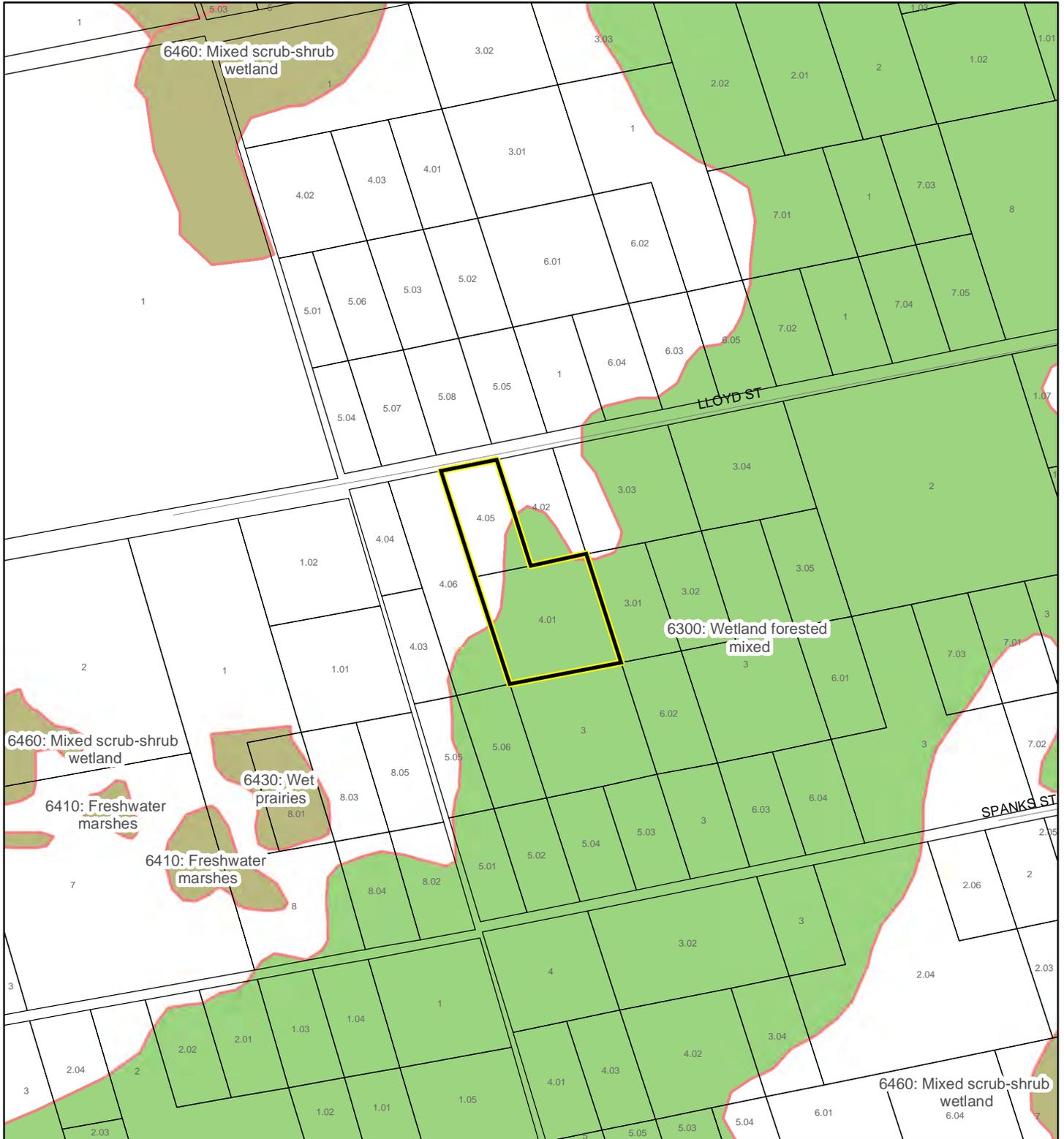
National Wetlands Inventory (NWI)

- | | |
|--|---|
|  Estuarine and Marine Deepwater |  Freshwater Pond |
|  Estuarine and Marine Wetland |  Lake |
|  Freshwater Emergent Wetland |  Other |
|  Freshwater Forested/Shrub Wetland |  Riverine |
|  Subject Property |  Parcels |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

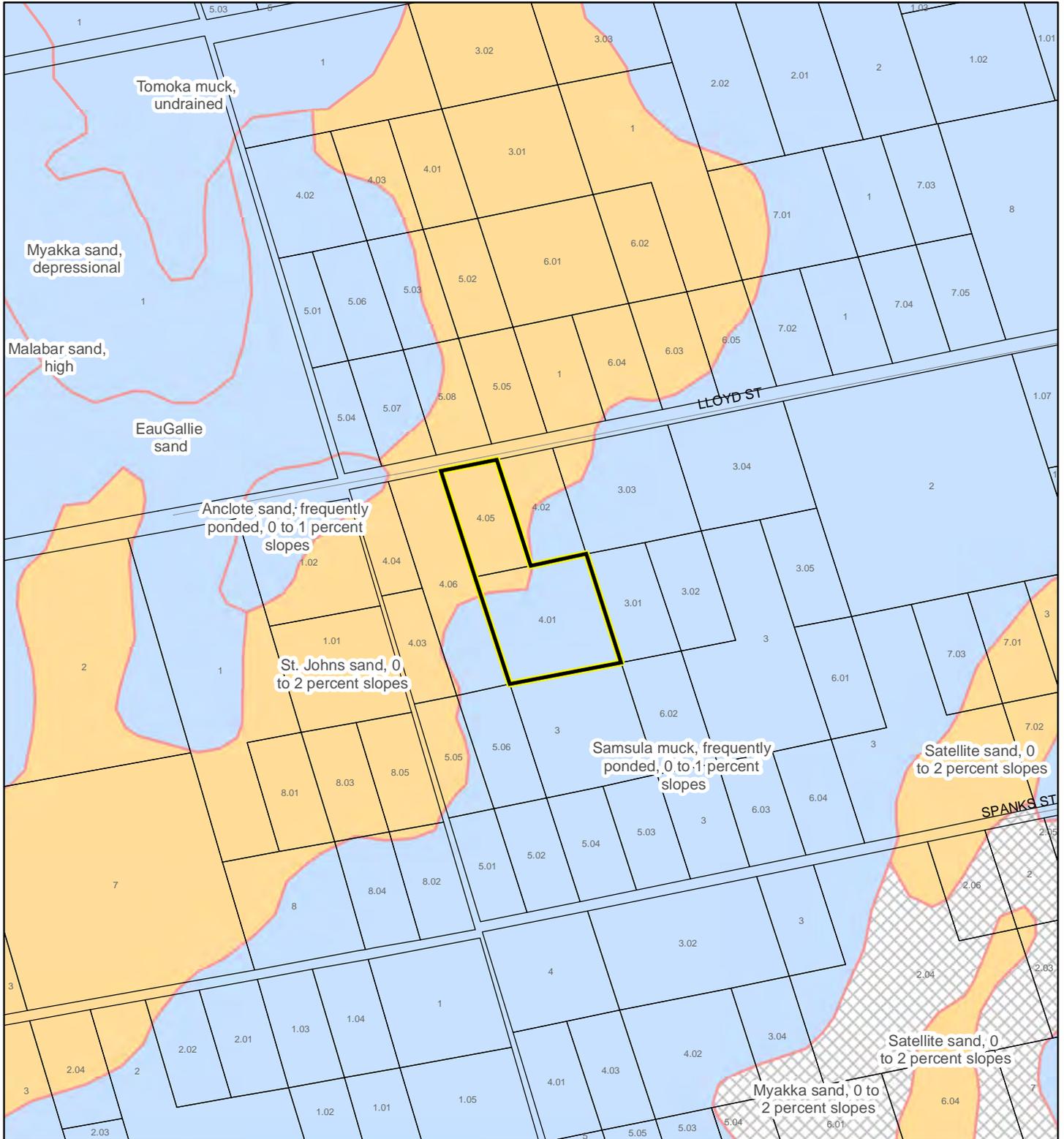
Subject Property

Parcels

USDA SCSSS SOILS MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

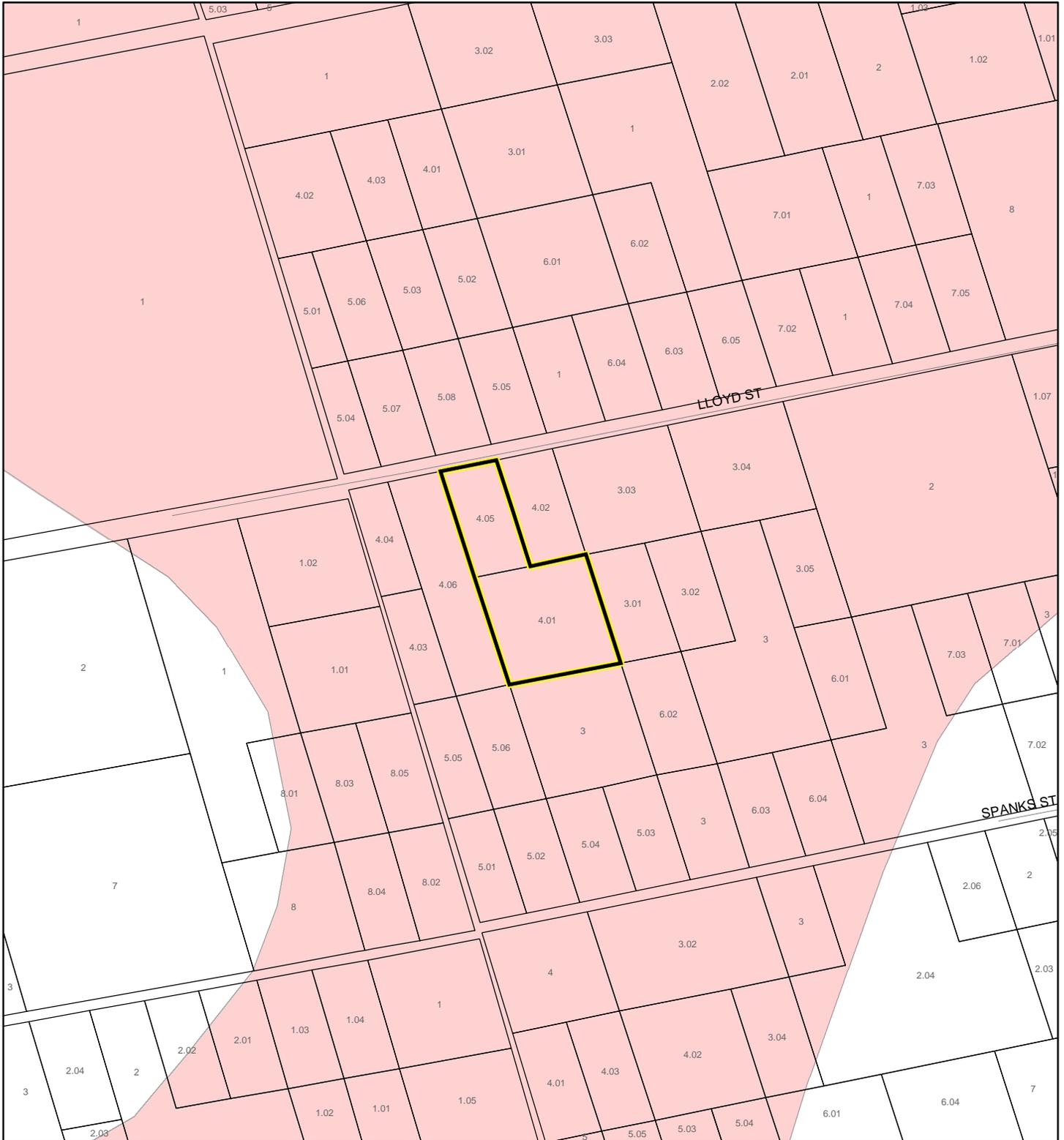
USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None
- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

FEMA Flood Zones

- | | | |
|---|--|--|
|  A |  AO |  X |
|  AE |  Open Water |  X Protected By Levee |
|  AH |  VE | |
|  0.2 Percent Annual Chance Flood Hazard | | |
|  0.2 Percent Annual Chance Flood Hazard Contained in Channel | | |
|  Subject Property | |  Parcels |

COASTAL HIGH HAZARD AREA MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

 Subject Property

 Parcels

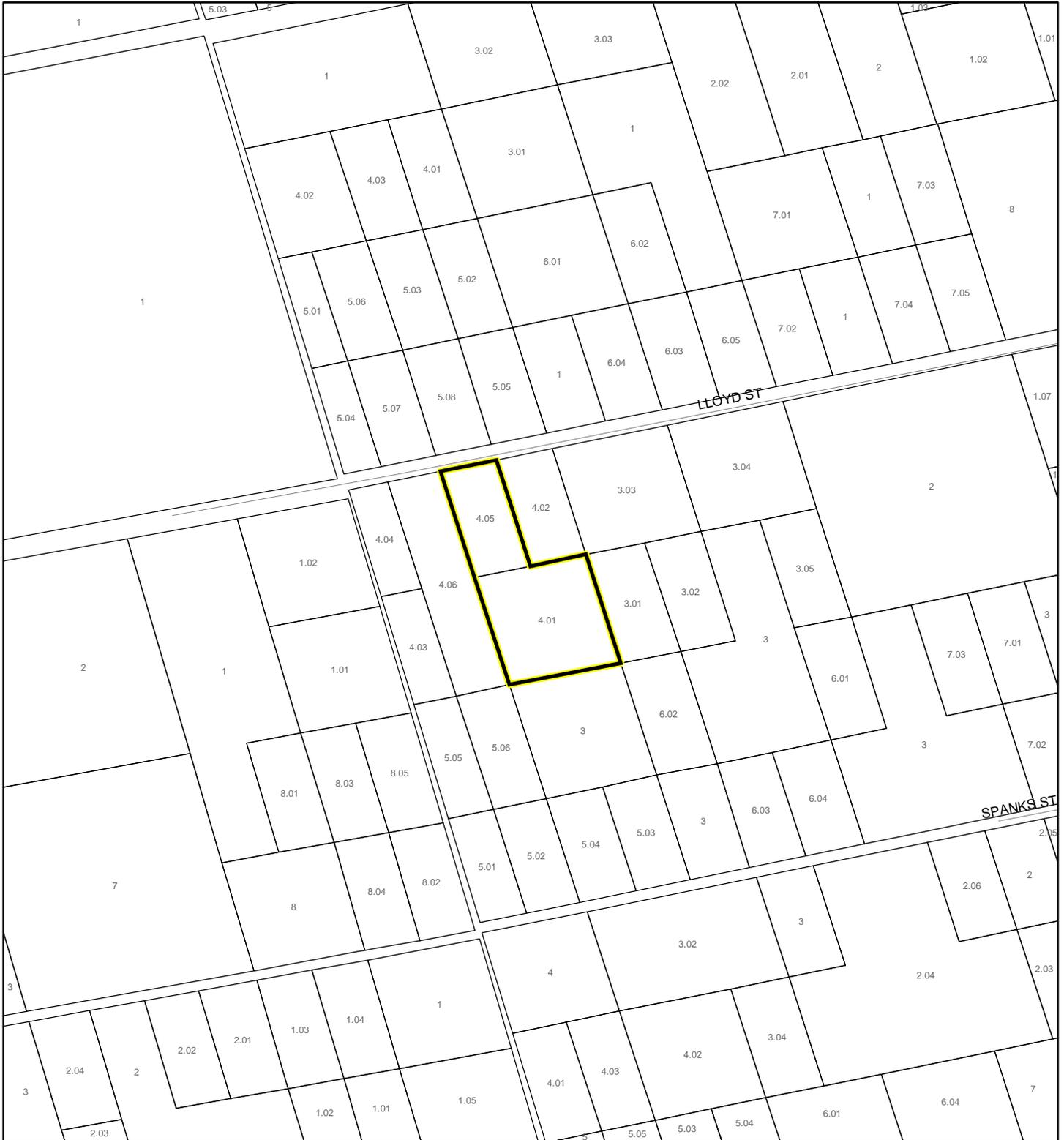
Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

 Subject Property

 Parcels

Septic Overlay

 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

 Subject Property

 Parcels

 Eagle Nests
FWS 2010

SCRUB JAY OCCUPANCY MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

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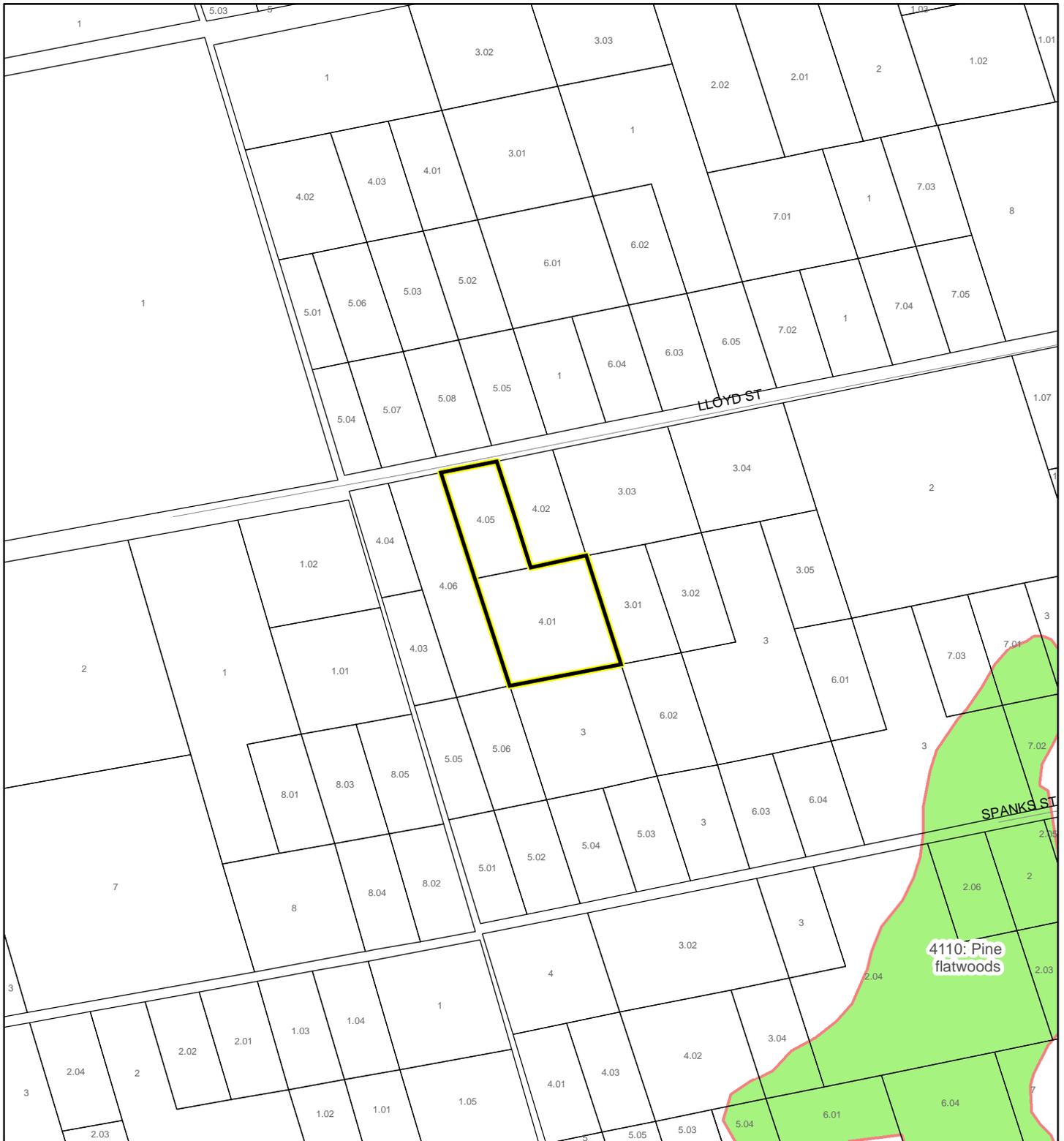
Produced by BoCC - GIS Date: 8/14/2020

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

COOMER, CLARENCE

20PZ00080 SMALL SCALE AMENDMENT 20S.07



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 8/14/2020

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

11/23/2020

Subject:

Clarence Coomer requests a change of zoning classification from GU to RRMH-2.5. (20Z00024) (Tax Accounts 2001246 and 2001250) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Planning and Zoning Board conduct a public hearing to consider a request to change the zoning classification from GU (General Use) to RRMH-2.5 (Rural Residential Mobile Home).

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from GU to RRMH-2.5 for the purpose of building a mobile home. Based upon minimum lot area, the applicant is combining both of his properties together to create one single 3.56-acre lot. The parcels are currently inconsistent with the Agriculture FLU (Future Land Use) designation and are not considered to be non-conforming lots of record because both parcels were created after 1988 and fail to meet the minimum area required both for the GU zoning and the Agriculture Future Land Use designation. The GU zoning is original to the lots adopted May 22, 1958.

The existing GU zoning can be considered with both FLU designations (Agriculture and RES 1:2.5), however, the property does not meet the minimum 5.0 lot size required to meet code. Should the companion FLU amendment be approved, the applicant is requesting to change the zoning to RRMH-2.5 which is consistent with this smaller lot size FLU designation.

This request is within the Mims Area Small Area Study, approved by the Board on April 10, 2007. The results of this SAS suggested no changes in the Agriculture designation at the time.

The abutting parcels to the west and south are undeveloped and zoned GU. The surrounding area is zoned GU, AU (Agricultural Residential), RRMH-5 (Rural Residential Mobile Home), RR-1 (Rural Residential), and RRMH-1. Some of those properties are considered non-conforming while others may be substandard.

The Board may wish to consider whether the request is consistent and compatible with the surrounding neighborhood. The board may also wish to consider the existing development trends of the surrounding area. In addition, the Board may wish to consider the recommendations of the 2007 Mims Small Area Study.

The Board of County Commissioners will consider the request on **Thursday, December 3, 2020**, at **5:00 p.m.** at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, 1st Floor, Viera, Florida.

Clerk to the Board Instructions:

None

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the director of the Planning and Development staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County Planning and Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
2. actual development over the immediately preceding three years; and
3. development approved within the past three years but not yet constructed.

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

Administrative Policy 4

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 of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- 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.
 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.
 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.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

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 unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application.”

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

(b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
 Building A, Room 114
 Viera, Florida 32940
 (321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
 20Z00024**

Clarence Coomer

GU (General Use) to RRMH-2.5 (Rural Residential Mobile Home)

Tax Account Number: 2001246 & 2001250
 Parcel I.D.: 20g-34-15-AI-6-4.01 & 4.05
 Location: South side of Lloyd Street, approximately 2,190 feet west of Meadow Green Road (District 1)
 Acreage: 3.56 acres
 Planning and Zoning Board: 11/09/2020
 Board of County Commissioners: 12/03/2020

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	GU	RRMH-2.5
Potential*	One Single Family Unit	One Single Family Unit
Can be Considered under the Future Land Use Map	YES Agriculture	YES** Residential 1:2.5

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. **If the companion Small Scale Future Land Use Amendment, **20PZ00080**, is changed from Agriculture (1 unit/ 5 acres) to Residential 1:2.5, this zoning action can be heard.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from GU (General Use) to RRMH-2.5 (Rural Residential Mobile Home) for the purpose of building a mobile home. Based upon minimum lot area, the applicant is combining both of his properties together to create one single 3.56-acre lot. The parcels are currently inconsistent with the Agriculture Future Land Use designation and are not considered to be non-conforming lots of record because both parcels were created after 1988 and fail to meet the minimum area required both for the GU zoning and the Agriculture FLUM designation.

The GU zoning is original to the lots adopted May 22, 1958. The property consists of two substandard lots which the applicant will combine into one lot for development purposes.

Land Use

The subject property is currently designated as Agriculture with residential development limited to one unit per 5.0-acre lot. The companion application **20PZ00080** proposes to change this FLUM to the Residential 1:2.5 (Residential 1:2.5) Future Land Use designation.

The existing GU zoning can be considered with both Future Land Use designations (Agriculture and RES 1:2.5), however, the property does not meet the minimum 5.0 lot size required to meet code. Should the companion FLUM amendment be approved, the applicant is requesting to change the zoning to RRMH-2.5 which is consistent with this smaller lot size FLUM designation. The applicant's property totals 3.56 acres.

Environmental Constraints

The subject parcel contains a large mapped area of National Wetlands Inventory (NWI) wetlands, SJRWMD wetlands, and hydric soils. Information available to NRM indicates that impacts to wetlands may have occurred between 2018 and 2019 when a portion of the site was cleared. A wetland determination/delineation will be required prior to any site plan design, land clearing activities, or building permit submittal. The discovery of unpermitted wetland impacts may result in enforcement action. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) including avoidance of impacts, and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal.

Preliminary Concurrency

The closest concurrency management segment to the subject property is US Highway 1, between Burkholm Road to Volusia County, which has a Maximum Acceptable Volume (MAV) of 40,300 trips per day, a Level of Service (LOS) of C, and currently operates at 10.65% of capacity daily. The maximum development potential from the proposed rezoning does increase the percentage of MAV utilization by 0.03%. The corridor is anticipated to continue to operate at 10.68% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

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

The parcel is not serviced by public water or sewer. The closest available Brevard County potable water line is approximately 3 miles southeast of the subject property.

Applicable Land Use Policies

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

This request is within the Mims Area Small Area Study, approved by the Board on April 10, 2007. The results of this SAS suggested no changes in the Agriculture designation at this time." This study also recognized, "Above all, "Mims should remain Mims" – a special place, rural and small-town in nature, with a history and future all its own."

The applicant can apply for this zoning. The proposed RRMH-2.5 zoning may be considered to be consistent with the proposed Future Land Use designation RES 1:2.5, if adopted under the companion Small-Scale Comprehensive Plan amendment # **20PZ00080**.

The Indian River Park Subdivision recorded on May 28, 1914, has been subsequently divided from the initial recording size of 10-acre tract/lot size to mostly 1.25-acre lots. Some of these lots are nonconforming to zoning and are vested (1+ acre minimum lot area) for their creation prior to May 20, 1975. Other lots in this area were not created before this date but may have received Board approval for a change in zoning to make that specific property usable during the period from 1975 to the adoption of the Comprehensive Plan in 1988. This area of the county also contains substandard lots which fail to meet current zoning criteria and were never recognized to be non-conforming to either zoning standards or the Comprehensive Plan. Such is the case with the 1+ acre RRMH-1 zoned properties lying to the north of the subject property, across Lloyd Street.

For those lots, which fail to meet code and are not considered to be non-conforming, relief can currently be obtained by the assemblage of additional lands to comply with the Agriculture FLUM density limitation of one unit per 5.0 acres.

The Board should determine whether future development in this area should be limited to 5-acre parcels or should a smaller lot area designation such as RES 1:2.5 (one unit per 2.5 acres) be allowed and to recognize the existing development patterns. This request essentially mimics the existing development pattern.

This applicant will join his two parcels into one 3.56-acre tract

Analysis of Administrative Policy #4 - Character of a neighborhood or area. The developed character of the surrounding area is a mix of undeveloped land, single family detached dwellings and mobile homes on lots of 1+ acres zoned GU, AU, RRMH-5, RR-1 and RRMH-1. The subject parcel and the surrounding area have a Future Land Use (FLU) designation of Agriculture. The developed neighboring lots zoned RR-1, RRMH-1 and AU were all rezoned prior to the 1988 Comprehensive Plan and are considered non-conforming to the Comprehensive Plan.

FLUE Policy 1.10 The Residential 1:2.5 Future land use designation. The Residential 1:2.5 land use designation, which establishes the lowest density of all the residential future land use designations, permits a maximum density of up to one (1) unit per 2.5 acres, except as otherwise may be provided for within this element. Development in the Residential 1:2.5 land use designation should seek to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 3 - 5 of the Future Land Use Element.

Surrounding Area

The abutting parcels to the west and south are undeveloped and zoned GU. The surrounding area is zoned GU, AU, RRMH-5, RR-1 and RRMH-1. Some of those properties are considered non-conforming while others may be substandard.

There have been no zoning actions within a half-mile radius of the subject property within the last three years.

For Board Consideration

The Board may wish to consider whether the request is consistent and compatible with the surrounding neighborhood. The board may also wish to consider the existing development trends of the surrounding area. In addition, the Board may wish to consider the recommendations of the 2007 Mims SAS.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary**

Item # 20Z00024

Applicant: Clarence Coomer

Zoning Request: GU to RRMH 1:2.5

Note: Applicant wants a mobile home.

P&Z Hearing Date: 11/09/20; **BCC Hearing Date:** 12/03/20

Tax ID Nos: 2001250 & 2001246

- 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:

- NWI Wetlands
- SJRWMD Wetlands
- Hydric Soils
- Aquifer Recharge Soils
- Floodplain
- Protected and Specimen Trees
- Protected Species

The subject parcel contains a large mapped area of National Wetlands Inventory (NWI) wetlands, SJRWMD wetlands, and hydric soils. Information available to NRM indicates that impacts to wetlands may have occurred between 2018 and 2019 when a portion of the site was cleared. A wetland determination/delineation will be required prior to any site plan design, land clearing activities, or building permit submittal. The discovery of unpermitted wetland impacts may result in enforcement action. Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) including avoidance of impacts, and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any site plan design or permit submittal.

Land Use Comments:

Wetlands

The subject parcel contains mapped NWI (Freshwater forested shrub wetlands), SJRWMD (Wetland Mixed Forest), and hydric soils (Samsula muck-frequently ponded and St. Johns sand) as shown on the NWI Wetlands, SJRWMD Florida Land Use & Cover Codes, and USDA Soil Conservation Service Soils Survey maps, respectively. All are indicators that wetlands may be present on the property. Per Section 62-3694(c)(2), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. The preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts as described in Section 65-3694(c)(1)a above. Application of the one-unit-per-five-acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property as defined in Section 65-694(c)(6). Any permitted wetland impacts must meet the requirements of Sections 62-3694(e) and 62-3696. A wetland delineation will be required prior to any land clearing activities.

Aquifer Recharge Soils

St. Johns sand also functions as aquifer recharge soils. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Floodplain

The entire property is mapped as being within an isolated floodplain as identified by FEMA and as shown on the FEMA Flood Zones Map. The portion of the property located within the floodplain is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. Per Section 62-3724(3)(d), compensatory storage shall be required for fill in excess of one third (1/3) acre in size, that would provide an upland buildable area within an isolated floodplain. Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Protected and Specimen Trees

Aerials indicate that Protected (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) may reside on subject property. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

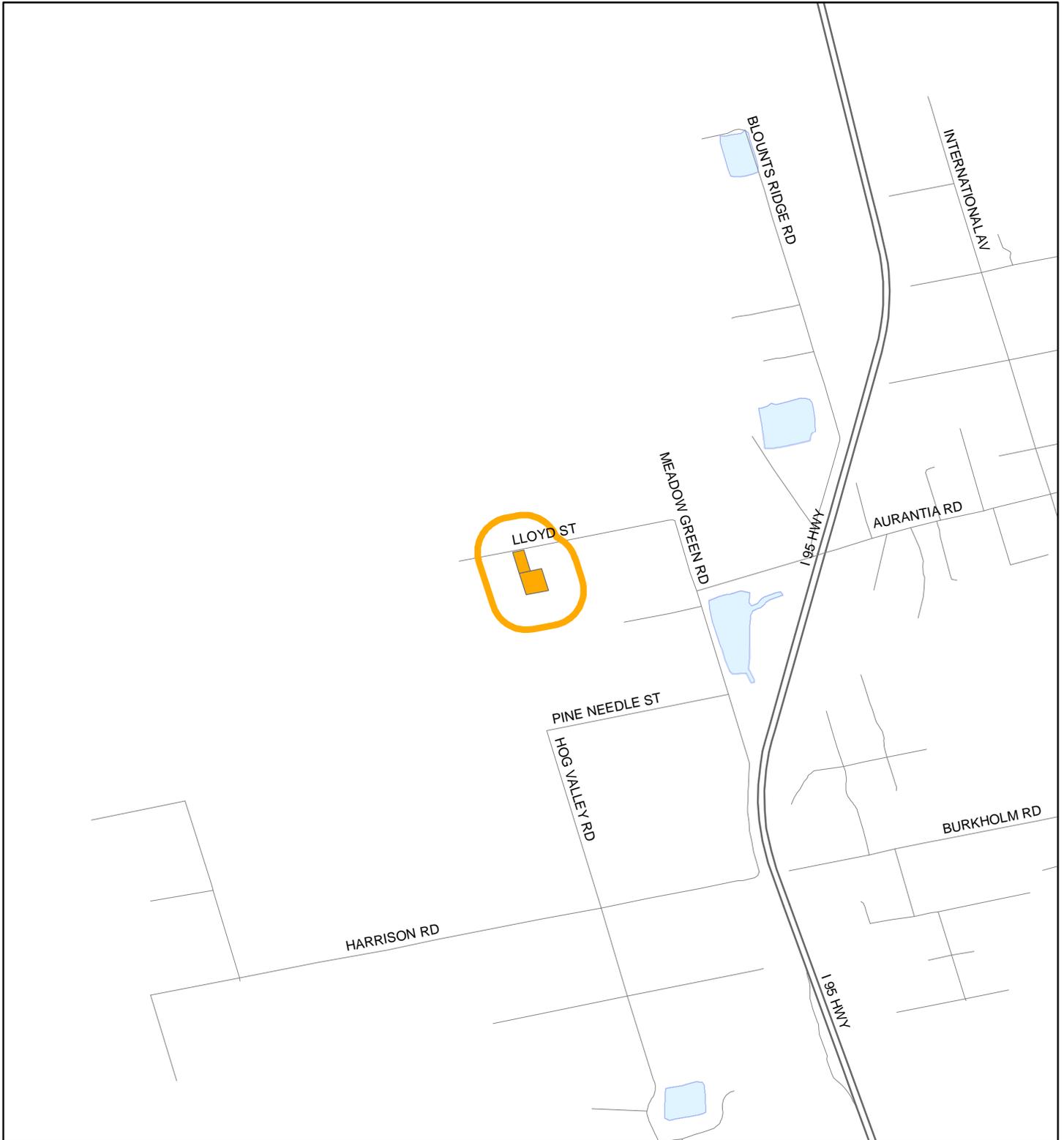
Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. 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 and/or U.S. Fish and Wildlife Service, as applicable.

LOCATION MAP

COOMER, CLARENCE

20Z00024



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 8/14/2020

-  Buffer
-  Subject Property

ZONING MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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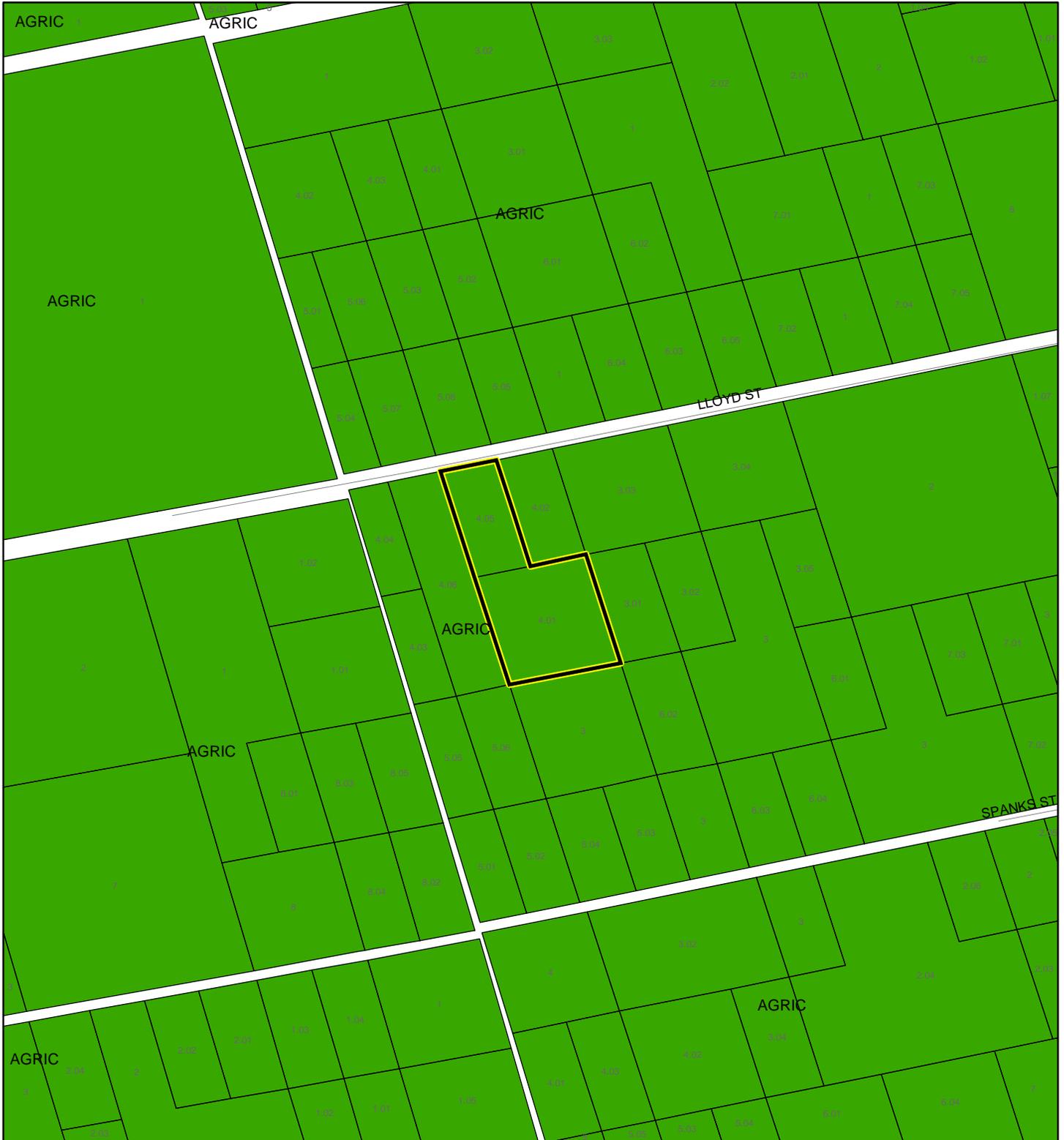
Produced by BoCC - GIS Date: 8/14/2020

-  Subject Property
-  Parcels
-  Zoning

FUTURE LAND USE MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

 Subject Property
 Parcels

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Produced by BoCC - GIS Date: 8/14/2020

AERIAL MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2020

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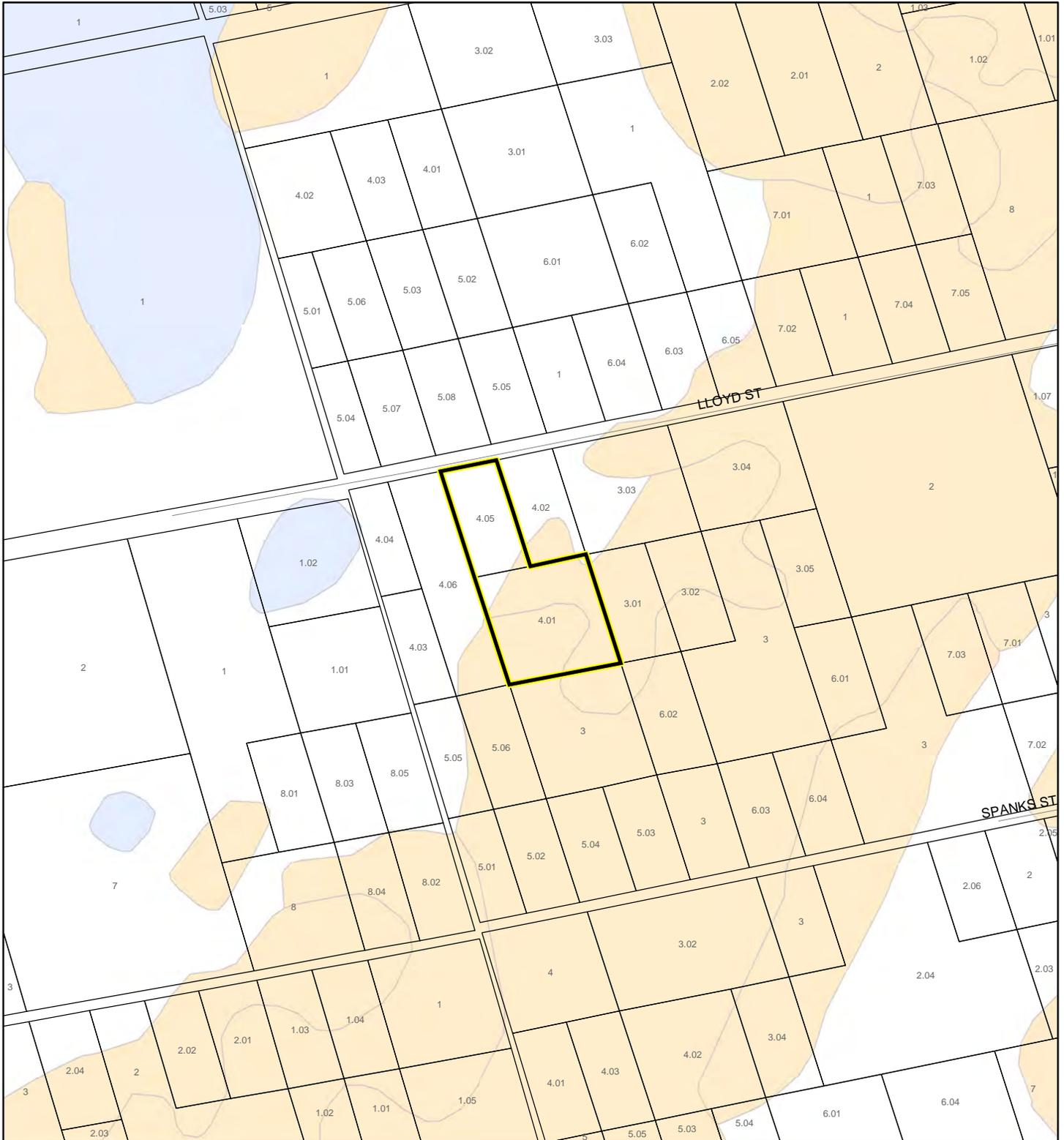
 Subject Property

 Parcels

NWI WETLANDS MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

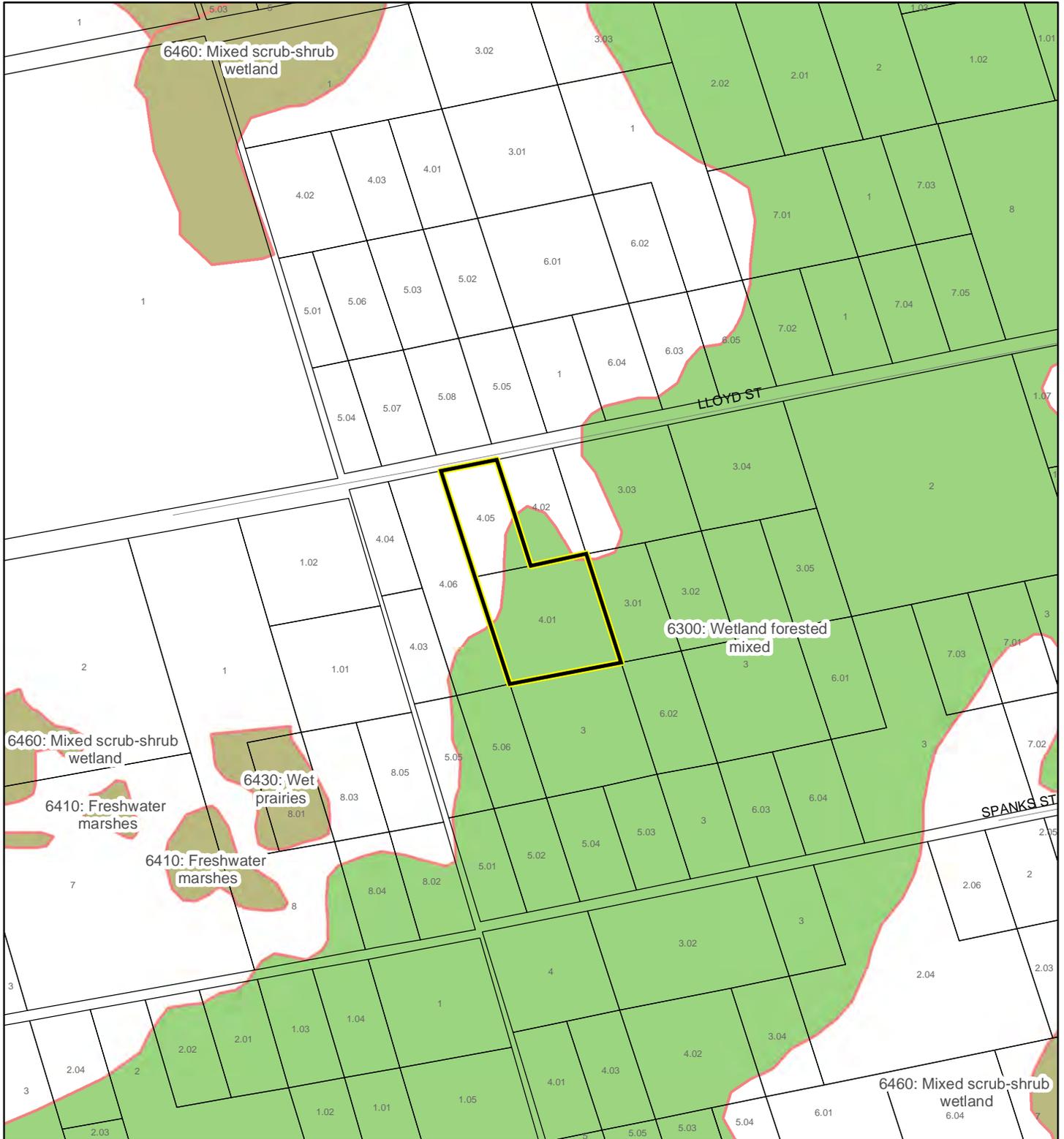
National Wetlands Inventory (NWI)

- | | |
|--|---|
|  Estuarine and Marine Deepwater |  Freshwater Pond |
|  Estuarine and Marine Wetland |  Lake |
|  Freshwater Emergent Wetland |  Other |
|  Freshwater Forested/Shrub Wetland |  Riverine |
|  Subject Property | |
|  Parcels | |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

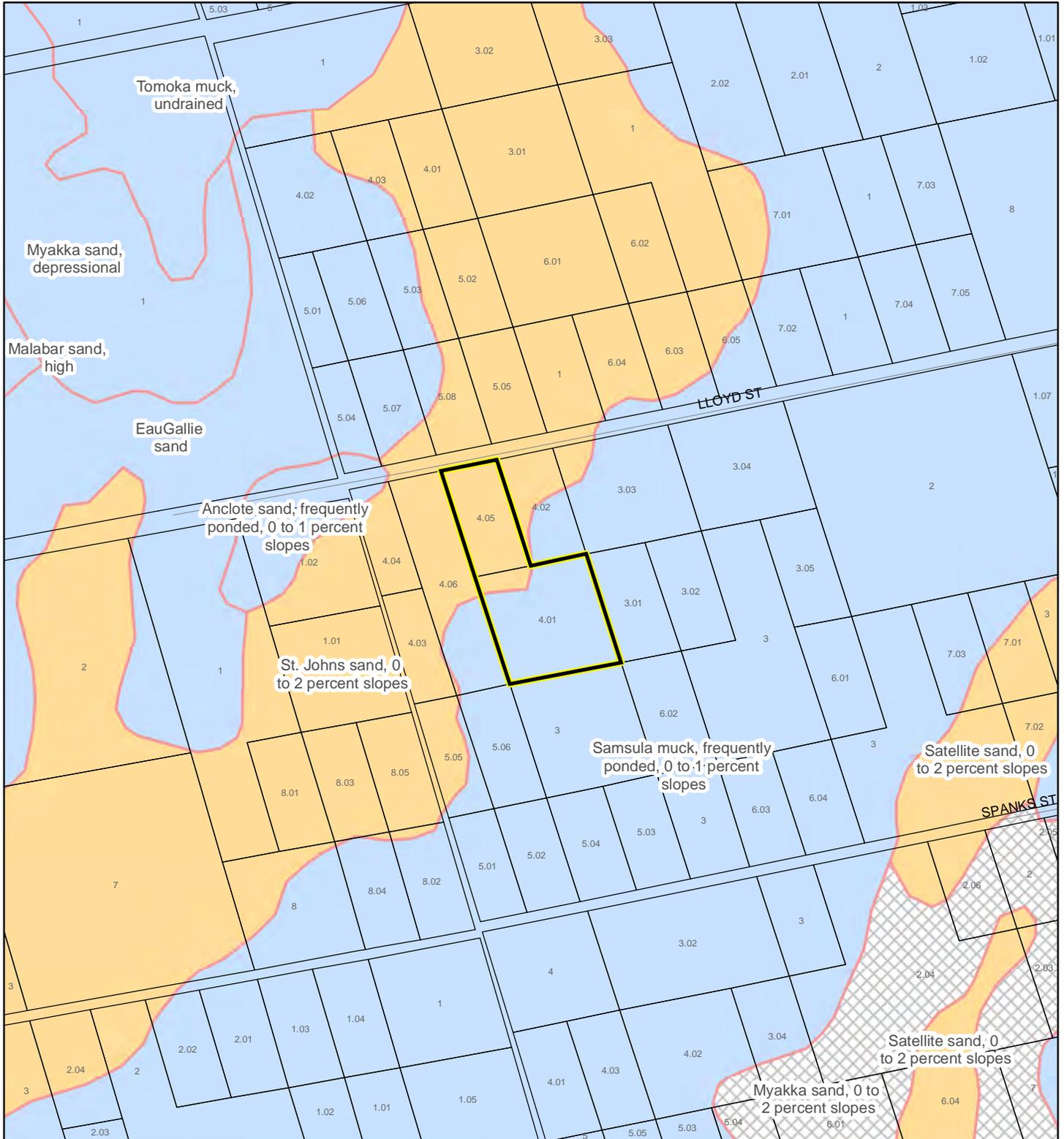
Subject Property

Parcels

USDA SCSSS SOILS MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

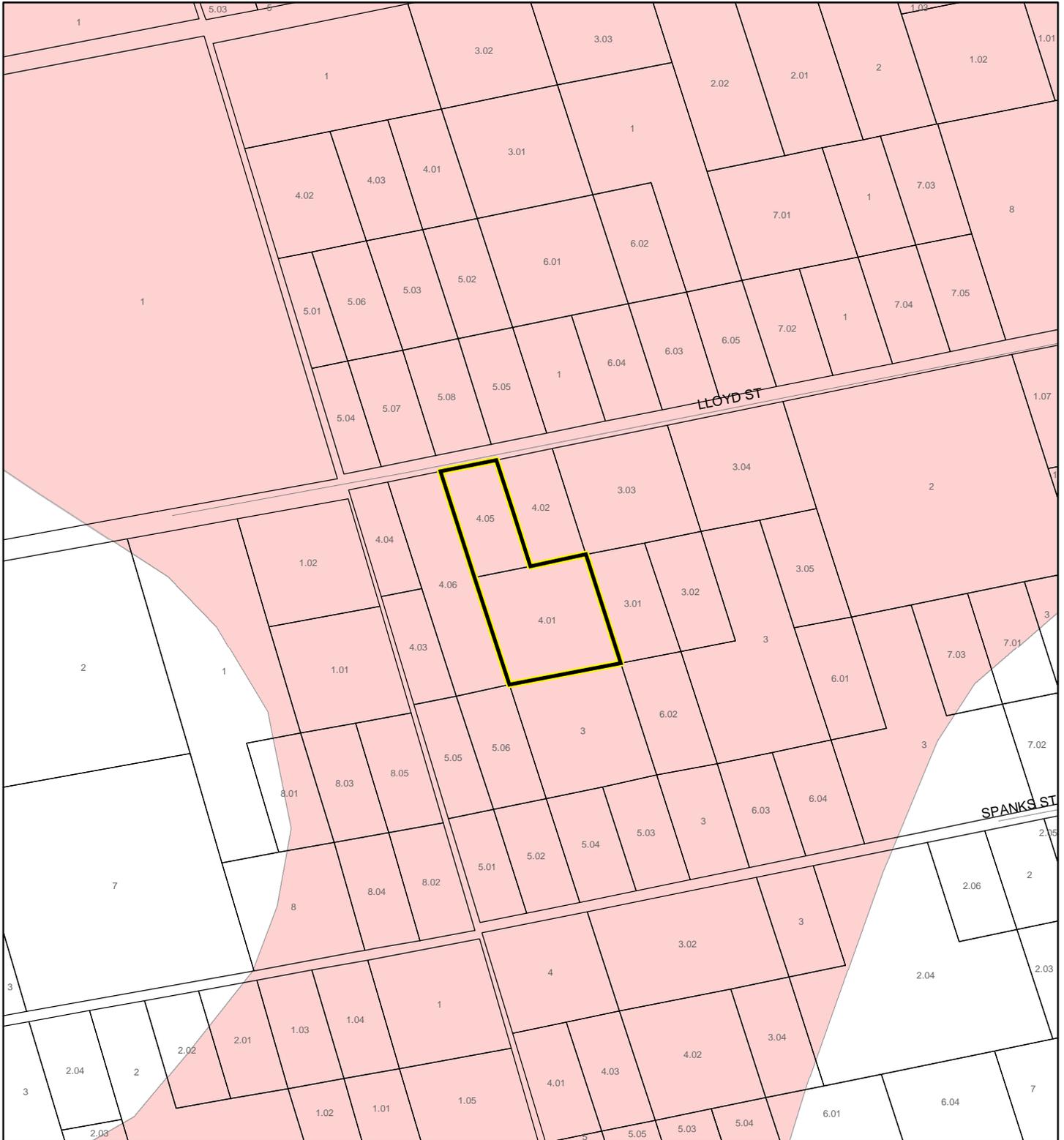
USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None
- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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FEMA Flood Zones

- | | | |
|---|--|--|
|  A |  AO |  X |
|  AE |  Open Water |  X Protected By Levee |
|  AH |  VE | |
|  0.2 Percent Annual Chance Flood Hazard | | |
|  0.2 Percent Annual Chance Flood Hazard Contained in Channel | | |
|  Subject Property | |  Parcels |

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

 Subject Property

 Parcels

Septic Overlay

 40 Meters

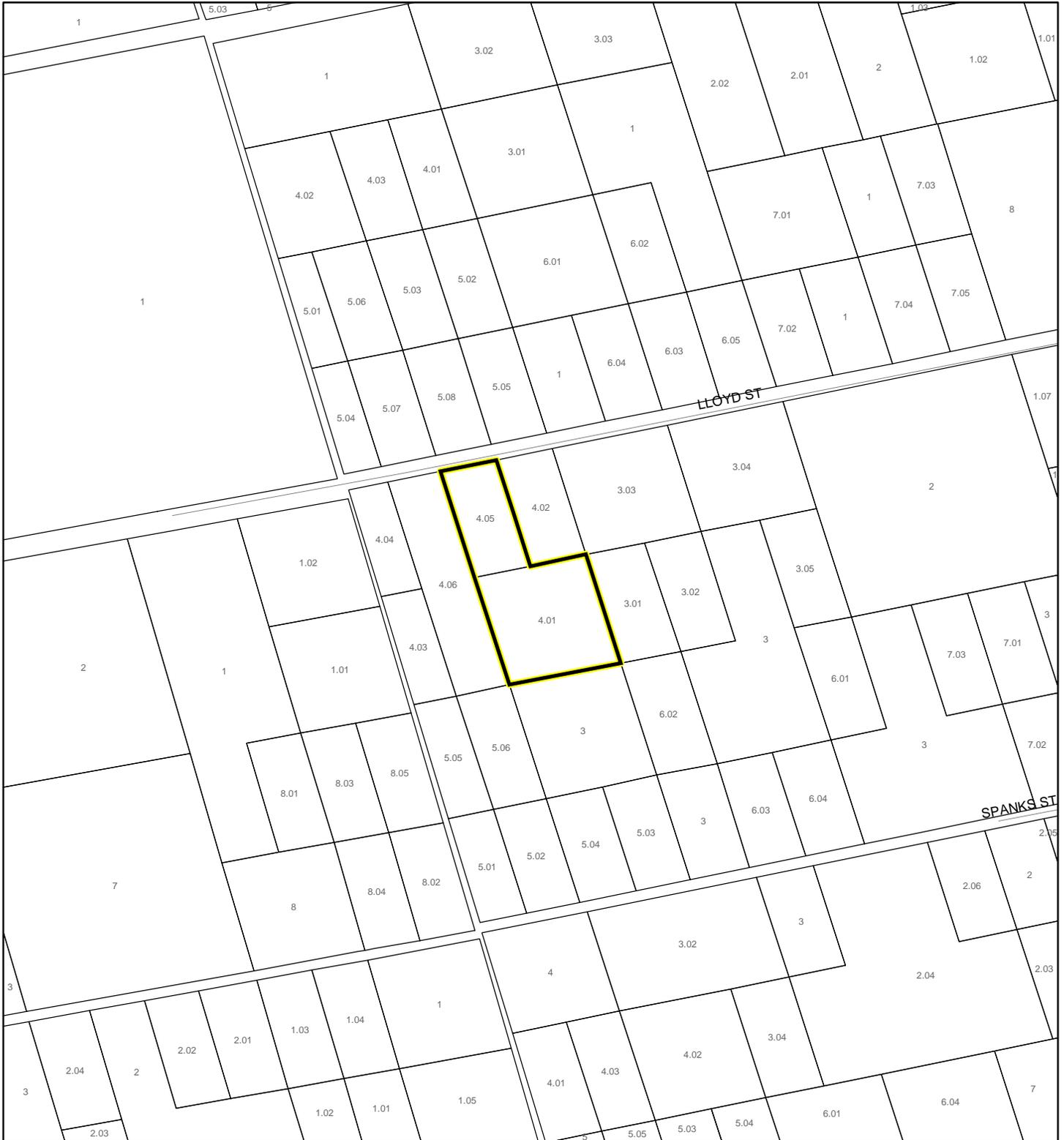
 60 Meters

 All Distances

EAGLE NESTS MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

 Subject Property

 Parcels

 Eagle Nests
FWS 2010

SCRUB JAY OCCUPANCY MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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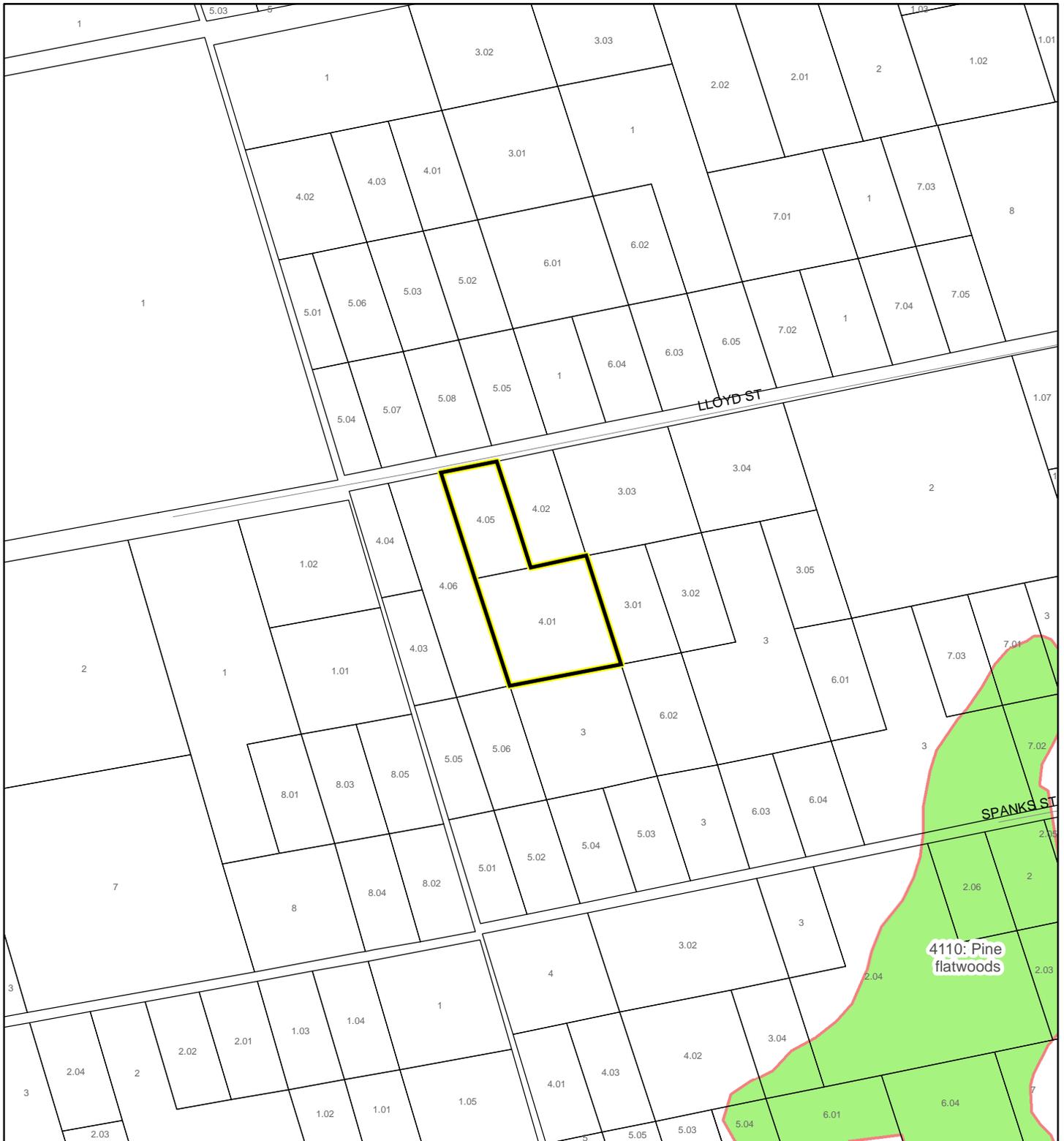
Produced by BoCC - GIS Date: 8/14/2020

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

COOMER, CLARENCE

20Z00024



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/14/2020

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

11/23/2020

Subject:

4725 Fay Blvd Land Trust (Carmine Ferraro) requests a Small Scale Comprehensive Plan Amendment (20S.10), to change the Future Land Use Designation from NC to CC. (20PZ00088) (Tax Account 2308841) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Local Planning Agency conduct a public hearing to consider a Small Scale Comprehensive Plan Amendment (20S.10), to change the Future Land Use Designation from NC (Neighborhood Commercial) to CC (Community Commercial).

Summary Explanation and Background:

The applicant is seeking to amend 1.59 acres of land from the Future Land Use designation of NC to CC. Prior to the NC Future Land use change on December 6, 2007, the subject parcel had a Future Land Use designation of Residential 4 and has been in place since the County adopted the Comprehensive Plan in September of 1988.

Currently, the subject parcel is being used as a church that was built in 1999. The applicant is seeking this Future Land Use change in order to construct a hardware store on the south side of Fay Boulevard between Adams Place to the west and Waterloo Avenue to the east.

On October 4, 2018, the Board of County Commissioners directed staff to conduct a Small Area Study of Port St. John after a request was made to change the Future Land Use designation from RES 4 to CC and a zoning change request from IN(L) (Institutional Use - Low Intensity) to BU-1 (General Retail Commercial) on a 1.78 acre parcel of land located on the south side of Fay Boulevard west of the subject parcel.

Staff identified three areas for consideration regarding Future Land Use changes; Fay Boulevard from Stillwater Avenue to Waterloo Avenue; the intersection at Fay Boulevard and Grissom Parkway; and the intersection at Fay Boulevard and U.S. Highway 1. Staff did not recognize the need to add additional CC Future Land Use to this area of Fay Boulevard.

A companion rezoning application was submitted accompanying this request for a Zoning change from BU-1-A (Restricted Neighborhood Retail Commercial) to BU-1.

The Board may wish to consider if this request is consistent and compatible with the surrounding area given that there are limited parcels for CC Future Land Use along Fay Blvd.

The Board may also wish to consider the recommendations of the Small Area Study that directed CC Future Land Use to the existing Commercial corridors along Port St. John Parkway and Grissom Road; Curtis Boulevard and Fay Boulevard; and U.S. Highway 1 and Fay Boulevard.

The Board may wish to consider Policy's 2.8(A) and 2.8(C), locational criteria for Community Commercial.

On November 18, 2020, the Port St. John Dependent Special District Board will hear the request and staff will update the LPA at the November 23rd meeting.

The Board of County Commissioners will hear the request on **Thursday, December 3, 2020**, at **5:00 p.m.**, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

Clerk to the Board Instructions:

None

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the director of the Planning and Development staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County Planning and Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
2. actual development over the immediately preceding three years; and
3. development approved within the past three years but not yet constructed.

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

Administrative Policy 4

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 of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- 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.
 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.
 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.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

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 unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application.”

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

(b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.

**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

STAFF COMMENTS

Small Scale Plan Amendment 20S.10 (20PZ00088)
Township 23, Range 35, Section 23

Property Information

Owner / Applicant: **4725 Fay Blvd Land Trust**

Adopted Future Land Use Map Designation: Neighborhood Commercial (NC)

Requested Future Land Use Map Designation: Community Commercial (CC)

Acreage: 1.59 acres

Tax Account #: 2309941

Site Location: On the south side of Fay Boulevard approximately 190 feet east of
Adams Place

Commission District: 1

Current Zoning: Restricted Neighborhood Retail Commercial (BU-1-A)

Requested Zoning: General Retail Commercial (BU-1)

Background & Purpose

The applicant is seeking to amend 1.59 acres of land from the Future Land Use designation of Neighborhood Commercial (NC) to Community Commercial (CC). The subject property currently has a Future Land Use designation of NC. Prior to the NC Future Land use change on December 6, 2007, the subject parcel had a Future Land Use designation of Residential 4 (RES 4) and has been in place since the County adopted the Comprehensive Plan in September of 1988.

Currently, the subject parcel is being used as a church that was built in 1999. The applicant is seeking this Future Land Use change in order to construct a hardware store on the south side of Fay Boulevard between Adams Place to the west and Waterloo Avenue to the east.

In 1991, Brevard County Staff prepared the Port St. John Small Area Plan for the purpose of compliance with Objective 10 of the Comprehensive Plan to eliminate inconsistencies between the official zoning map and the Comprehensive Plan through a Small Area Study process.

In 2005, County staff assisted in a Port St. John & Grissom Parkway Small Area Study. The Citizen’s Resource Group made up of ten members completed a Future Land Use Map visioning process. The recommendation was to create a commercial corridor along Grissom Parkway and Port St. John Parkway with light retail and low density residential.

On October 4, 2018, the Board of County Commissioners directed staff to conduct a Small Area Study of Port St. John after a request was made to change the Future Land Use designation from Residential 4 (RES 4) to Community Commercial (CC) and a Zoning change request from Institutional Use – Low Intensity (IN(L)) to General Retail Commercial (BU-1) on a 1.78 acre parcel of land located on the south side of Fay Boulevard west of the subject parcel.

Staff identified three (3) areas for consideration regarding Future Land Use changes; Fay Boulevard from Stillwater Avenue to Waterloo Avenue, the intersection at Fay Boulevard and Grissom Parkway, and the intersection at Fay Boulevard and U.S. Highway 1. Staff did not recognize the need to add additional CC Future Land Use to this area of Fay Boulevard.

A companion rezoning application was submitted accompanying this request for a Zoning change from Restricted Neighborhood Retail Commercial (BU-1-A) to General Retail Commercial (BU-1).

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Brevard County Park	GML	REC
South	Day Care Center and Vacant Brevard County owned land	BU-1-A & RP	PUB
East	Vacant Brevard County owned land	RU-1-9	RES 4
West	Family Dollar and (across Adams Place) a Multi-unit Retail Store	BU-1-A	NC & RES 4

To the north of the subject property is a Brevard County park with ball fields and tennis courts, to the east is a vacant Brevard County parcel of land, to the south is a Day Care Center and vacant parcels of land and to the west is a multi-unit retail store.

Environmental Resources

Mapped resources include aquifer recharge soils, protected and specimen trees and protected species.

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Historic Resources

There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in *italics*

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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 foresee ably be affected by the proposed use;

The applicant is proposing to change the Future Land Use and Zoning in order to construct/redevelop a hardware store. Typical hours of operation for a hardware store are from 8:00 a.m. to 7:00 p.m. There are existing single-family residences to the northeast and northwest that could potentially be impacted by the hours of operation, lighting and traffic.

- 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;

There is a historical existing commercial use pattern in this area between Grissom Parkway to the west and Waterloo Avenue to the east that occurred prior to the adoption of the Comprehensive Plan in 1988.

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

There has not been any actual development within this area in the preceding three (3) years.

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

There was one (1) Future Land Use change in October of 2018 approving the change from RES 4 to CC. There was a companion Zoning approval changing the Zoning from IN(L) to BU-1. There have been no actual development approvals within the past 3 years.

Role of the Comprehensive Plan in the Designation of Commercial Lands

Policy 2.1

The Comprehensive Plan takes into consideration broad criteria for evaluating requests for commercial land use designations within Brevard County. At a minimum, these criteria address the following:

Criteria:

- A. Overall accessibility to the site;

The subject 1.59 acre parcel has frontage on Fay Boulevard to the north and access to Adams Place to the west.

- B. Compatibility and inter-connectivity with adjacent adopted Future Land Use designations and land uses;

The subject 1.59 acre parcel is adjacent to NC to the west and RES 4 across Adams Place to the west. To the east and south the Future Land Use designation is also RES 4. To the north is a Brevard County park with a Recreation (REC) Future Land Use designation.

The parcel to the west has an existing Dollar Store with a Neighborhood Commercial (NC) Future Land Use designation and across Adams Place an existing multi-unit retail store. Interconnectivity could be provided between the Dollar Store to the west and the subject site.

- C. Existing commercial development trend in the area;

There is a historical existing commercial use pattern in this area between Grissom Parkway to the west and Waterloo Avenue to the east that occurred prior to the adoption of the Comprehensive Plan in 1988.

- D. Fundamental changes in the character of an area prompted by infrastructure improvements undertaken by the County;

There are no fundamental changes in character within this area prompted by County infrastructure improvements.

- E. Availability of required infrastructure at/above adopted levels of service;

The parcel is not serviced by Brevard County sewer. The closest available Brevard County sewer line is located directly in front of the parcel in the center of Fay Boulevard.

The parcel is serviced by The City of Cocoa water.

The subject 1.59 acre parcel has frontage on Fay Boulevard to the north and access to Adams Place to the west.

- F. Spacing from other commercial activities;

The nearest community commercial cluster is located approximately 1.32 miles south at the intersection of Grissom Parkway and St. John's Parkway which is approximately 93 acres. This segment of St. John's Parkway between Interstate 95 (I-95) and Grissom Parkway was intended as a commercial corridor to serve local, regional and sub-regional residential communities. Additionally, there is a cluster of community commercial and industrial land uses along Curtis Boulevard beginning on the north side of Fay Boulevard. And lastly, U.S. Highway 1 is a commercial corridor intended to serve local, regional and sub-regional communities to include Port St. John.

- G. Size of proposed commercial designation compared with current need for commercial lands;

The subject parcel is 1.59 acres and is not located in an area with CC Future Land uses. Port St. John residents have accessibility to the existing commercial corridors located approximately between 1.32 to 2 miles from the subject site. There are approximately 14 acres of available commercial land along St. John's Parkway at the Grissom Parkway intersection.

- H. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems;

The Natural Resource Management (NRM) Department has provided a preliminary summary of adherence to the objectives/policies of the Conservation Element and the minimization of impacts upon natural resources and systems. (See attached NRM Department Summary).

- I. Integration of open space; and

Open space will be evaluated during the site plan review process.

- J. Impacts upon strip commercial development.

The promotion of strip pattern commercial development is discouraged within the Future Land Use Element for property with a Future Land Use designation of CC. Infill within established strip commercial areas is preferred over the extension of a strip commercial pattern. While this request does not expand the commercial area, it does allow for more a more intense zoning classification to be considered.

Activities Permitted in Community Commercial (CC) Future Land Use Designations

Policy 2.7

Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within the Community Commercial (CC) Future Land Use designation, provided that the guidelines listed in Table 2.2 are met, include the following:

- a) Existing strip commercial;

This segment of Fay Boulevard is not intended to be a community commercial node, but has the potential for neighborhood commercial development at the intersection of Fay Boulevard and Adams Place. Neighborhood Commercial (NC) development activities are intended to be low-impact in nature and serve the needs of the immediate residential area without intrusion into the surrounding residential neighborhoods whereas Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses.

Locational and Development Criteria for Community Commercial Uses

Policy 2.8

Locational and development criteria for community commercial land uses are as follows:

Criteria:

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size; however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.

The subject parcel is located on an urban collector/local intersection and does not meet the criteria of being located at a collector/arterial nor arterial/arterial intersection. However, the Board may limit CC land uses in surrounding residential areas. There is very limited CC land use along Fay Blvd.

- B. Community commercial complexes should not exceed 40 acres at an intersection.

The subject site would not exceed the 40 acre community commercial complex threshold.

- C. Community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.

The subject site is not considered a commercial cluster and would be located approximately 1.32 miles from the nearest cluster at the intersection of Grissom Parkway and St. John's Parkway.

- D. The gross floor area of community commercial complexes should not exceed 150,000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres in size.

The gross floor area is regulated through the land development regulations at the time of site plan review.

- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites.

The overall subject site has the potential for a sixty-nine thousand two hundred sixty (69,260) square foot building. The FAR of up to 1.00 is permitted for CC designated sites. The Floor Area Ratio (FAR) is regulated through the land development regulations at the time of site plan review.

For Board Consideration

The Board may wish to consider if this request is consistent and compatible with the surrounding area given that there are limited parcels or CC Future Land Use along Fay Blvd.

The Board may also wish to consider the recommendations of the Small Area Study that directed CC Future Land Uses to the existing Commercial corridors along Port St. John Parkway and Grissom Road, Curtis Boulevard and Fay Boulevard and U.S. Highway 1 (U.S. 1) and Fay Boulevard.

The Board may wish to consider that according to Policy 2.8(A) of the Future Land Use Element of the Comprehensive Plan that CC clusters up to ten acres should be located at collector/arterial intersections and that the subject parcel is located at a collector/local intersection.

The Board may also wish to consider Policy 2.8(C) of the Future Land Use Element of the Comprehensive Plan that community clusters up to ten (10) acres in size should be spaced at least 2 miles apart. The subject site is not considered a commercial cluster and would be located approximately 1.32 miles from the nearest cluster at the intersection of Grissom Parkway and St. John's Parkway.

The Board may wish to consider Policy's 2.8(A) and 2.8(C), locational criteria for Community Commercial.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Future Land Use (FLU) Review & Summary
Item # 20PZ00088

Applicant: Carmine Ferraro

FLU Request: NC to CC

Note: Applicant wants hardware store with outdoor garden center.

PSJ Hearing Date: 11/18/20; **LPA Hearing Date:** 11/23/20; **BCC Hearing Date:** 12/03/20

Tax ID No: 2309941

- 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

No noteworthy land use issues were identified. Natural Resources Management (NRM) reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Land Use Comments:

Aquifer Recharge Soils

The subject parcel contains mapped aquifer recharge soils (Paola fine sand, Tavares fine sand and Orsino fine sand) as shown on the USDA Soil Conservation Service Soils Survey map. 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

Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to

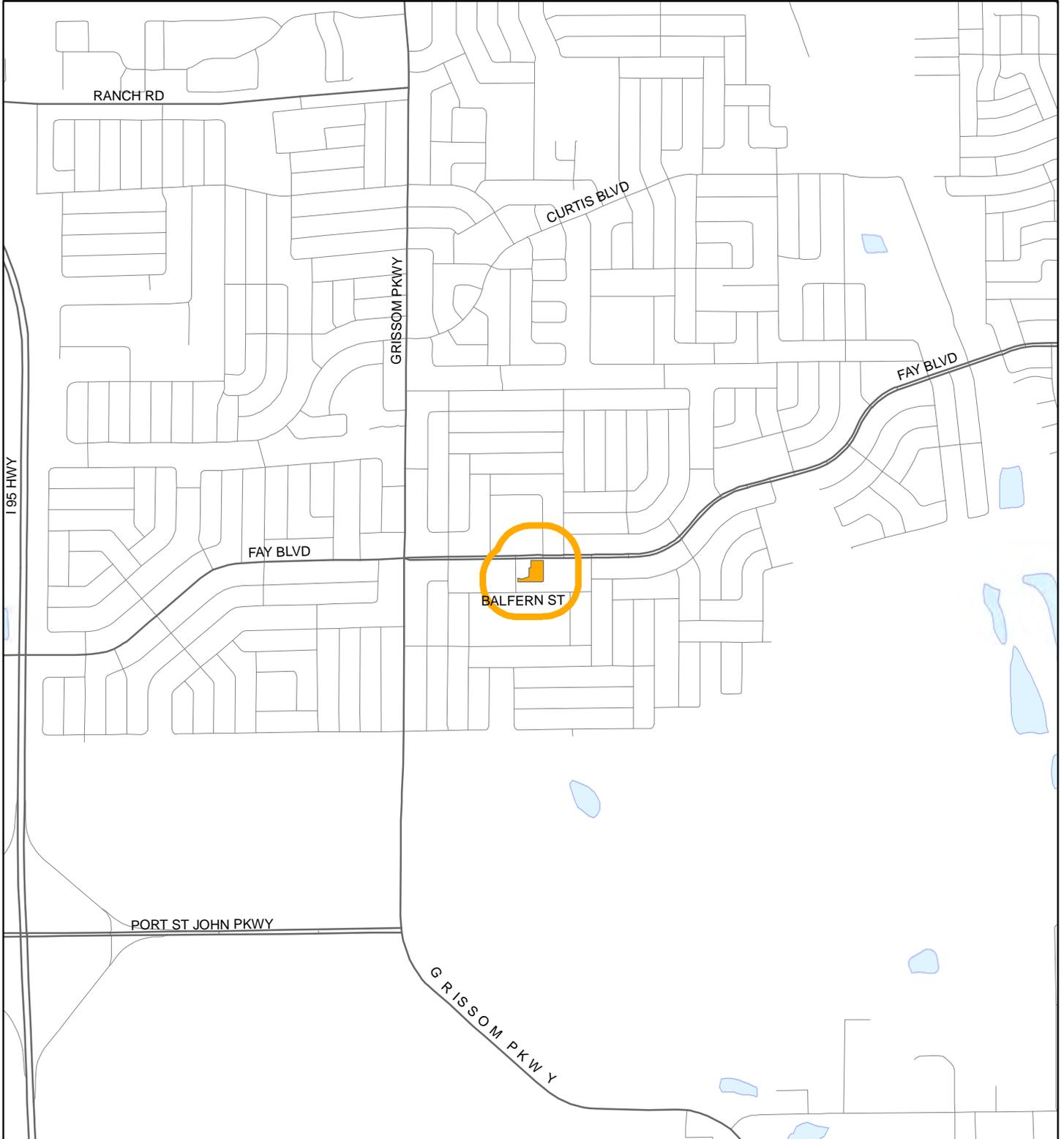
Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. Specifically, gopher tortoises can be found in areas of aquifer recharge soils. In addition, a large Florida Scrub Jay polygon is mapped over the parcel and surrounding areas. 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 and/or U.S. Fish and Wildlife Service, as applicable.

LOCATION MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

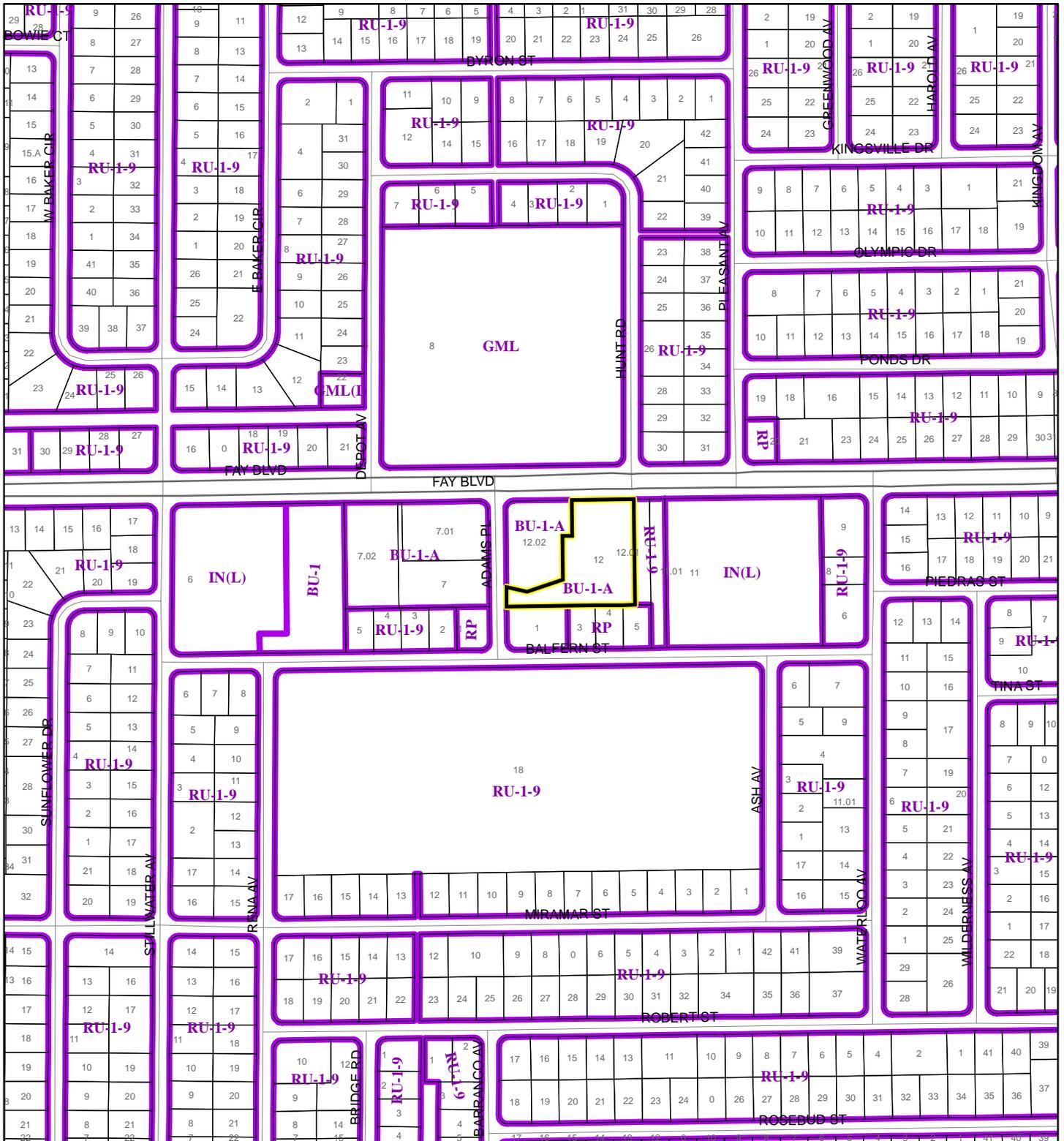
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

-  Buffer
-  Subject Property

ZONING MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

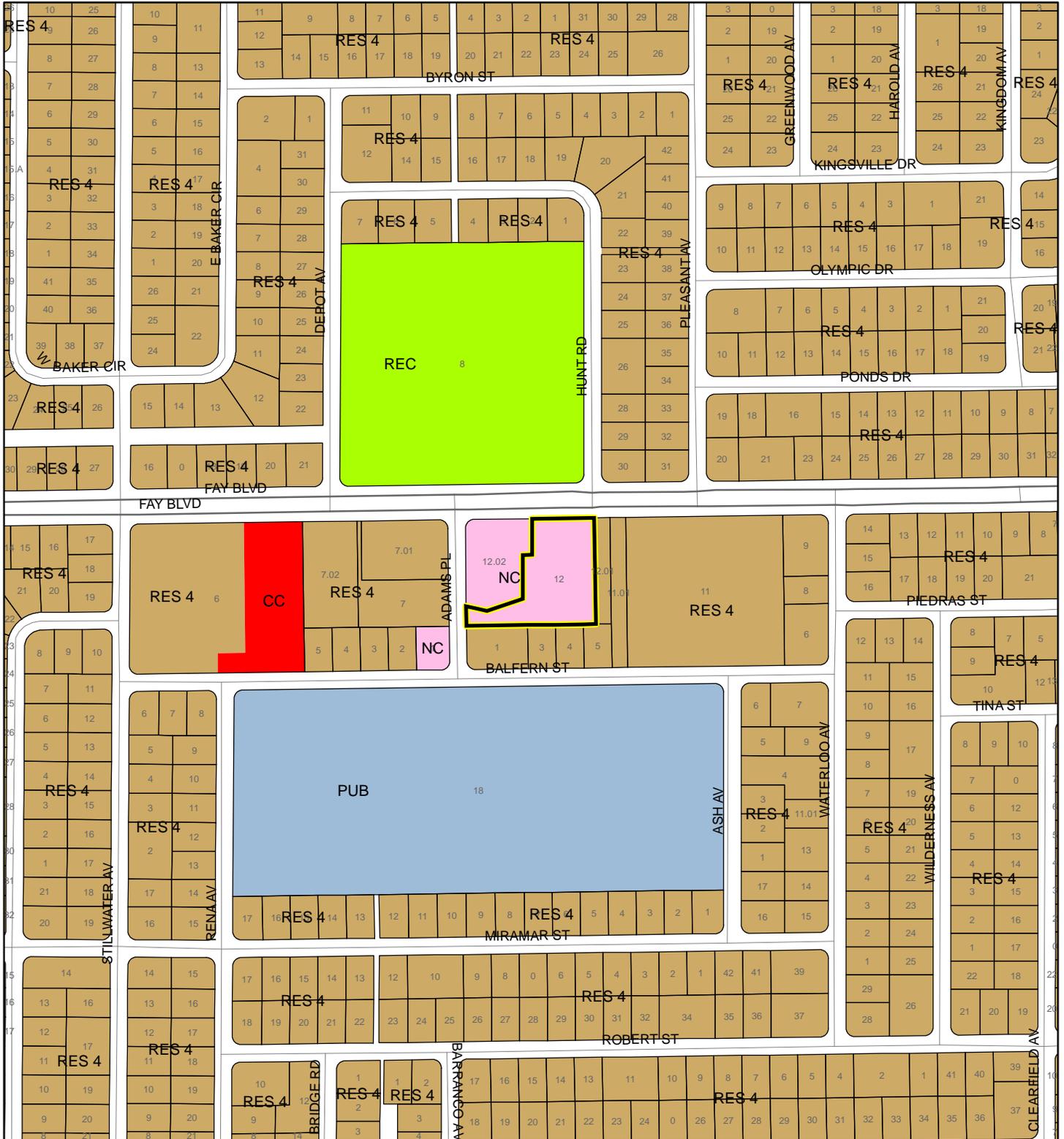
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

- Subject Property
- Parcels
- Zoning

FUTURE LAND USE MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

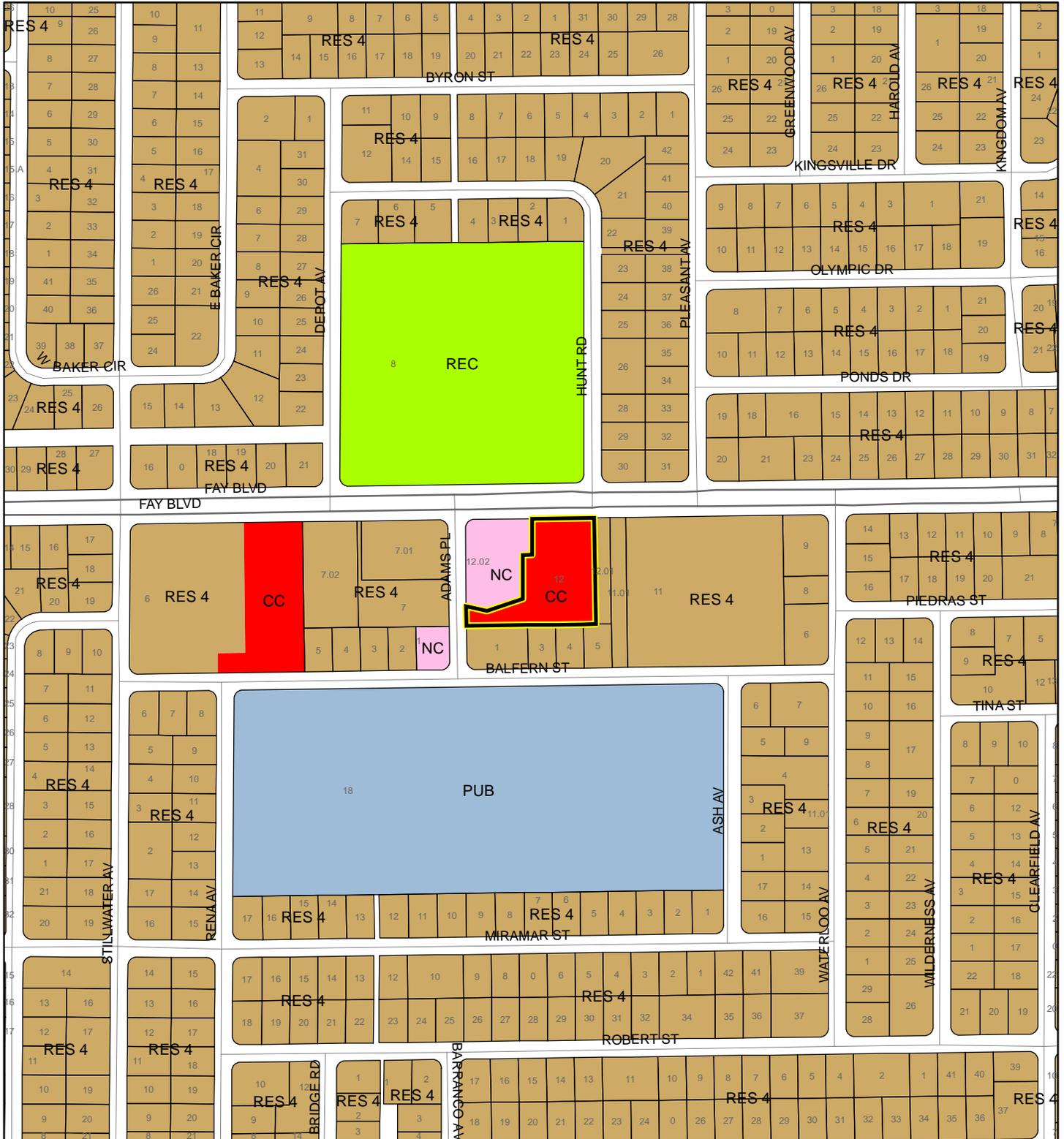
 Subject Property
 Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/4/2020

PROPOSED FUTURE LAND USE MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

 Subject Property
 Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

AERIAL MAP

4725 FAY BLVD LAND TRUST

20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2020

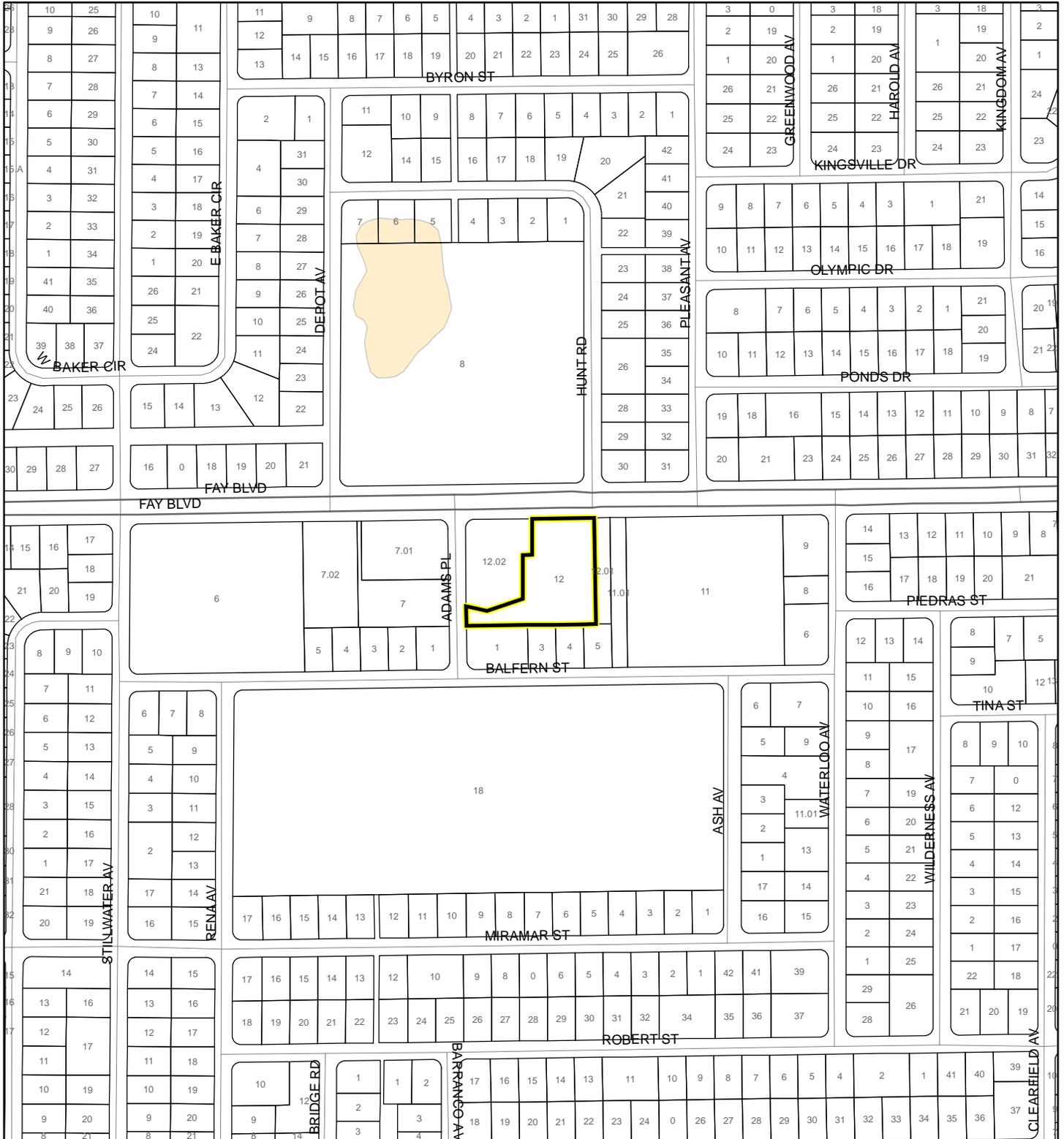
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

- Subject Property
- Parcels

NWI WETLANDS MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

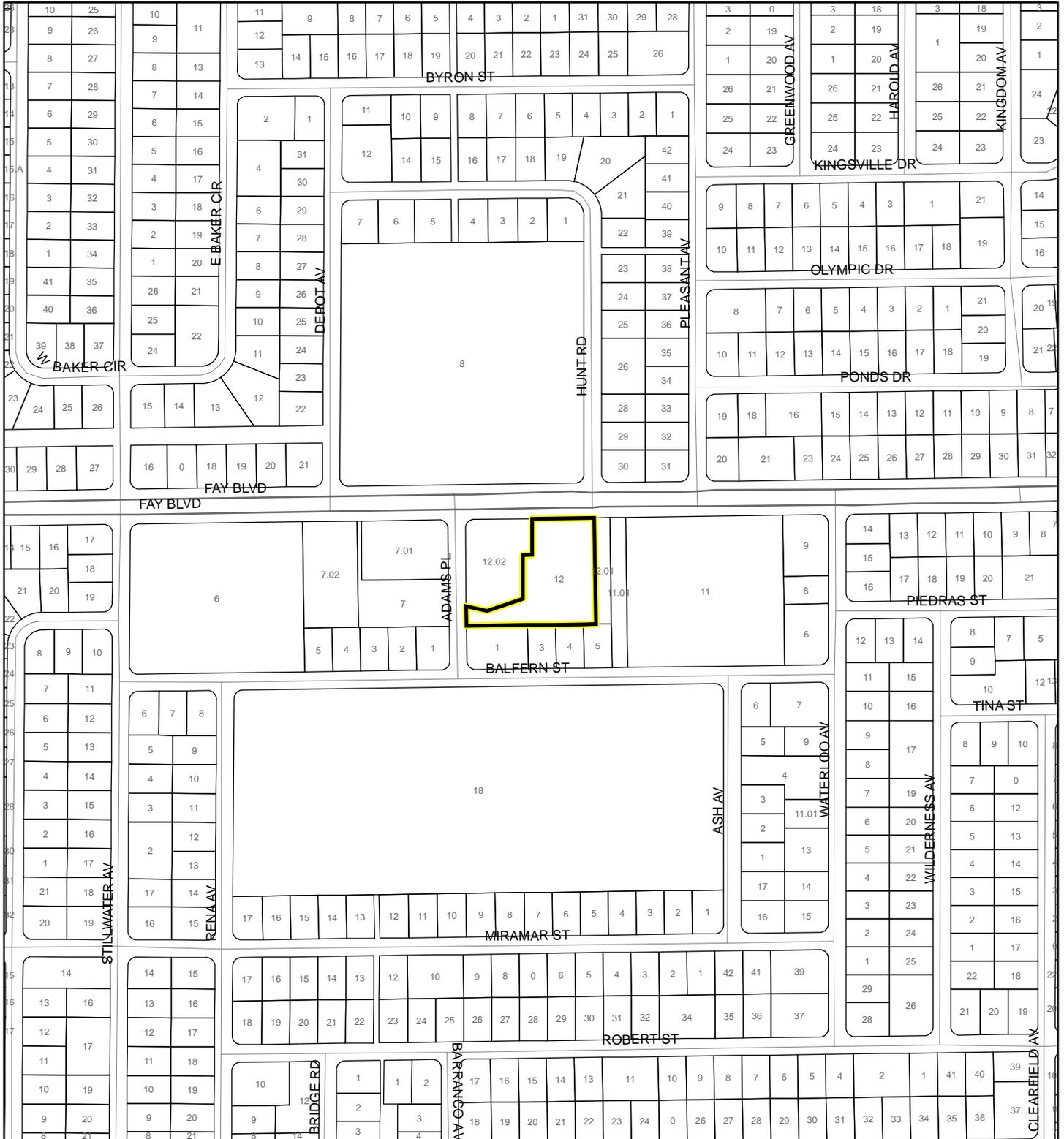
Produced by BoCC - GIS Date: 9/4/2020

National Wetlands Inventory (NWI)

- | | |
|--|--|
|  Estuarine and Marine Deepwater |  Freshwater Pond |
|  Estuarine and Marine Wetland |  Lake |
|  Freshwater Emergent Wetland |  Other |
|  Freshwater Forested/Shrub Wetland |  Riverine |
| |  Subject Property |
| |  Parcels |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/4/2020

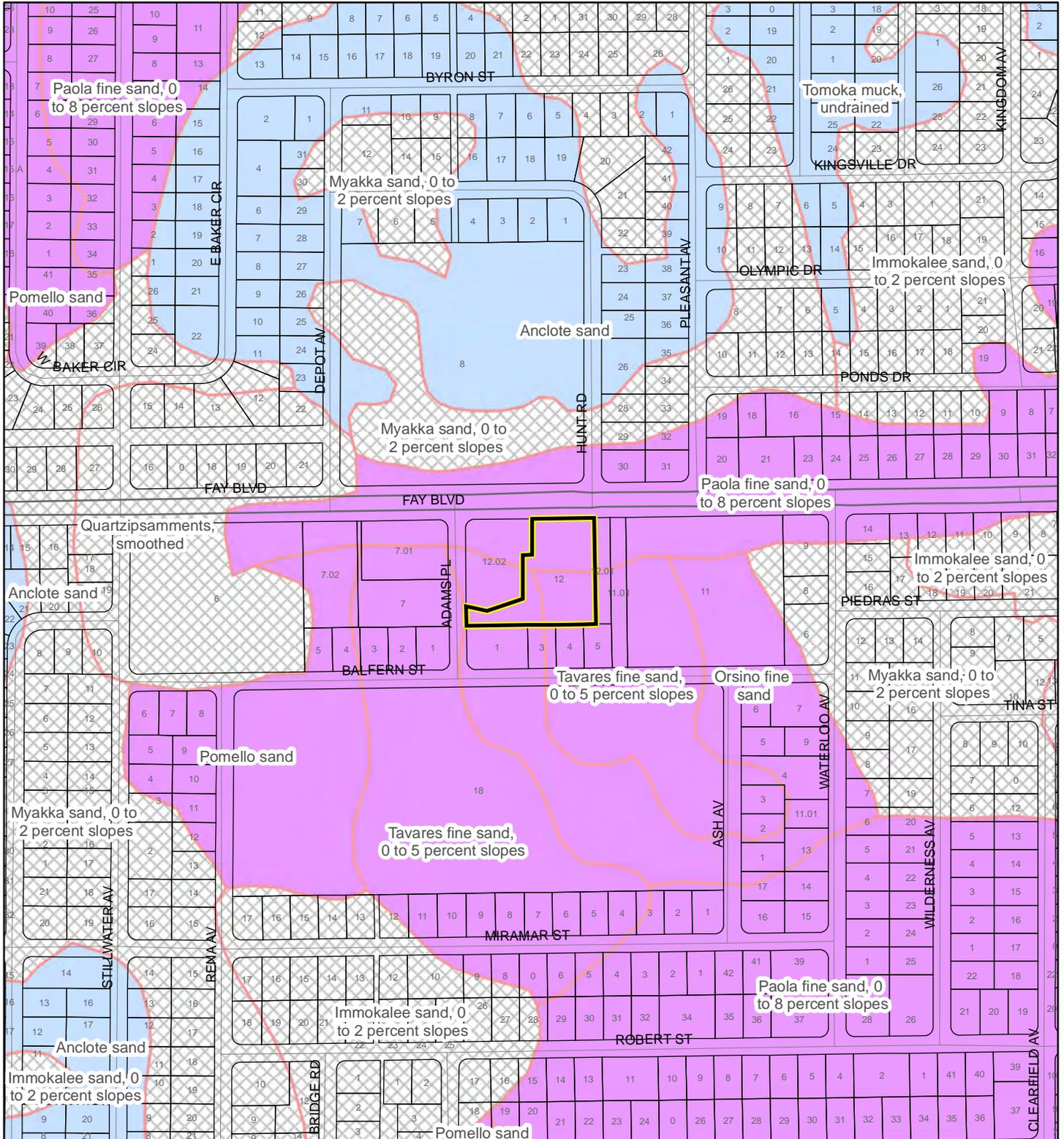
- SJRWMD FLUCCS WETLANDS**
- Wetland Hardwood Forests - Series 6100
 - Wetland Coniferous Forest - Series 6200
 - Wetland Forested Mixed - Series 6300
 - Vegetated Non-Forested Wetlands - Series 6400
 - Non-Vegetated Wetland - Series 6500

Subject Property

Parcels

USDA SCSSS SOILS MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

USDA SCSSS Soils

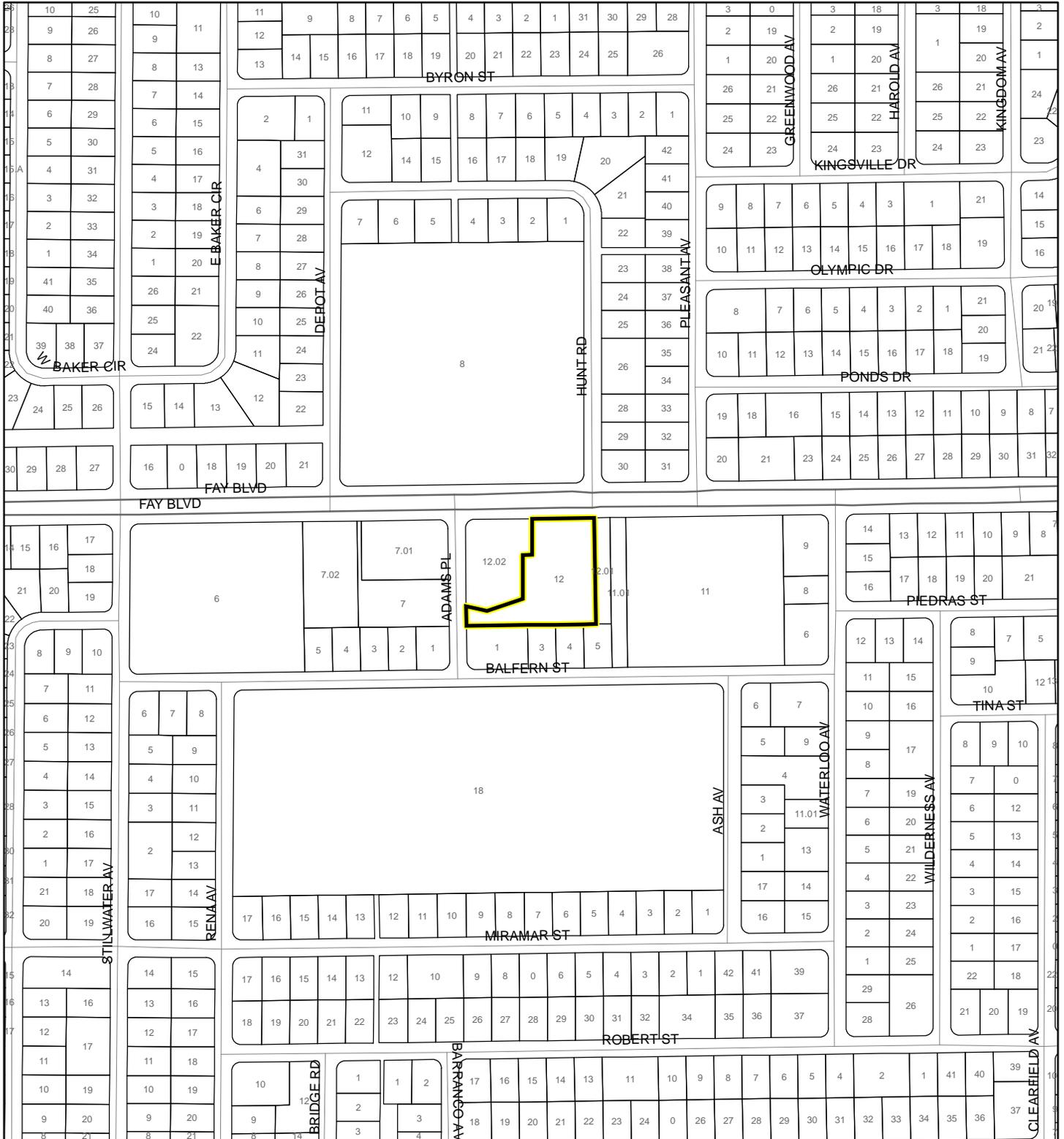
- Aquifer and Hydric
- Aquifer
- Hydric
- None
- Subject Property
- Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

Produced by BoCC - GIS Date: 9/4/2020

FEMA FLOOD ZONES MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



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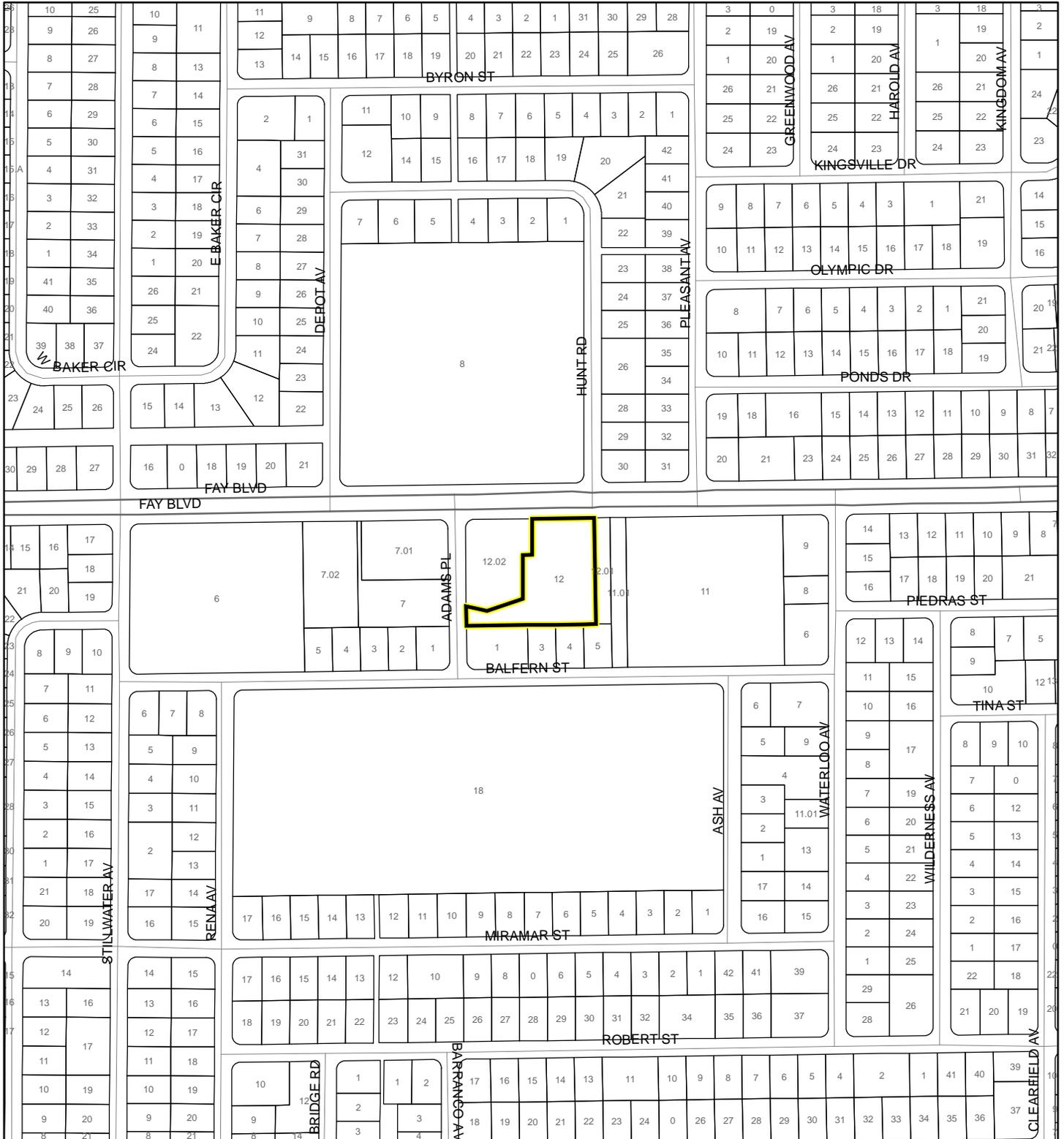
Produced by BoCC - GIS Date: 9/4/2020

FEMA Flood Zones

- A
- AO
- X
- AE
- Open Water
- X Protected By Levee
- AH
- VE
- 0.2 Percent Annual Chance Flood Hazard
- 0.2 Percent Annual Chance Flood Hazard Contained in Channel
- Subject Property
- Parcels

COASTAL HIGH HAZARD AREA MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



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Produced by BoCC - GIS Date: 9/4/2020

 Subject Property

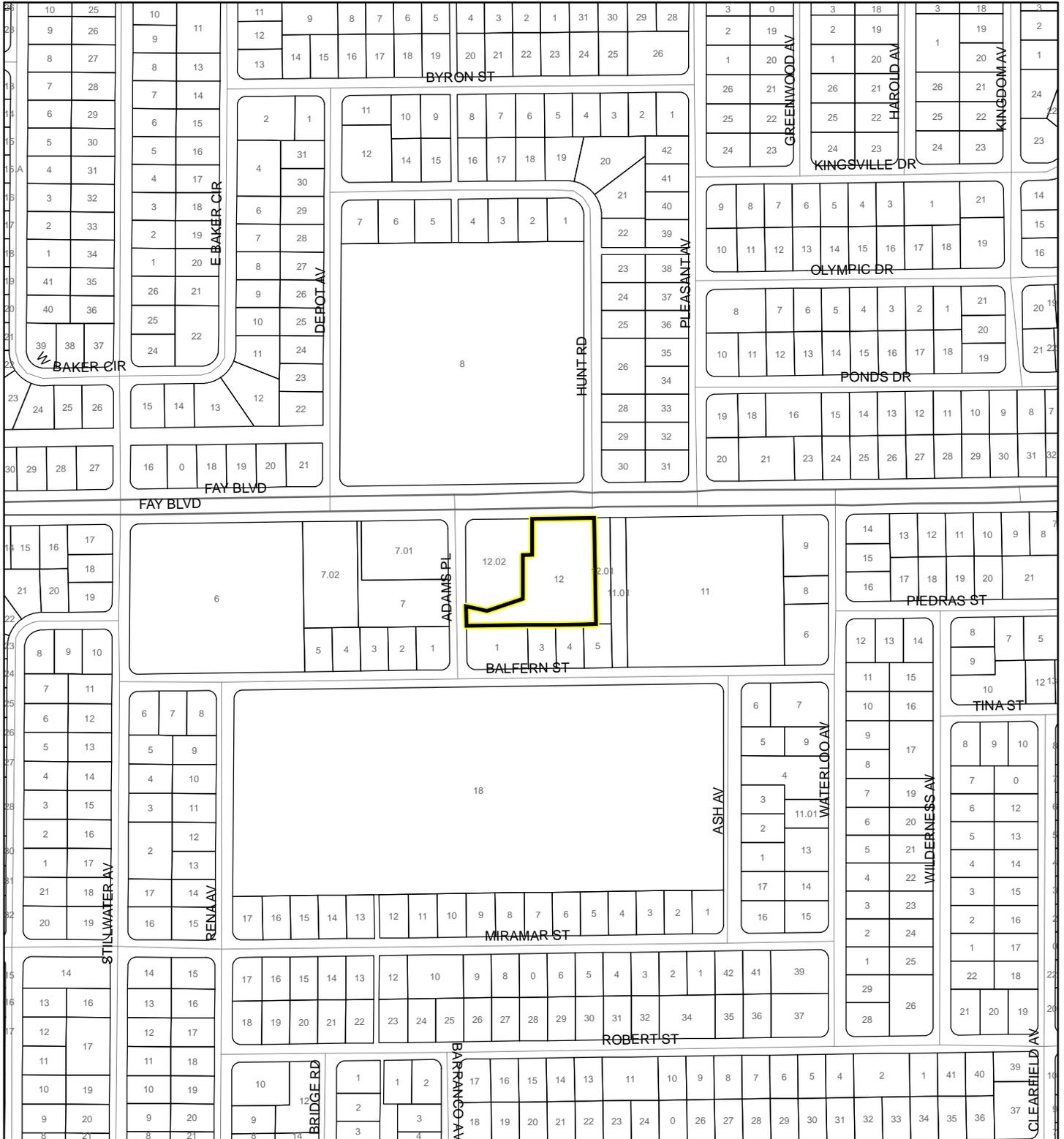
 Parcels

Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

4725 FAY BLVD LAND TRUST 20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/4/2020

 Subject Property

 Parcels

Septic Overlay

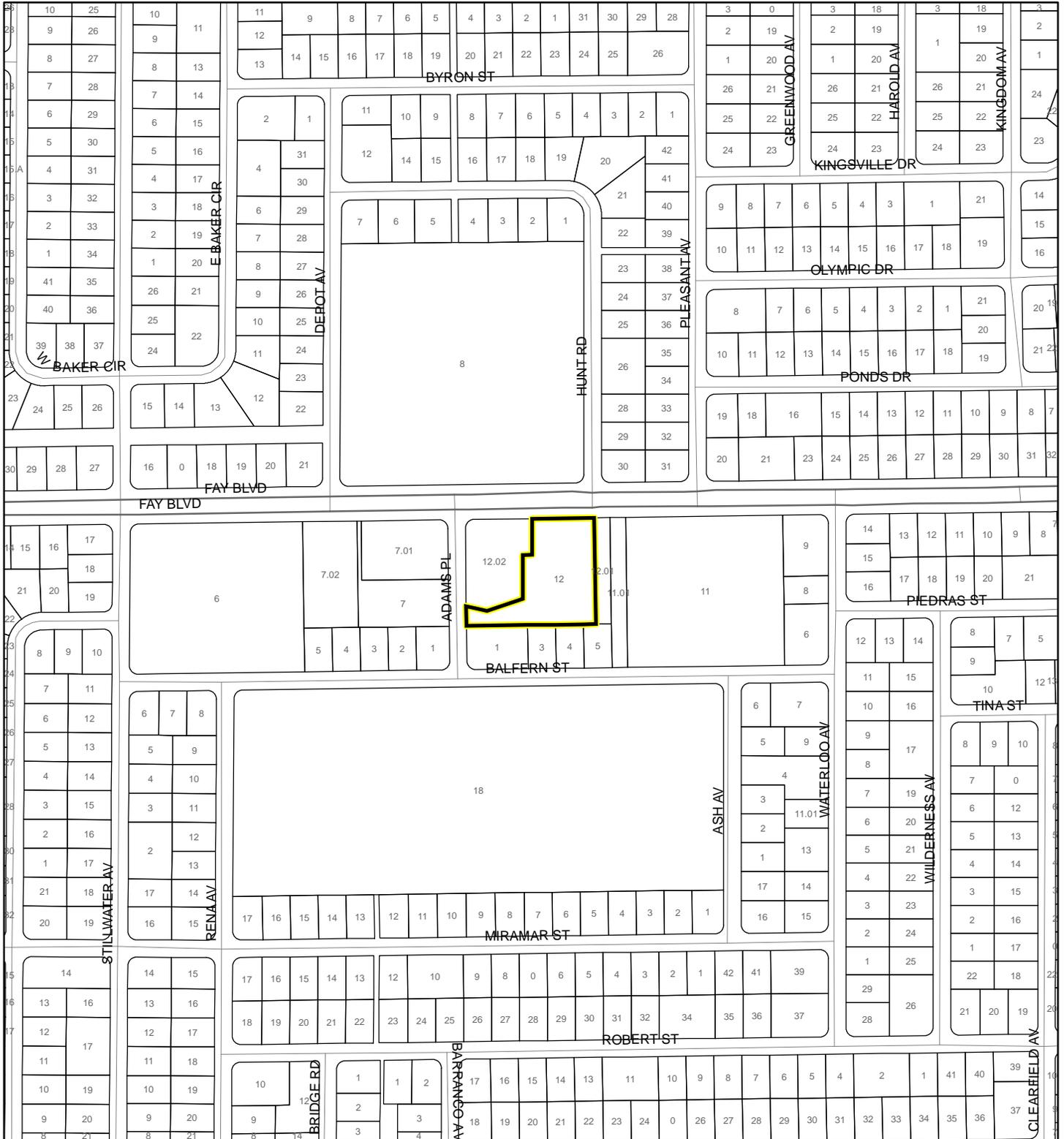
 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

 Subject Property

 Parcels

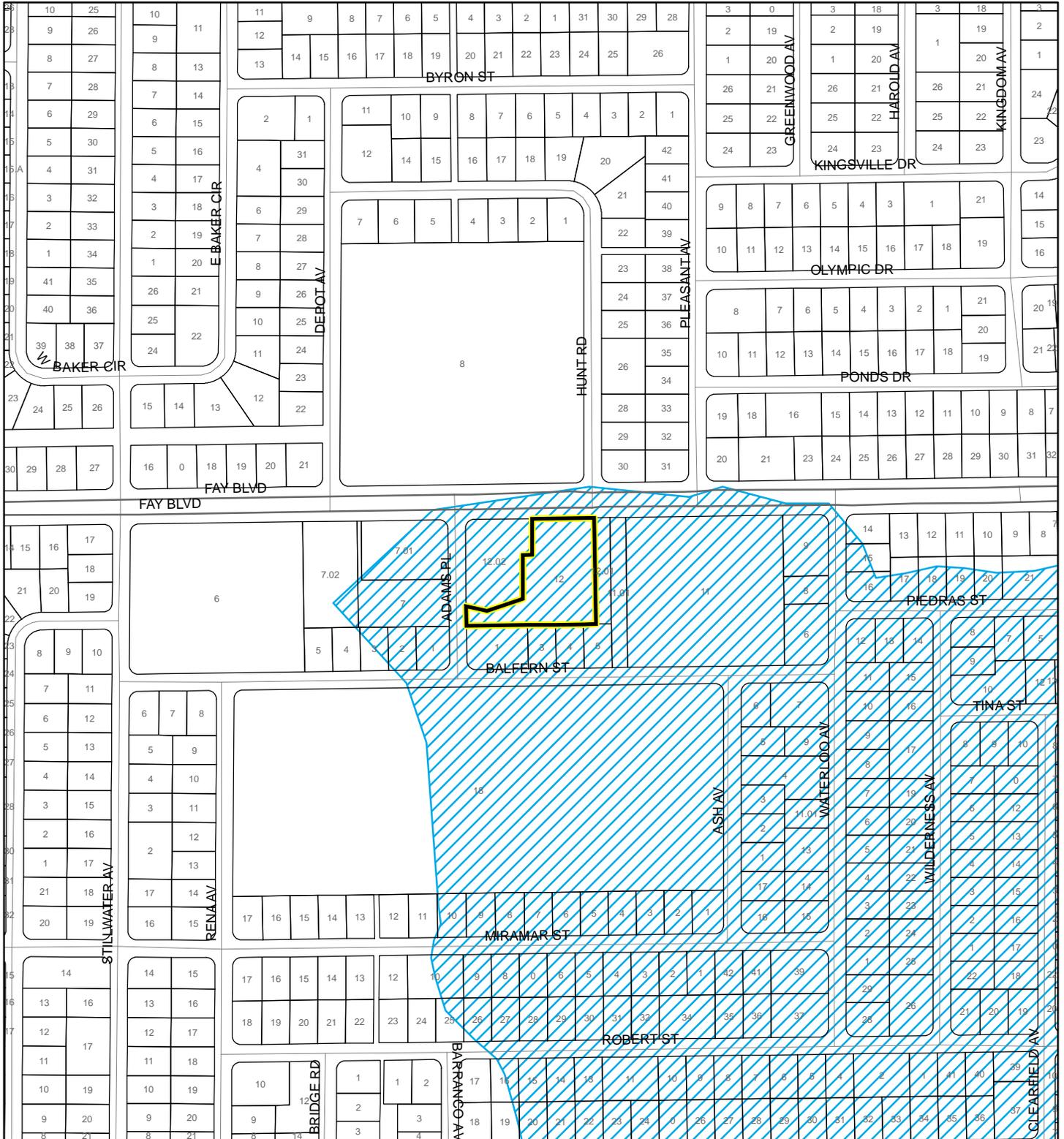
 Eagle Nests
FWS 2010

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/4/2020

SCRUB JAY OCCUPANCY MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

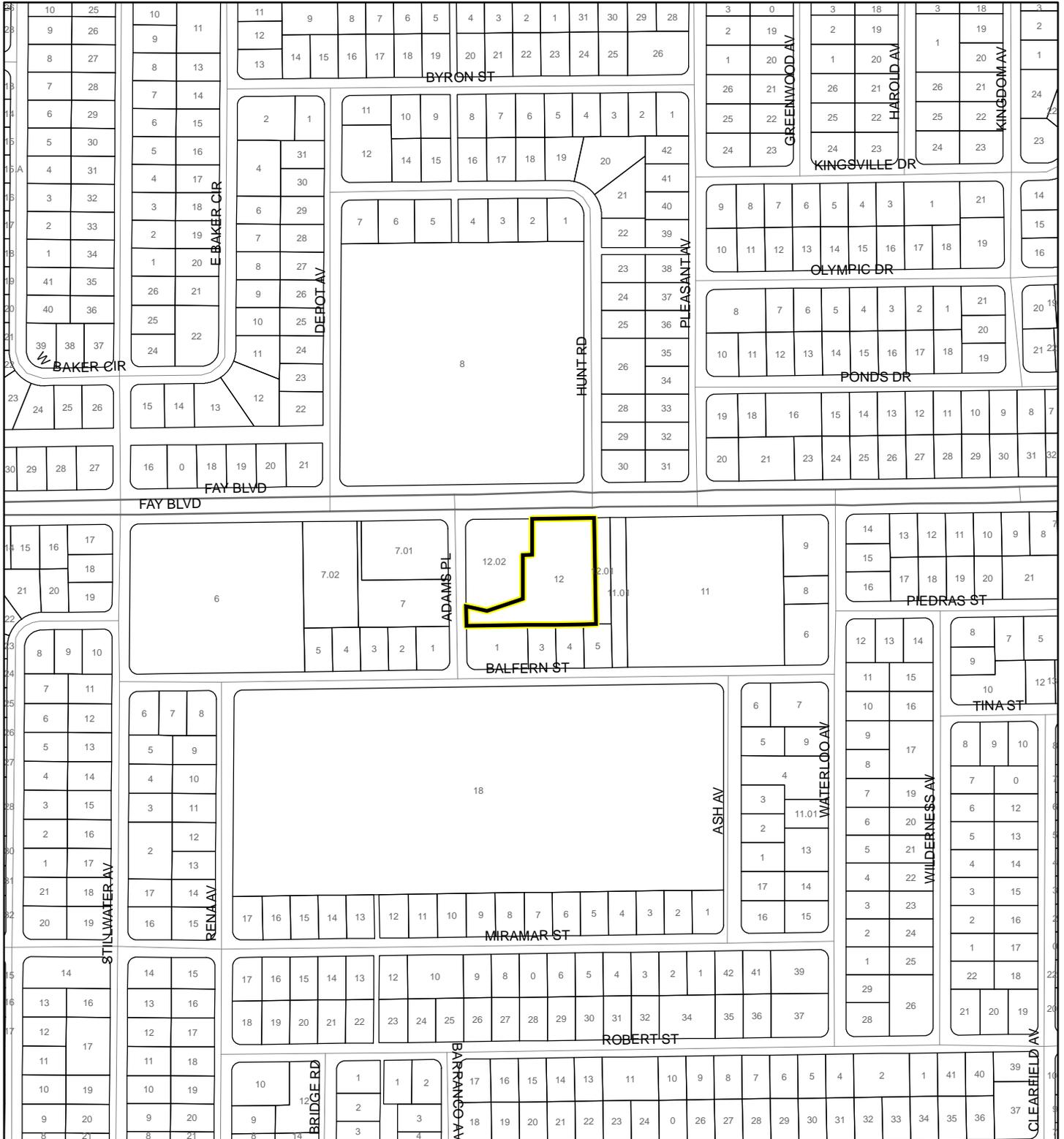
-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

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Produced by BoCC - GIS Date: 9/4/2020

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

4725 FAY BLVD LAND TRUST
20PZ00088 SMALL SCALE AMENDMENT 20S.10



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/4/2020

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.4.

11/23/2020

Subject:

4725 Fay Blvd Land Trust (Carmine Ferraro) requests a change of zoning classification from BU-1-A with a BDP, to BU-1 and an amendment to existing BDP. (20Z00031) (Tax Account 2309941) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Planning and Zoning Board conduct a public hearing to consider a change of zoning classification from BU-1-A (Restricted Neighborhood Commercial) with a Binding Development Plan, to BU-1 (General Retail Commercial) and an amendment to existing BDP.

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from BU-1-A to BU-1 and to amend an existing BDP for the purpose of developing a hardware store with an outdoor garden center. BU-1 zoning classification is considered to be consistent with CC (Community Commercial) FLU (Future Land Use) designation. There is a companion SSCPA application to change the FLU designation from NC to CC.

The applicant is also seeking to amend the existing BDP. The existing BDP, which includes the Family Dollar property, prohibits the following uses: adult entertainment, package liquor stores, gaming rooms, adult arcade, internet cafe, billiard hall, single family residence, group homes, foster homes, resort dwellings, coin laundromat. These uses will remain prohibited in the amended BDP. The existing BDP also limits ingress and egress as follows: A.) Close existing Adams Place driveway permanently, which is located on the southwest corner of property; and B.) Construct full access driveway on Adams Place to line up with the driveway on the adjacent property to the west (Gas Station/ Convenience Store). The Family Dollar drive aligns with the gas station / convenience store. The amended BDP will allow the Adams Place driveway to be re-opened on the SW corner of the property.

The closing of the existing driveway on the southwest corner of Adams Place as stated in the existing BDP was to limit traffic on Adams Place because of children and pedestrians accessing the public school on Balfern Street just south of the parcel.

BU-1-A zoning allows for limited retail shops and personal services to serve the needs of nearby low-density residential neighborhoods, and does not permit retail items to be displayed outdoors. The BU-1 zoning classification encompasses land devoted to general retail shopping, offices and personal services, and allows

for more intensive retail uses than BU-1-A. BU-1 also allows retail items of substantial size to be displayed outdoors. Such retail items include, but are not limited to motor vehicles, utility sheds, nursery items such as plants and trees, and boats.

The developed character of the area is a mixture of residential, residential professional, neighborhood commercial, and institutional.

The Board may wish to consider whether this request to BU-1 is consistent and compatible with the surrounding area and whether the proposed BDP mitigates the potential impacts of the request. The Board may also wish to consider the 2018 Port St. John SAS recommendations.

On November 18, 2020, the Port St. John Dependent Special District Board will hear the request and staff will update the LPA at the November 23rd meeting.

The Board of County Commissioners will hear the request on **Thursday, December 3, 2020, at 5:00 p.m.**, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

Clerk to the Board Instructions:

None

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the director of the Planning and Development staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County Planning and Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. 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.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
2. actual development over the immediately preceding three years; and
3. development approved within the past three years but not yet constructed.

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

Administrative Policy 4

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 of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- 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.
 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.
 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.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

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 unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application.”

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

(b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
 Building A, Room 114
 Viera, Florida 32940
 (321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

STAFF COMMENTS

20Z00031

4725 Fay Blvd Land Trust

BU-1-A (Restricted Neighborhood Retail Commercial) with BDP (Binding Development Plan) to BU-1 (General Retail Commercial) with amendment to existing BDP

Tax Account Number: 2309941
 Parcel I.D.: 23-35-23-JM-81-12
 Location: On the south side of Fay Blvd., 190 feet east of Adams Place, in the Port St. John area (District 1)
 Acreage: 1.59 acre
 Port St. John Board: 11/18/2020
 Local Planning Agency: 11/23/2020
 Board of County Commissioners: 12/03/2020

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal cannot 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	BU-1-A with BDP	BU-1 with amended BDP**
Potential*	13,852 sq. ft. Commercial	13,852 sq. ft. commercial
Can be Considered under the Future Land Use Map	Yes NC (Neighborhood Commercial)	No, BU-1 requires CC*** (Community Commercial)

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

** The applicant has submitted a BDP (Binding Development Plan) to amend the existing BDP.

*** The applicant has submitted a companion Small Scale Comprehensive Plan Amendment application to change the Future Land Use Map (FLUM) from NC (Neighborhood Commercial) to CC (Community Commercial) under **20PZ00088**.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from BU-1-A (Restricted Neighborhood Retail Commercial) to BU-1 (General Retail Commercial) and to amend an existing Binding Development Plan (BDP) for the purpose of developing a hardware store with an outdoor garden center. A hardware store is not a permitted use in BU-1-A zoning, but it is a permitted use in BU-1

zoning. Bu-1 zoning classification is considered to be consistent with CC Future Land Use Designation

The applicant has not provided a site plan showing the location, size, access and parking for the proposed hardware store with outdoor garden center.

The applicant is also seeking to amend the existing BDP (Binding Development Plan). The existing BDP (**13PZ-00084**), which includes the Family Dollar property, states *“the Developer/Owner agrees that the following uses shall be prohibited: adult entertainment, package liquor stores, gaming rooms, adult arcade, internet cafe, billiard hall, single family residence, group homes, foster homes, resort dwellings, coin laundromat”*.

Along with, *The Developer/Owner shall limit ingress and egress as follows:*

A. Close existing Adams Place driveway permanently, which is located on the southwest corner of property.

B. Construct full access driveway on Adams Place to line up with the driveway on the adjacent property to the west (Gas Station / Convenience Store). The Family Dollar drive aligns with the gas station / convenience store.

The closing of the existing driveway on the southwest corner of Adams Place as stated on the existing BDP was to limit traffic on Adams Place because of children and pedestrians accessing the public school on Balfern Street just south of the parcel.

In the proposed BDP, the Developer/Owner agrees to limit to all BU-1-A uses and limiting the BU-1 uses to a hardware store with an outdoor garden center only. The applicant is also requesting to open the previously closed Adams Place driveway located on the southwest corner of the property for ingress and egress that was closed in the previous BDP. The previous BDP (**13PZ-00084**) prohibited the following BU-1-A uses: adult entertainment, package liquor stores, gaming rooms, adult arcade, internet cafe, billiard hall, single family residence, group homes, foster homes, resort dwellings, coin laundromat”. These prohibited BU-1-A uses would remain prohibited in the proposed BDP.

BU-1-A zoning allows for limited retail shops and personal services to serve the needs of nearby low-density residential neighborhoods. BU-1-A does not permit retail items to be displayed outside the buildings. Also, BU-1 zoning classification encompasses land devoted to general retail shopping, offices and personal services. BU-1 allows for more intensive retail uses than BU-1-A such as automobile repair (minor), automobile sales and storage, automobile tires and mufflers (new), sales and service. BU-1 zoning also permits the manufacturing, compounding, processing, packaging, storage, treatment or assembly of certain products. BU-1 also allows retail items of substantial size be permitted to be displayed outside the buildings. Such retail items include, but are not limited to motor vehicles, utility sheds, nursery items such as plants and trees, and boats.

October, 1975, Administrative zoning action **AZ-75** changed the zoning from RU-1 to RU-1-9.

December, 2004, Administrative zoning action **Z-10985(62)** changed the zoning from RU-1-9 to IN(L) (Institutional Use Low Intensity) for an existing church built in 1999.

December, 2007, Zoning action **Z-11412** changed the zoning from IN(L) (Institutional Use Low Intensity) to BU-1-A with a BDP.

March 06, 2014, Zoning action **13PZ-00084** removed existing BDP in BU-1-A zoning and replaced the existing BDP with a new BDP.

The 2018, PSJ SAS did not recognize any Future Land Use (FLU) or zoning changes were needed for this property.

Land Use

The subject property retains the NC (Neighborhood Commercial) FLU (Future Land Use) designation. The current BU-1-A zoning is consistent with the NC Future Land Use designation per 62-1255 (2). The proposed BU-1 zoning is not consistent with the current NC Future Land Use designation. A companion Small-Scale, Comprehensive Plan Amendment (SSCPA) application, **20S.10 (20PZ00088)** to change the Future Land Use designation from NC to CC (Community Commercial) was submitted accompanying this zoning request for the proposed BU-1 zoning to be consistent with the FLU designation.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

No noteworthy land use issues were identified. Natural Resources Management (NRM) reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Fay Blvd., between Grissom Parkway and Highway US-1, which has a Maximum Acceptable Volume (MAV) of 33,800 trips per day, a Level of Service (LOS) of D, and currently operates at 42.38% of capacity daily. The maximum development potential from the proposed rezoning and BDP limiting the development to a Hardware store increases the percentage of MAV utilization by 02.10%. With the maximum development potential for the proposed Hardware/Paint store, the corridor is anticipated to operate at 44.48% of capacity daily (LOS D). The maximum development potential of the proposed Hardware store would not create a deficiency in LOS.

No school concurrency information has been provided as this is a proposed commercial development.

The parcel is not serviced by Brevard County sewer. The closest available Brevard County sewer line is located directly in front of the parcel in the center of Fay Blvd.

The parcel is serviced by The City of Cocoa water.

Land Use Policy 1.2 addresses residential density requirements for sewer and potable water. This policy does not address commercial development requiring sewer and potable water.

Applicable Land Use Policies

The Board should evaluate the compatibility of this application within the context of the Board's Administrative Policies 1 through 8 of the Future Land Use Element, outlined in the Administrative Policies.

Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area. The companion application (**20PZ00088**) proposed change to the FLUM on this parcel is from NC (Neighborhood Commercial) to CC (Community Commercial). The proposed change to the zoning from BU-1-A to BU-1 is consistent with the proposed change to the FLUM to CC, if it were to be approved.

There is no CC (Community Commercial) FLU in the surrounding block of this parcel. The abutting parcel to the west has FLU of NC (Neighborhood Commercial). The abutting parcels to the east and south have FLU of RES 4 (Residential 4).

The Community Commercial (CC) corridors are approximately 1.3 miles east and west of the subject parcel.

On October 4, 2018, the Board of County Commissioners directed staff to conduct a Small Area Study of Port St. John after a request was made to change the Future Land Use designation from Residential 4 (RES 4) to Community Commercial (CC) and a Zoning change request from Institutional Use – Low Intensity (IN(L)) to General Retail Commercial (BU-1) on a 1.78 acre parcel of land located on the south side of Fay Boulevard, west of the subject parcel. This property remains vacant.

Analysis of Administrative Policy #4 - Character of a neighborhood or area. The subject parcel is currently zoned BU-1-A and is developed with an existing church built 1999.

The surrounding area in the same block of the subject parcel has FLU designations of NC and RES 4 which are not consistent with the proposed BU-1 zoning classification.

There has been one zoning action along with a change to the FLU within a half-mile of the subject property within the last four years.

On October 04, 2018, application **18PZ00073**, a companion small scale application to the rezoning application **18PZ00074**, changed the FLU from RES 4 to CC on the easterly 1.78 acres of the parcel, located on the south side of Fay Blvd, approximately 465 feet west of the subject property.

On January 19, 2019, application **18PZ00074** changed the zoning from IN(L) to BU-1 with a Binding Development Plan (BDP) limiting development to an approximate 9,300 sq. ft. retail store on the east 1.78 acres of the parcel, located on the south side of Fay Blvd, approximately 465 feet west of the subject property.

Surrounding Properties

The abutting parcel to the east is a vacant parcel with RU-1-9 zoning. Further to the east in the same block is IN(L) developed parcel with a Church and RU-1-9 zoned lots developed with single-family homes.

The abutting parcels to the south have RP (Residential Professional) zoning and BU-1-A zoning. The RP zoned parcels are vacant land and the BU-1-A zoned parcel is developed with a Day Care Center.

The abutting parcel to the west has BU-1-A zoning and is subject to the same BDP and conditions that is on the subject parcel. This BDP limits the BU-1-A uses, and requires an ingress/egress driveway constructed on Adams Place to line up with the convenience store's driveway on the west side of Adams place. The BDP also states to close the existing Adams Place driveway permanently which is located at the Southwest corner of the parcel. This parcel is developed with a commercial neighborhood retail store, Family Dollar.

The block to the west of the subject parcel, along the west side of Adams Place, has BU-1-A and RP zoning. The BU-1-A zoned parcels are developed with commercial buildings. The RP zoned parcel is developed with a single-family residence. Also, in this block there is a parcel approximately 465 feet west of the subject property with BU-1 zoning (**18PZ00074**) which has a FLU of CC.

The current BU-1-A classification permits restricted neighborhood retail and personal service uses to serve the needs of nearby low-density residential neighborhoods. Minimum lot size of 7,500 square feet is required with minimum width and depth of 75 feet.

The proposed BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

IN(L) is an Institutional (Light) classification, intended to promote low impact private, nonprofit, or religious institutional uses to service the needs of the public for facilities of an educational religious, health or cultural nature.

RU-1-9 classification permits single family residential development on lots of 6,600 square feet (minimum). The minimum house size is 900 square feet.

RP is a residential-professional zoning classification, intended to promote low to medium density residential development along with low intensity commercial usage. Minimum lot area requirements in the RP classification are 7,500 square feet, with 75 feet of width and depth.

For Board Consideration

The Board may wish to consider whether this request to BU-1 is consistent and compatible with the surrounding area and whether the proposed Binding Development Plan mitigates the potential impacts of the request. The Board may also wish to consider the 2018 Port St. John SAS recommendations.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Rezoning Review & Summary
Item # 20Z00031

Applicant: Carmine Ferraro

Zoning Request: BU-1A to BU-1 with BDP Amendment

Note: Applicant wants hardware store with outdoor garden center.

PSJ Hearing Date: 11/18/20; **LPA Hearing Date:** 11/23/20; **BCC Hearing Date:** 12/03/20

Tax ID No: 2309941

- 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

No noteworthy land use issues were identified. Natural Resources Management (NRM) reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Land Use Comments:

Aquifer Recharge Soils

The subject parcel contains mapped aquifer recharge soils (Paola fine sand, Tavares fine sand and Orsino fine sand) as shown on the USDA Soil Conservation Service Soils Survey map. 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

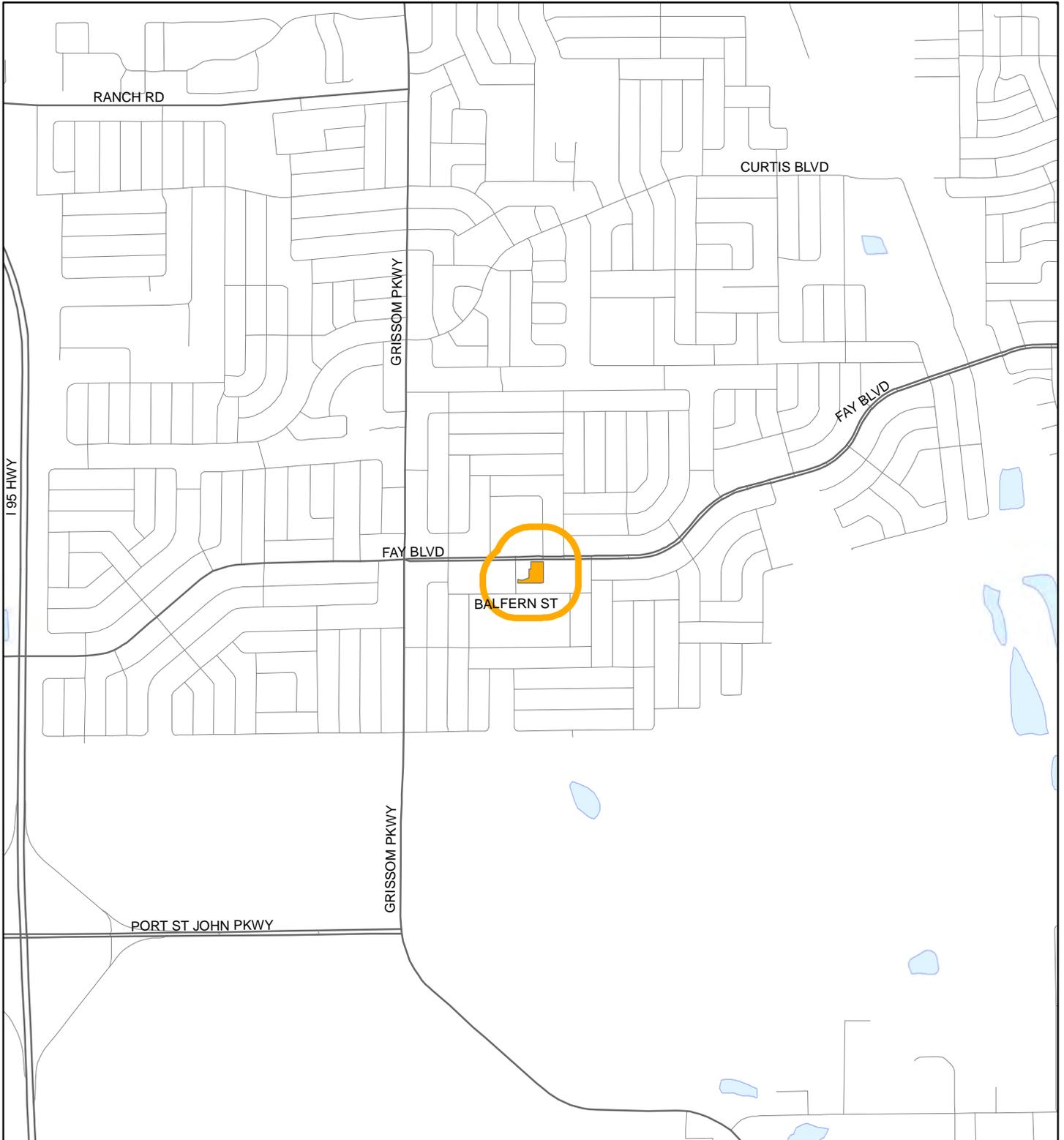
Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. Specifically, gopher tortoises can be found in areas of aquifer recharge soils. In addition, a large Florida Scrub Jay polygon is mapped over the parcel and surrounding areas. 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 and/or U.S. Fish and Wildlife Service, as applicable.

LOCATION MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

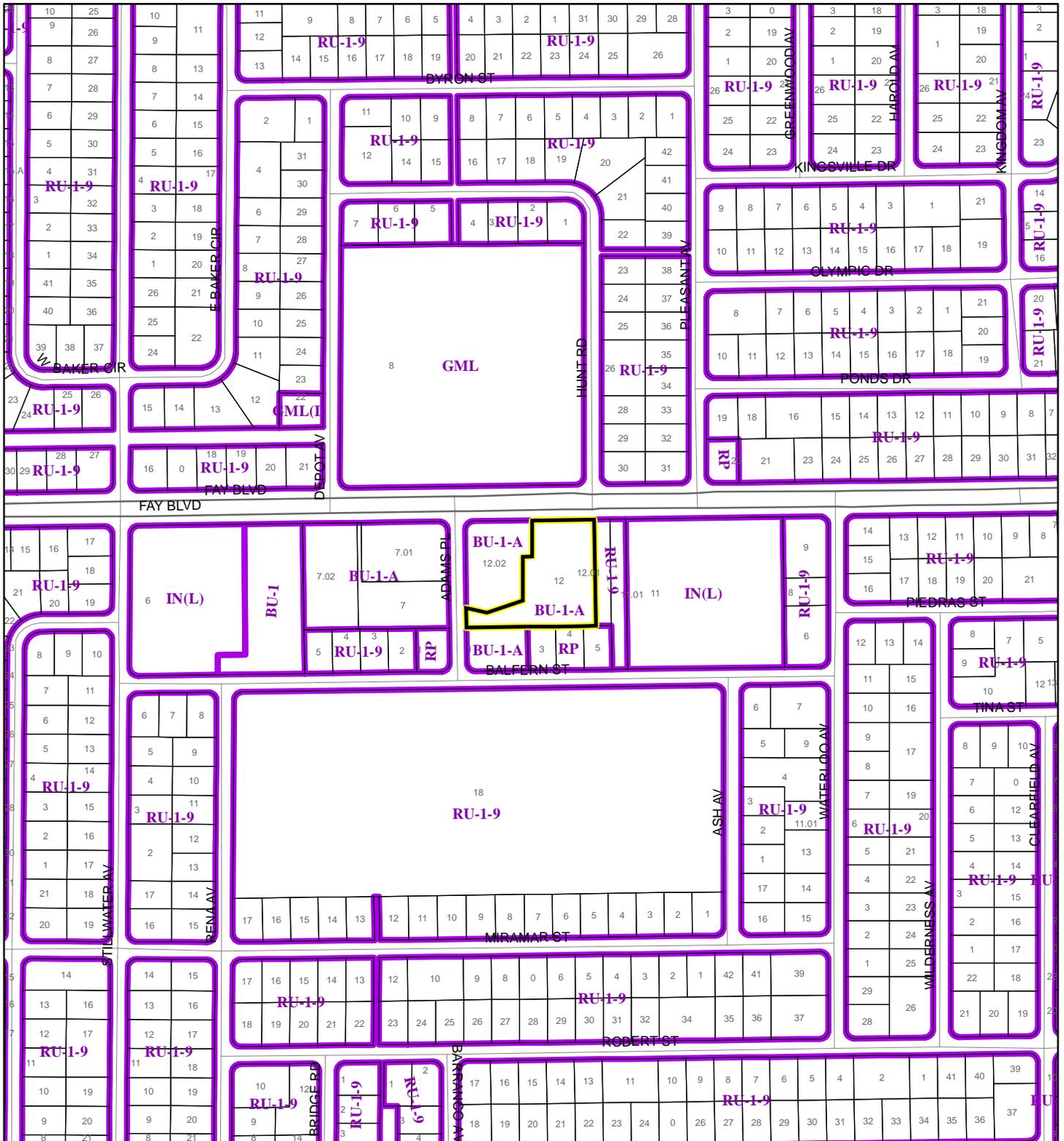
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

-  Buffer
-  Subject Property

ZONING MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

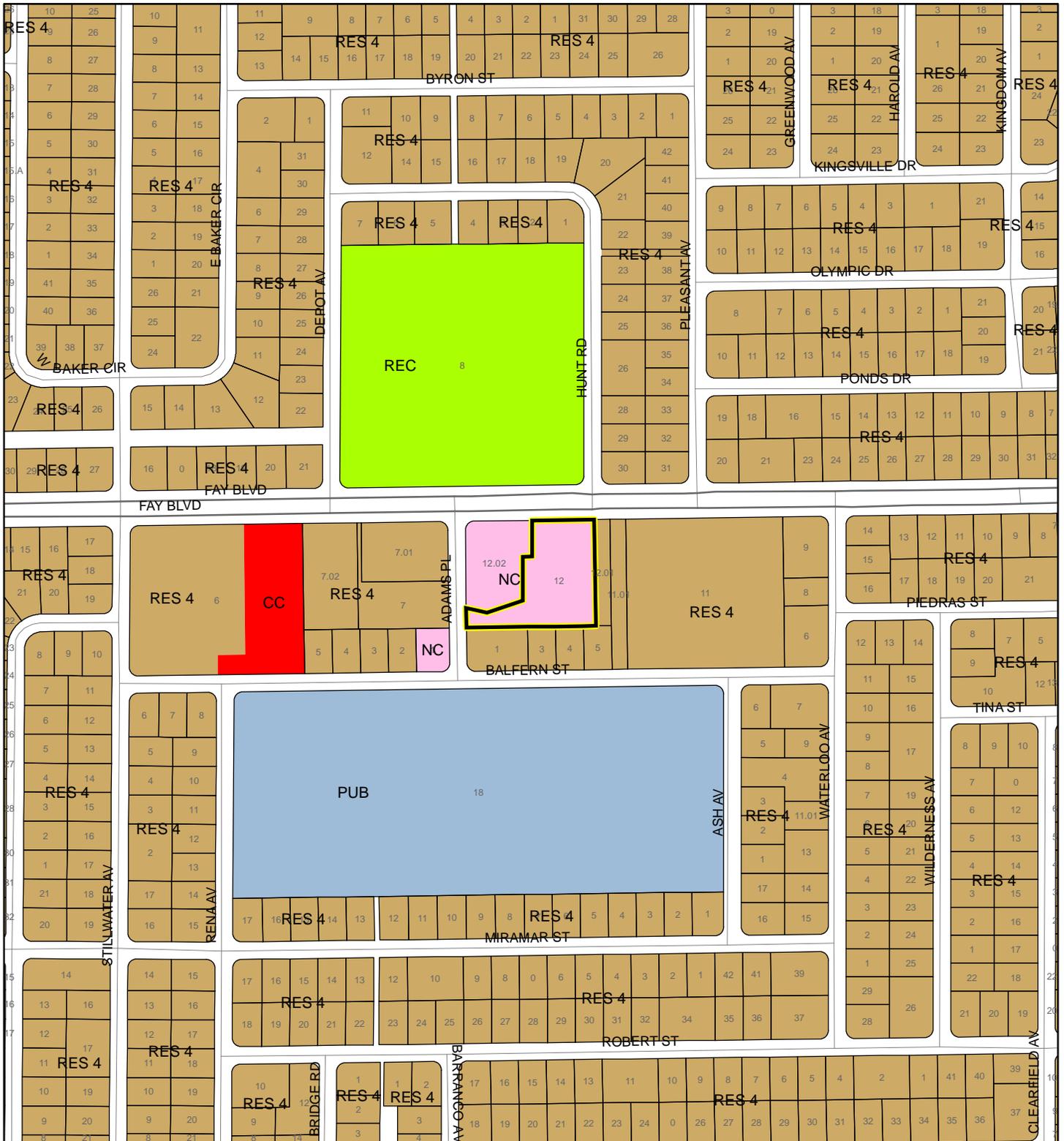
- Subject Property
- Parcels
- Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

FUTURE LAND USE MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

 Subject Property
 Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

AERIAL MAP
4725 FAY BLVD LAND TRUST
20Z00031



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2020

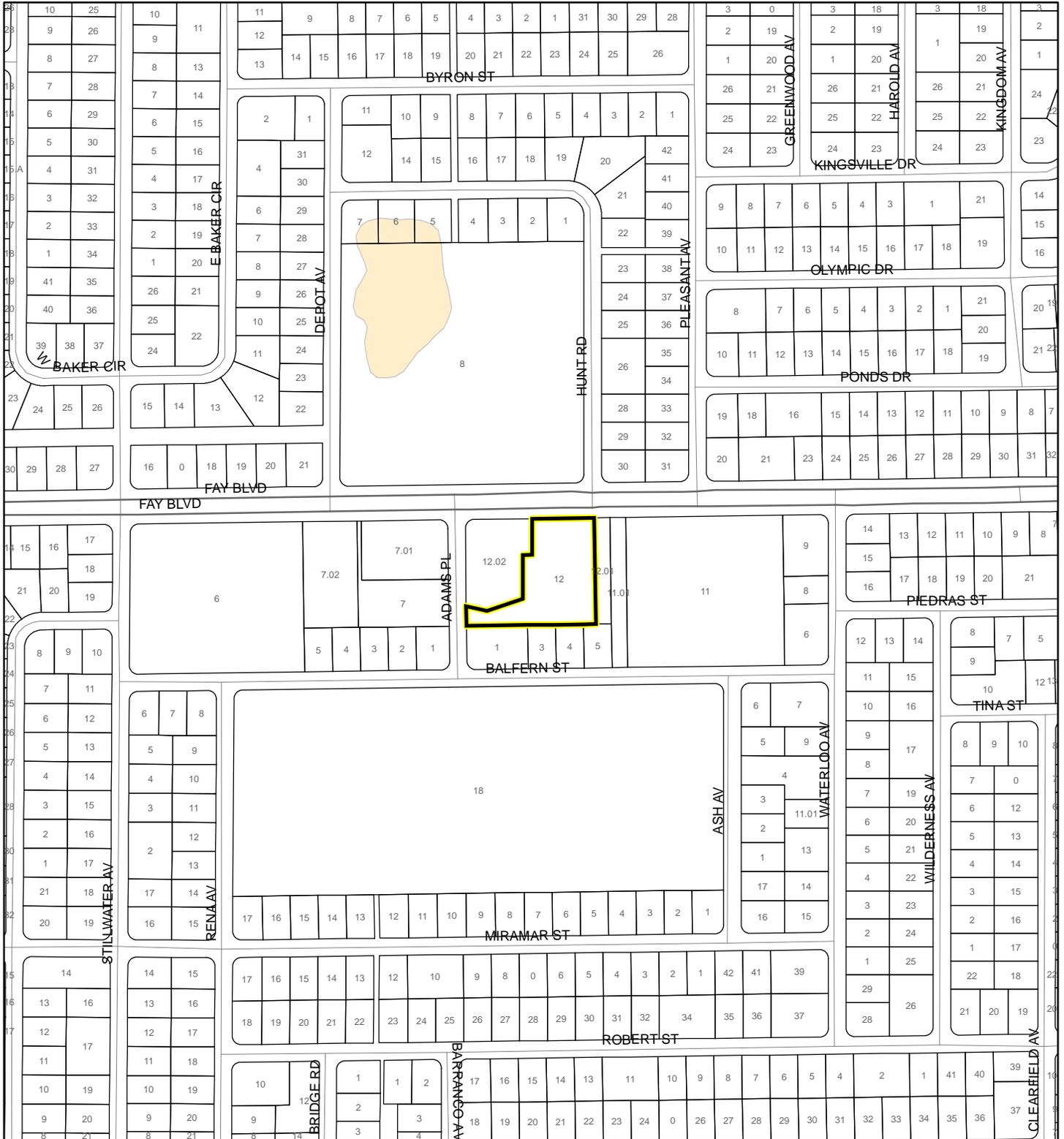
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

-  Subject Property
-  Parcels

NWI WETLANDS MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

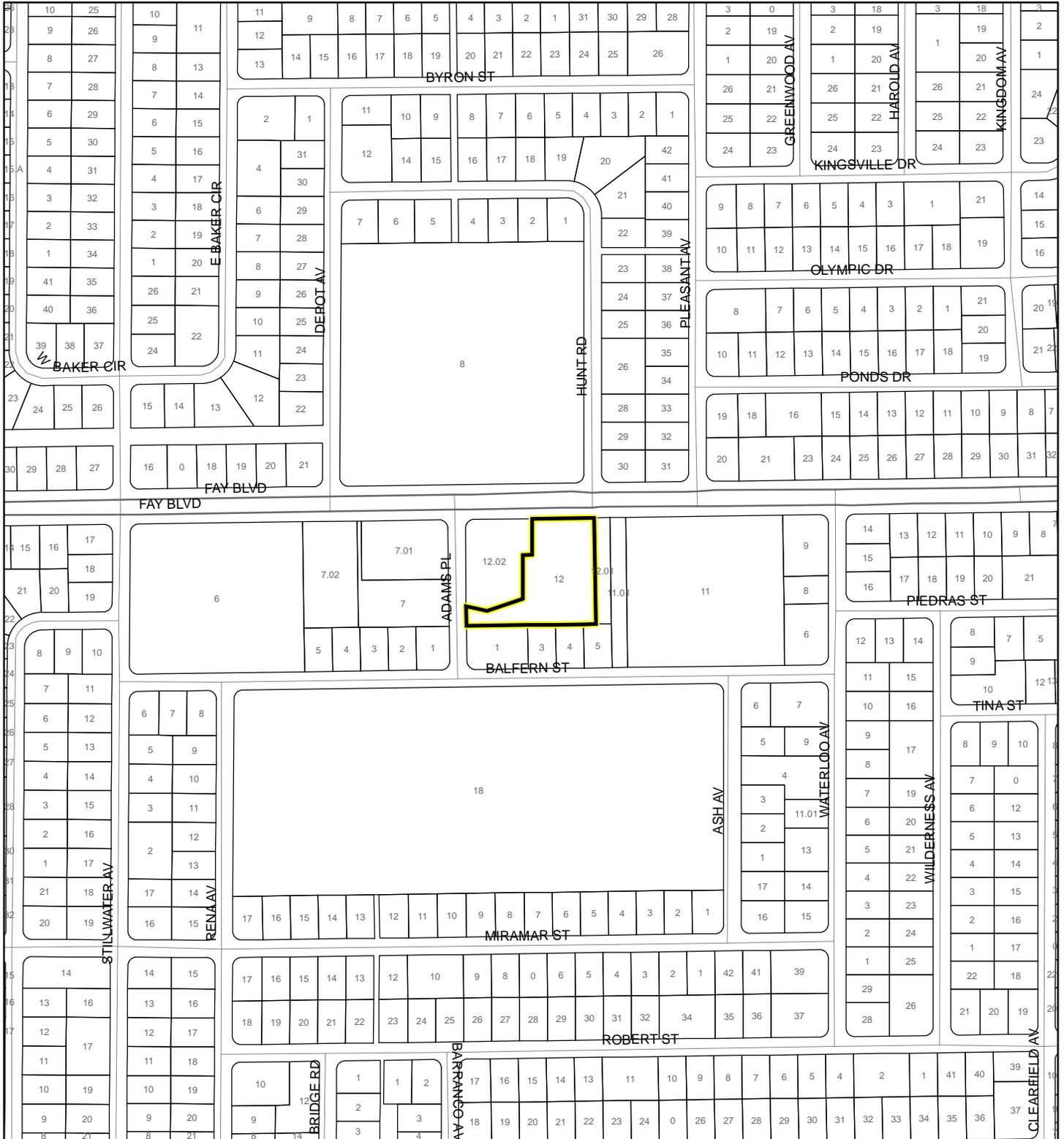
Produced by BoCC - GIS Date: 9/8/2020

National Wetlands Inventory (NWI)

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine
- Subject Property
- Parcels

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

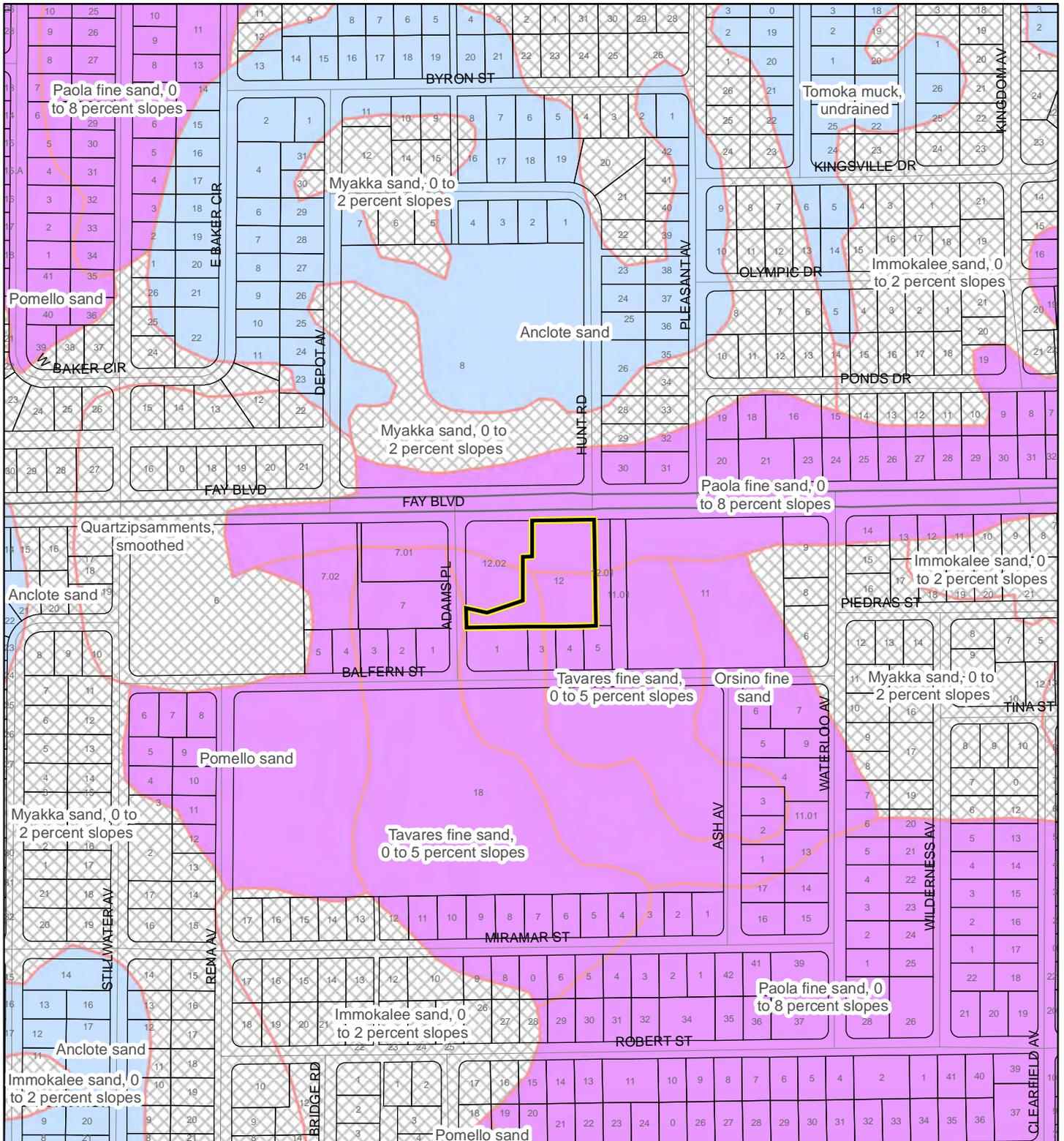
- SJRWMD FLUCCS WETLANDS**
- Wetland Hardwood Forests - Series 6100
 - Wetland Coniferous Forest - Series 6200
 - Wetland Forested Mixed - Series 6300
 - Vegetated Non-Forested Wetlands - Series 6400
 - Non-Vegetated Wetland - Series 6500

Subject Property

Parcels

USDA SCSSS SOILS MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

USDA SCSSS Soils

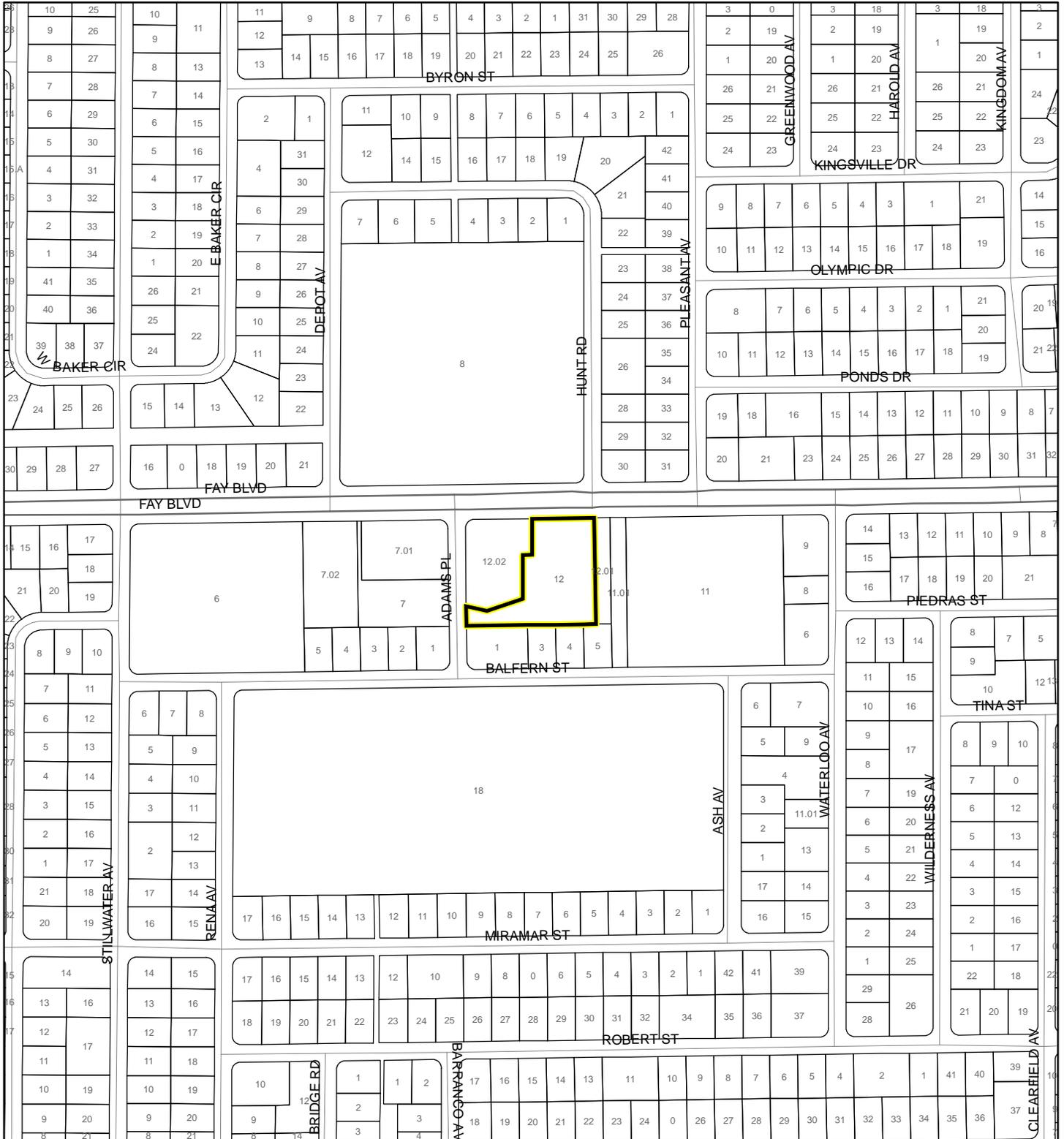
- Aquifer and Hydric
- Aquifer
- Hydric
- None
- Subject Property
- Parcels

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

Produced by BoCC - GIS Date: 9/8/2020

FEMA FLOOD ZONES MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

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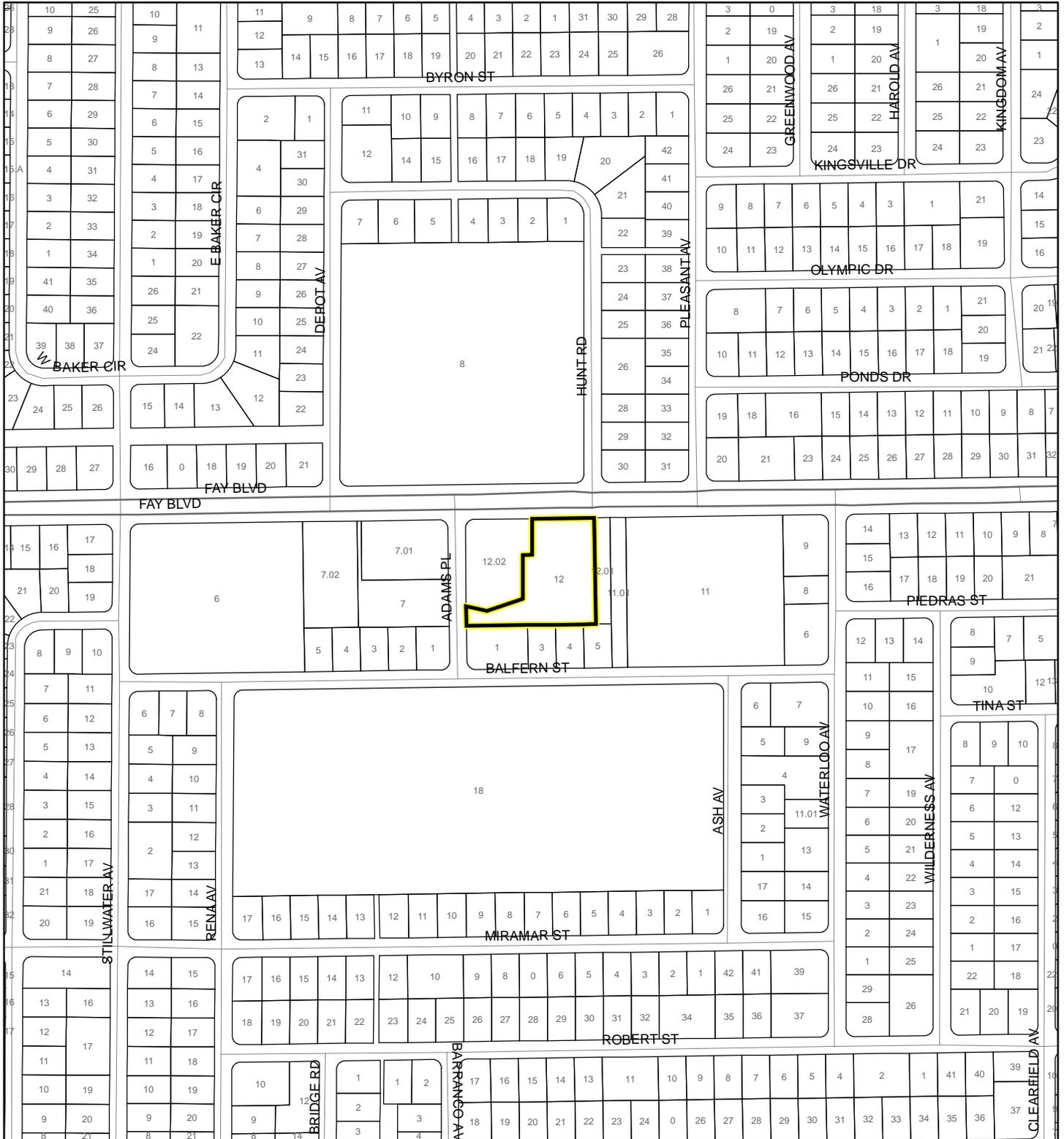
Produced by BoCC - GIS Date: 9/8/2020

FEMA Flood Zones

- A
- AO
- X
- AE
- Open Water
- X Protected By Levee
- AH
- VE
- 0.2 Percent Annual Chance Flood Hazard
- 0.2 Percent Annual Chance Flood Hazard Contained in Channel
- Subject Property
- Parcels

COASTAL HIGH HAZARD AREA MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

 Subject Property

 Parcels

Coastal High Hazard Area

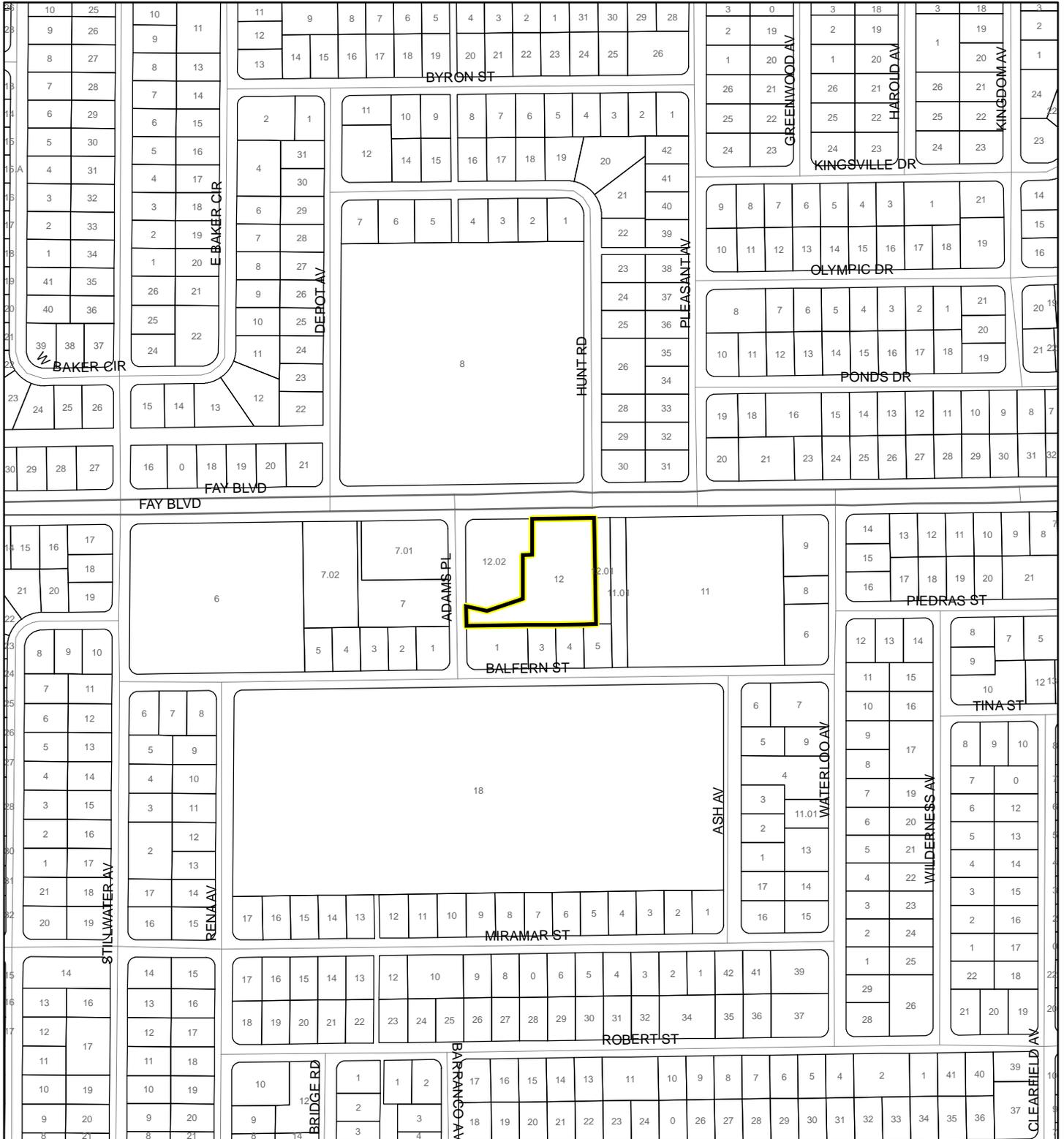
 SurgeZoneCat1

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

 Subject Property

 Parcels

Septic Overlay

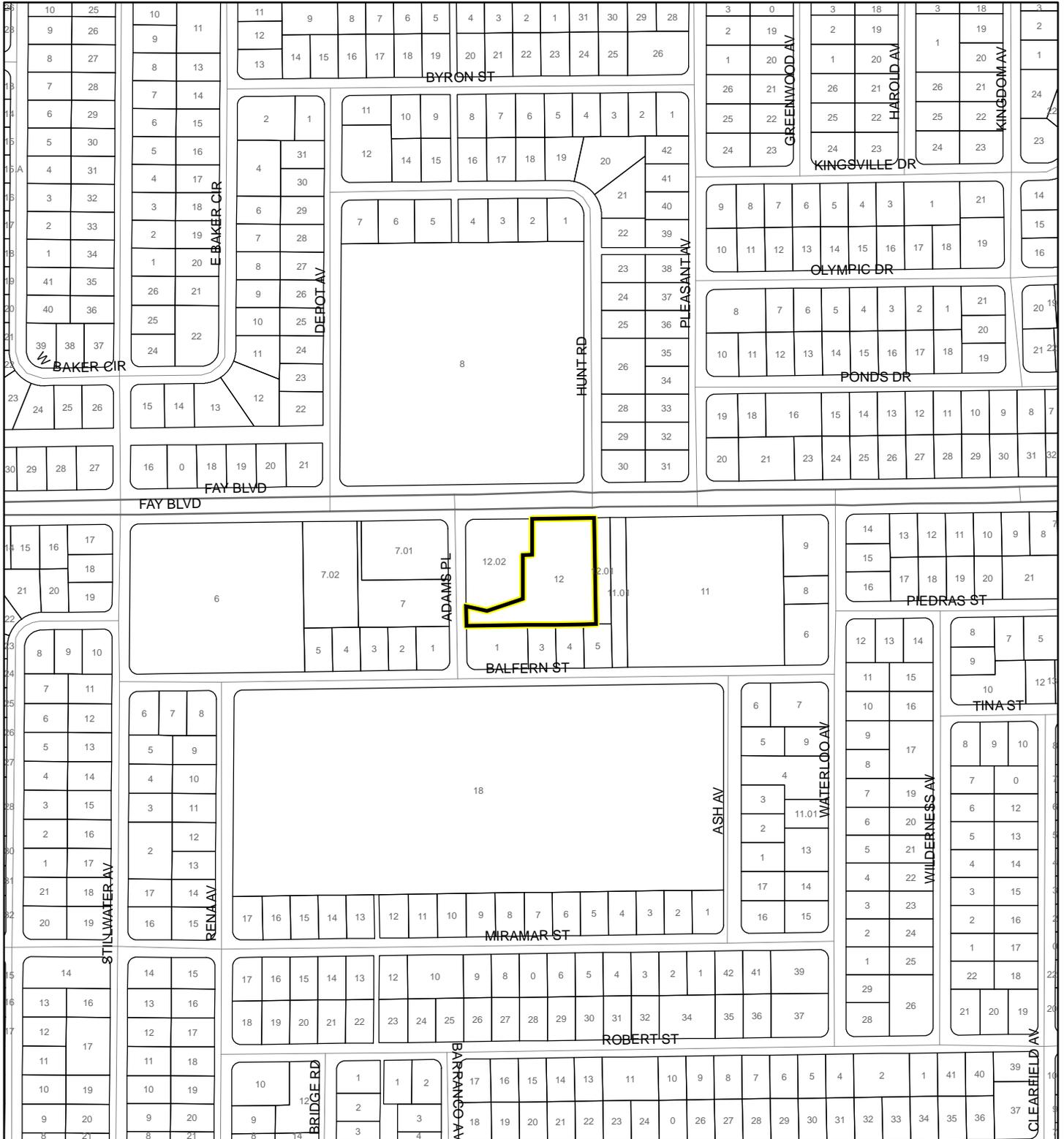
 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

 Subject Property

 Parcels

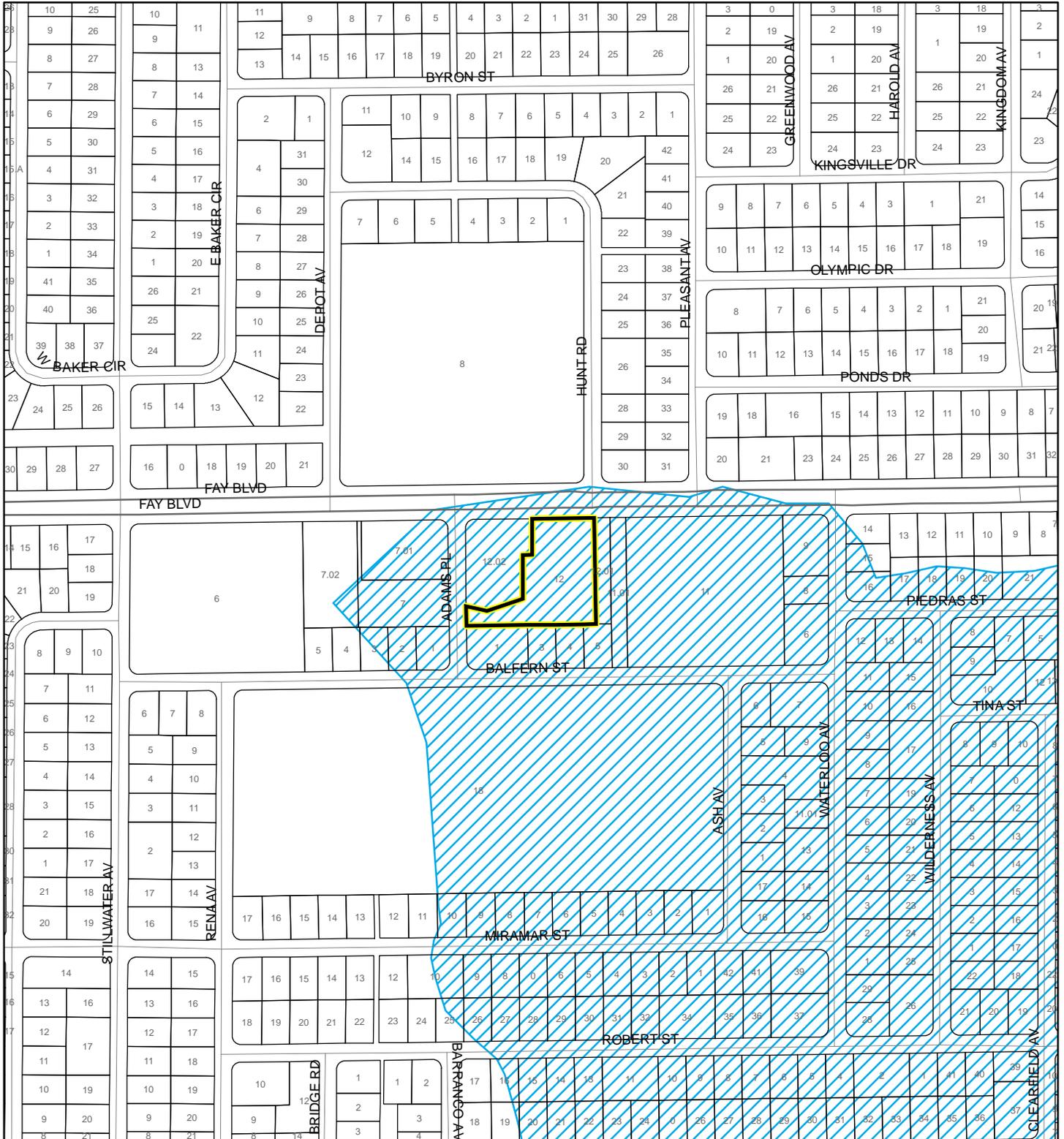
 Eagle Nests
FWS 2010

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

SCRUB JAY OCCUPANCY MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

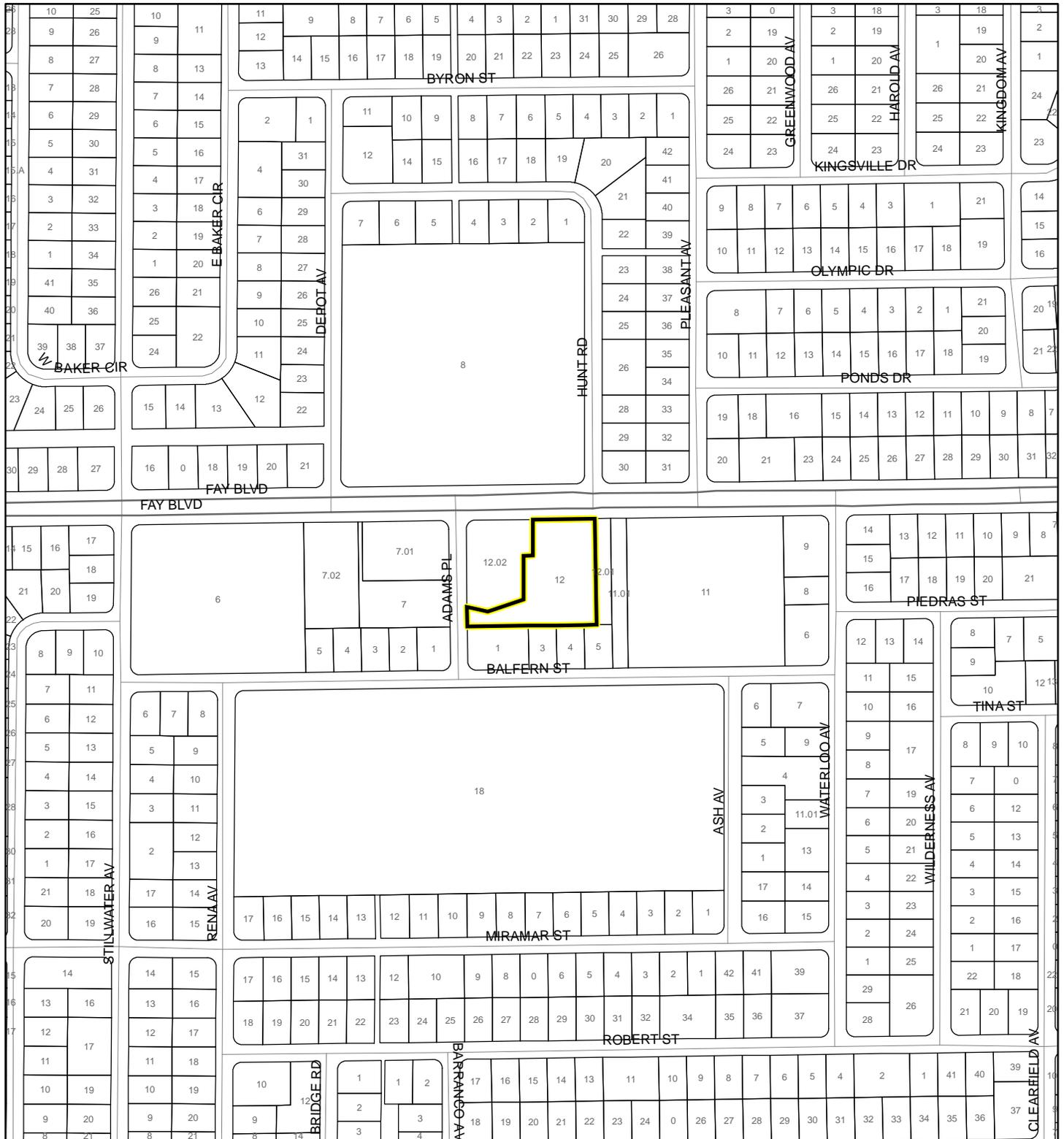
-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

4725 FAY BLVD LAND TRUST
20Z00031



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/8/2020

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels

Existing BDP
20Z00031
4725 Fay Blvd Land Trust

Prepared by : Carmine Ferraro, Trustee
4725 Fay Blvd Land Trust #1, U/A/D 02/10/2008
4265 Fay Blvd, Cocoa, FL 32927

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into on May 13, 2014 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and 4725 FAY BLVD LAND TRUST AGREEMENT #1 U/A/D 02/10/2008 (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner desires to develop the property as BU-1-A (Restricted Neighborhood Retail Commercial and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the property, Developer/Owner wishes to mitigate negative impact on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. Developer/Owner desires to modify that certain Binding Development Plan dated March 4, 2008 recorded in Official Record Book 5848, Page 4612, and

3. This agreement shall supercede in the event where there is a conflict with with any prior agreement in force.

4. Notwithstanding the uses permitted in BU-1-A, the Developer/Owner agrees that the following uses shall be prohibited: adult entertainment, package liquor stores, gaming rooms, adult arcade, internet café, billiard hall, single family residence, group homes, foster homes, resort dwellings, coin laundromat.

5. The Developer/Owner shall limit ingress and egress as follows:
- A. Close existing Adams Place driveway permanently, which is located on southwest corner of property.
 - B. Construct full access driveway on Adams Place to line up with the driveway on the adjacent property to the west (Gas Station/ Convenience Store)

6. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.

7. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

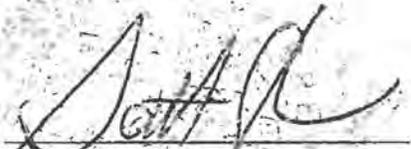
8. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject property unless or until rezoned and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property, and be subject to the above referenced conditions as approved by the Board of County Commissioners on May 13, 2014. In the event the subject property is annexed into a municipality and rezoned, this Agreement shall be null and void.

9. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as may be amended.

10. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate for incompatibility and must be satisfied before Developer/Owner may implement the approved use(s) unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action described in Paragraph 9 above.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:



Scott Ellis, Clerk
(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940



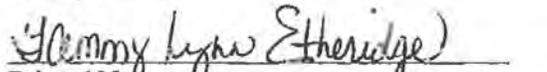
Chairman

As approved by the Board on MAY 13 2014

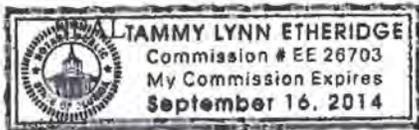
STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 13 day of May, 2014 by Mary Bolin Lewis, Chairman of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced _____ as identification.

Notary Public:



Printed Name: Tammy Lynn Etheridge
My commission expires: 9-16-14



STATE OF FLORIDA
COUNTY OF BREVARD
This is to certify that the foregoing is a true and current copy of Bolin Development Plan witness my hand and official seal this 22 day of May, 2014
SCOTT ELLIS, Clerk of Circuit Court

BY  D.C.

[Signature]
Printed Name: Imma G. Iden

4725 FAY BLVD LAND TRUST AGREEMENT #1
U/A/D 02/10/2008

By: [Signature]
Its: Trustee

[Signature]
Printed Name: Diana L. Archambault

STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me this 9th day of April, 2014, by Carmine Ferraro as Trustee of 4725 FAY BLVD LAND TRUST AGREEMENT #1 U/A/D 02/10/2008, who is personally known to me or who has produced _____ as identification.



SEAL

Notary Public
[Signature]
Printed Name: _____
My commission expires: _____

Exhibit "A"

Legal Description:

Lot 12, Block 81, except the East 45 feet, PORT ST. JOHN UNIT THREE, according to the plat thereof, as recorded in Plat Book 22, Pages 25 through 35, of the Public Records of Brevard County, Florida.

Street Address: 4725 Fay Blvd.

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated March 1, 2008 given by 4725 Fay Blvd Land Trust Agreement No 1 u/a/d 02/10/2008, as mortgagor, in favor of the undersigned, Note Purchaser – Campanile, as mortgagee, recorded in Official Records Book 5856, page 2065, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

WITNESSES:

MORTGAGEE NAME/ADDRESS

Joanne C Pace
(Signature)

Louis R. Campanile

9025 South Highway A1A
Melbourne Beach, FL 32951

LOUIS R. CAMPANILE
(Print Name)

Joanne C. Pace

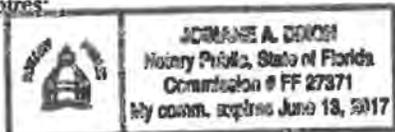
Louis R. Campanile
(Mortgagee Signature)

STATE OF Florida §

COUNTY OF Indian River §

The foregoing instrument was acknowledged before me this 27th March day of, 2014, by, who is personally known to me or who has produced Florida Driver License identification.

My commission expires:



Notary Public

SEAL Jeannette A Dixon

Commission No.:

(Name typed, printed or stamped)

WITNESSES:

Jeanne C. Pace
(Signature)
Jeanne C. Pace
(Print Name)

MORTGAGEE NAME/ADDRESS

Eveline Campanile
9025 South Highway A1A
Melbourne Beach, FL 32951

Eveline Campanile
(Mortgagee Signature)

STATE OF Florida §

COUNTY OF Indian River §

The foregoing instrument was acknowledged before me this 27th March day of, 2014, by , who is personally known to me or who has produced Florida Driver License as identification.

My commission expires:



Commission No.:

Notary Public

SEAL Josiane A. Osorn

(Name typed, printed or stamped)

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated March 1, 2008 given by 4725 Fay Blvd Land Trust Agreement No 1 u/a/d 02/10/2008, as mortgagor, in favor of the undersigned, Note Purchaser - Wurster, as mortgagee, recorded in Official Records Book 5856, page 2065, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

Kimberly Wurster
WITNESSES:
Scott Wurster
(Signature)
SCOTT WURSTER
(Print Name)
Kimberly Wurster

MORTGAGEE NAME/ADDRESS
Scott Wurster
1630 N. Henry
Cocquille, Oregon, 97423
Scott Wurster
(Mortgagee Signature)

STATE OF Oregon §
COUNTY OF Coos §

The foregoing instrument was acknowledged before me this 26th March day of, 2014, by, who is personally known to me or who has produced _____ as identification. by Scott Wurster.

My commission expires: 11-18-2014

Stacey R Christensen
Notary Public

SEAL _____

Commission No.: 452217

(Name typed, printed or stamped)



Scott Wurster

WITNESSES:

Kimberly Wurster
(Signature)

Kimberly Wurster
(Print Name)

SCOTT WURSTER

MORTGAGEE NAME/ADDRESS

Kimberly Wurster

1630 N. Henry
Cocquille, Oregon, 97423

Kimberly Wurster
(Mortgagee Signature)

STATE OF Oregon §

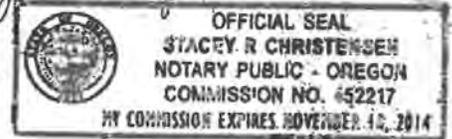
COUNTY OF Coos §

The foregoing instrument was acknowledged before me this 26th ^{*March*} day of, 2014, by, who is personally known to me or who has produced _____ as identification. *by Kimberly Wurster.*

My commission expires: 11-18-2014

Stacey Christensen

Notary Public



SEAL _____

(Name typed, printed or stamped)

Commission No.: 452217

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated March 1, 2008 given by 4725 Fay Blvd Land Trust Agreement No 1 u/a/d 02/10/2008, as mortgagor, in favor of the undersigned, Note Purchaser - Yusem, as mortgagee, recorded in Official Records Book 5856, page 2065, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

WITNESSES:

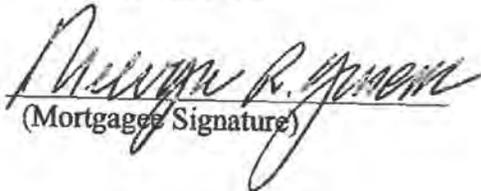

(Signature)

PATRICK GOUSSE
(Print Name)

MORTGAGEE NAME/ADDRESS

Melvyn R. Yusem

10522 SW 133rd Place
Miami, Florida 33186

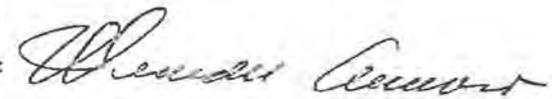

(Mortgagee Signature)

STATE OF FLORIDA §

COUNTY OF MIAMI-DADE §

The foregoing instrument was acknowledged before me this 31 day of 2014, by , who is personally known to me or who has produced DL# as identification.

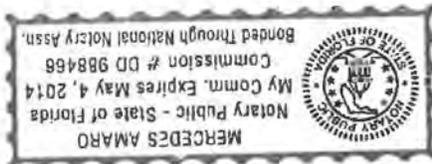
My commission expires:

Notary Public 

SEAL _____

(Name typed, printed or stamped)

Commission No.:



WITNESSES:

[Signature]
(Signature)

PATRICK GOUSSA
(Print Name)

MORTGAGEE NAME/ADDRESS

Tina Yusem

10522 SW 133rd Place
Miami, Florida 33186

[Signature]
(Mortgagee Signature)

STATE OF FLORIDA §

COUNTY OF MIAMI-DADE §

The foregoing instrument was acknowledged before me this 31 day of 2014, by, who is personally known to me or who has produced DL as identification.

My commission expires:

Notary Public

SEAL [Signature]

(Name typed, printed or stamped)

Commission No.:



JOINDER IN BINDING DEVELOPMENT PLAN

[Handwritten mark]

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated March 1, 2008 given by 4725 Fay Blvd Land Trust Agreement No 1 u/a/d 02/10/2008, as mortgagor, in favor of the undersigned, Note Purchaser – Salib, as mortgagee, recorded in Official Records Book 5856, page 2065, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

WITNESSES:

Jessie Roland
(Signature)

Jennifer P. Roland
(Print Name)

MORTGAGEE NAME/ADDRESS

Sami K. Salib

415 S. Carpenter Road
Titusville, Florida 32796

Sami K Salib
(Mortgagee Signature)

STATE OF Florida §

COUNTY OF Brevard §

The foregoing instrument was acknowledged before me this 3rd day of April, 2014, by Sami K Salib who is personally known to me or who has produced _____ as identification.

My commission expires:

 JONDA ERWIN
NOTARY PUBLIC
STATE OF FLORIDA
Comm. # EE 100211
Expires 2/13/2013

Commission No.:

Notary Public Jonda Erwin

SEAL _____

(Name typed, printed or stamped)

WITNESSES:

Jennifer P. Roland
(Signature)

Jennifer P. Roland
(Print Name)

MORTGAGEE NAME/ADDRESS

Violette W. Salib

415 S. Carpenter Road
Titusville, Florida 32796

Violette W. Salib
(Mortgagee Signature)

STATE OF Florida §

COUNTY OF Brevard §

The foregoing instrument was acknowledged before me this 3rd day of April, 2014, by who is personally known to me or who has produced _____ as identification.

My commission expires:



JONDA ERWIN
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE168911
Expires 2/13/2018

Commission No.:

Notary Public Jonda Erwin
SEAL _____

(Name typed, printed or stamped)

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated March 1, 2008 given by 4725 Fay Blvd Land Trust Agreement No 1 u/a/d 02/10/2008, as mortgagor, in favor of the undersigned, Note Purchaser – Odenheimer, as mortgagee, recorded in Official Records Book 5856, page 2065, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

WITNESSES:

Renee Prager
(Signature)

Renee Prager
(Print Name)

MORTGAGEE NAME/ADDRESS

Mark Odenheimer

545 Avon Court
River Vale, New Jersey 07675

[Signature]
(Mortgagee Signature)

STATE OF NY §

COUNTY OF NY §

The foregoing instrument was acknowledged before me this 7th day of April, 2014, by , who is personally known to me or who has produced _____ as identification.

My commission expires:

Commission No.:

Notary Public
SEAL [Signature]
(Name typed, printed or stamped)

DIANE T. WORLEY
Notary Public, State of New York
No. 01WO6114444
Qualified in New York County
Commission Expires August 16, 2016

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated March 1, 2008 given by 4725 Fay Blvd Land Trust Agreement No 1 u/a/d 02/10/2008, as mortgagor, in favor of the undersigned, Note Purchaser - Carmel, as mortgagee, recorded in Official Records Book 5856, page 2065, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

WITNESSES:

MORTGAGEE NAME/ADDRESS

Diana L Archambault
(Signature)

Carmel Development, LLC

Diana L Archambault
(Print Name)

3860 Curtis Blvd #636
Port St. John, Florida 32927

Carmine Ferraro
(Mortgagee Signature)
Carmine Ferraro, President
CCB Holdings, LLC
AS MANAGING MEMBER.

STATE OF FLORIDA §

COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 7th day of April, 2014, by Carmine Ferraro who is personally known to me or who has produced as identification.

My commission expires:



Commission No.:

Notary Public

Diana L Archambault
SEAL

(Name typed, printed or stamped)

WITNESSES:

Diana L. Archambault
(Signature)

Diana L. Archambault
(Print Name)

MORTGAGEE NAME/ADDRESS

Carmine Ferraro

4265 Quechua Road, Cocoa, FL
Port St. John, Florida 32927

[Signature]
(Mortgagee Signature)

STATE OF FLORIDA §

COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 7th day of April, 2014, by Carmine Ferraro, who is personally known to me or who has produced _____ as identification.

My commission expires:



Commission No.:

Notary Public

SEAL Diana L. Archambault

(Name typed, printed or stamped)

WITNESSES:

Diana L. Archambault
(Signature)

Diana L. Archambault
(Print Name)

MORTGAGEE NAME/ADDRESS

Pamela S. Ferraro

4265 Quechua Road, Cocoa, FL
Port St. John, Florida 32927

Pamela S. Ferraro
(Mortgagee Signature)

STATE OF FLORIDA §

COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 7th day of April, 2014, by Pamela S. Ferraro, who is personally known to me or who has produced _____ as identification.

My commission expires:



Commission No.:

Notary Public

SEAL Diana L. Archambault

(Name typed, printed or stamped)

This instrument prepared by and return to:
Timothy F Pickles, Esquire
WATSON, SOILEAU, DELEO, BURGETT,
PICKLES & BAUGHAN, P.A
Post Office Box 236007
Cocoa, Florida 32923-6007
Our File No 04-5989
REC. \$10 00

ASSIGNMENT OF INTEREST IN NOTE AND MORTGAGE

The undersigned, being one of the owners and holders of the note and mortgage herein described

MORTGAGOR CARMINE FERRARO, AS TRUSTEE OF THE 4725 FAY BOULEVARD LAND TRUST AGREEMENT NO 1 U/A/D FEBRUARY 10, 2008

MORTGAGEE JOSIAH B RUTTER REVOCABLE LIVING TRUST

DATED March 11, 2008

ENCUMBERING THE FOLLOWING DESCRIBED PROPERTY

LOT 12, BLOCK 81, EXCEPT THE EAST 45 FEET THEREOF, PORT ST JOHN UNIT THREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGE 25 THROUGH 35, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA

AND RECORDED IN OFFICIAL RECORDS BOOK 5856, PAGE 2065, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID MORTGAGE GIVEN TO SECURE A DEBT IN THE ORIGINAL PRINCIPAL SUM OF THIRTY THOUSAND (\$30,000 00) DOLLARS

hereby assigns his interest in said note and mortgage without recourse, for consideration received, to CARMEL DEVELOPMENT, LLC, a Florida limited liability company, whose mailing address is 3860 Curtis Boulevard #36, Port St John, FL 32924, effective 1-7, 2009 ~~2010~~

DATED THIS 7th DAY OF JANUARY, ~~2009~~ 2010

JOSIAH B RUTTER REVOCABLE LIVING TRUST

BY [Signature]
JOSIAH B. RUTTER, TRUSTEE

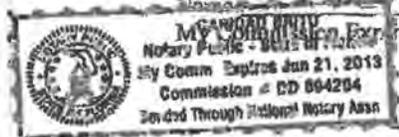
ACKNOWLEDGMENT

STATE OF FLORIDA
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 7th day of JANUARY, ~~2009~~ 2010, by JOSIAH B RUTTER, individually and as Trustee of the Josiah B Rutter Revocably Living Trust, who is personally known to me or who has produced _____ as identification and who did not take an oath

Notary Public

[Signature]



(SEAL)

Prepared by : Carmine Ferraro, Trustee
4725 Fay Blvd Land Trust #1, U/A/D 02/10/2008
4265 Fay Blvd, Cocoa, FL 32927

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into on _____, 2020 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and 4725 FAY BLVD LAND TRUST AGREEMENT #1 U/A/D 02/10/2008 (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner desires to develop the property as BU-1 (as a hardware store with outdoor garden center) and pursuant to the Brevard County Code, Section 62-1482; and

WHEREAS, as part of its plan for development of the property, Developer/Owner wishes to mitigate negative impact on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. Developer/Owner desires to modify that certain Binding Development Plan dated March 4, 2008 recorded in Official Record Book 5848, Page 4612, and subsequently modified again on May 13, 2014 recorded in Official Record Book 7129, Page 1312

3. This agreement shall supercede in the event where there is a conflict with with any prior agreement in force.

4. Notwithstanding the uses permitted in BU-1, the Developer/Owner agrees that all of the uses listed in BU-1 shall remain prohibited except the following ; Hardware store with outdoor garden center. Developer shall retain the right to all permitted uses listed in the BU-1A (Restricted Neighborhood Retail Commercial) pursuant to the Brevard County Code, Section 62-1481, with the exception of the following uses, adult entertainment, package liquor stores, gaming rooms, adult arcade, internet café, billiard hall, single family residence, group homes, foster homes, resort dwellings, coin laundromat. which shall remain prohibited.

5. The Developer/Owner shall modify the access as follows; open the previously closed Adams Place driveway which is located on southwest corner of property.

6. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.

7. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

8. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject property unless or until rezoned and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property, and be subject to the above referenced conditions as approved by the Board of County Commissioners on _____. In the event the subject property is annexed into a municipality and rezoned, this Agreement shall be null and void.

9. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as may be amended.

10. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate for incompatibility and must be satisfied before Developer/Owner may implement the approved use(s) unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action described in Paragraph 9 above.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940

Scott Ellis, Clerk
(SEAL)

_____, Chairman
As approved by the Board on _____

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this ___ day of _____, 2008, by _____, Chairman of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced _____ as identification.

Notary Public:

SEAL

Printed Name: _____
My commission expires: _____

WITNESSES:

DEVELOPER/OWNER
4725 FAY BLVD LAND TRUST AGREEMENT #1
U/A/D 02/10/2008

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

STATE OF _____)

COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____ as _____ of 4725 FAY BLVD LAND TRUST AGREEMENT #1 U/A/D 02/10/2008, who is personally known to me or who has produced _____ as identification.

Notary Public

Printed Name: _____

My commission expires: _____

SEAL

Exhibit "A"

Legal Description:

Lot 12, Block 81, except the East 45 feet, PORT ST. JOHN UNIT THREE, according to the plat thereof, as recorded in Plat Book 22, Pages 25 through 35, of the Public Records of Brevard County, Florida.

Street Address: 4725 Fay Blvd.

Less and Except:

A PORTION OF LOT 12, BLOCK 81, EXCEPT THE EAST 45 FEET THEREOF, PORT ST. JOHN UNIT THREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 25 THROUGH 35, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 12, BLOCK 81, THENCE ALONG THE WEST LINE OF SAID LOT 12, ALONG THE EAST RIGHT OF WAY OF ADAMS PLACE, N 00°27'48" W, 55.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE WEST LINE OF SAID LOT 12, ALONG THE EAST RIGHT OF WAY OF ADAMS PLACE N 00°27'48" W, 224.25 FEET TO A POINT OF CURVATURE; THENCE 39.27 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD BEARING AND DISTANCE OF N44°32'12" E, 35.36 FEET TO A POINT OF TANGENCY; THENCE ALONG THE NORTH LINE OF SAID LOT 12, ALONG THE SOUTH RIGHT OF WAY OFF AY BOULEYARD, N 89°32'12" E, 165.35 FEET; THENCE DEPARTING THE NORTH LINE OF SAID LOT 12, S 00°27'48" E, 103.70 FEET; THENCE S 89°32'12" W, 27.60 FEET; THENCE S 00°27'48" E, 125.00 FEET; THENCE S 71°25'18" W, 109.57 FEET; THENCE N 77°28'34" W, 60.15 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 0.99 ACRES MORE OR LESS.

Street Address: 4755 Fay Blvd



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.5.

11/23/2020

Subject:

Amendments to Chapter 62, Article VI, Zoning Regulations, Relating to Vacation Rental as a Permitted Use in Certain Zoning Classifications.

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Local Planning Agency consider amendments to Chapter 62, Article VI, Zoning Regulations, Relating to Vacation Rental as a Permitted Use in Certain Zoning Classifications.

Summary Explanation and Background:

The Board of County Commissioners (Board), on September 15, 2020, approved legislative intent and permission to advertise amendments to land development regulations to create a definition of vacation rental consistent with Section 509.242(1)(c), Florida Statutes, and identify vacation rental as a permitted use in certain zoning classifications. The Board further directed that code amendments be drafted to prevent conflict in zoning classifications between the current resort dwelling definition and allowances and proposed vacation rental definition and allowances.

The Florida Legislature adopted Section 509.032(7)(b), Florida Statutes, in order to limit the ability of local governments to regulate vacation rentals. Specifically, this statute provides that "[a] local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011". In addition to unincorporated Brevard, about half of the municipalities in the County had resort dwelling regulations in place prior to June 1, 2011. Some municipalities require additional annual applications and inspections.

Last fall, the County Attorney's Office was asked whether certain zoning restrictions pertaining to resort dwellings could be amended. Based on research conducted by the County Attorney's Office, it is possible for such changes to take place, but certain steps must be undertaken to avoid running afoul of the State's preemption language whereby local governments are prohibited from adopting regulations that prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals.

Specifically, in order to make changes to the existing zoning regulations pertaining to resort dwellings, it will be necessary for the County to adopt a new term, e.g., "vacation rental," that mirrors the State's definition. This

will need to be done to avoid a conflict between the State’s definition of “vacation rental” and the County’s current definition of “resort dwelling.” As a result, any new zoning classification(s) that would allow vacation rentals would need to be permitted without any restrictions or conditions. The ordinances pertaining to resort dwellings that have been in place since before June 1, 2011, and that are not amended, will continue in operation.

CURRENT CODE

In Section 62-1102 Brevard County Code (BCC), the County defines “resort dwelling” as any single-family dwelling or multi-family dwelling unit which is rented for periods of less than 90 days or three calendar months, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than 90 days or three calendar months, whichever is less. For the purposes of Chapter 62, a resort dwelling is a commercial use. For the purposes of this definition, subleases for less than 90 days are to be considered separate rental periods. This definition does not include month-to-month hold-over leases from a previous lease longer than 90 days.

There are currently more than 50 zoning classifications in unincorporated Brevard County, spanning eight categories, below. Allowance of resort dwellings is dependent upon zoning classification, use, adjacent property use/zoning and sometimes location with respect to Highway A1A (A1A). These criteria determine whether resort dwellings are 1) permitted, 2) permitted with conditions, or 3) require a Conditional Use Permit (CUP).

- Unimproved, Agricultural, Single-Family Residential - Resort Dwelling Permitted, Permitted with Conditions, or CUP Required
- Multi-Family Residential - Resort Dwelling Permitted
- Mobile Home Residential & Recreational Vehicular Park - Resort Dwelling Not Permitted
- Planned Unit Developments (PUDs) - Resort Dwelling Permitted with Conditions or CUP Required
- Commercial - Resort Dwelling Permitted
- Tourist Commercial & Transient Tourist Use - Resort Dwelling Permitted
- Industrial - Resort Dwelling Permitted
- Special Classifications - Resort Dwelling Not Permitted Except in Farmton Multi-family in Workplace Zoning District

Generally, for the Unimproved, Agricultural and Single-Family Residential category, resort dwelling is a permitted use only in Single-Family Attached (RA-2-4, RA-2-6, RA-2-8, RA-2-10) and Residential Professional (RP) zoning classifications. For the remainder of the Unimproved, Agricultural, and Single-Family Residential zoning classifications, there must be a non-conforming multi-family use for a resort dwelling to be permitted with conditions. Barring a non-conforming multi-family use, the property must be west of A1A, with direct frontage to A1A or east of A1A without frontage restrictions. None of the A1A-dependent properties can abut single-family zoning or use, and these properties must request a CUP from the Board for resort dwelling. A review of zoning actions since 2014 reveals no CUP applications for resort dwellings, although there was a one Bed & Breakfast CUP in 2017 that was denied. Zoning staff reports approximately one inquiry per day regarding permissibility of resort dwellings. A recent search of code enforcements cases revealed approximately three complaints a month, about two-thirds of which are substantiated. There are about 200

code enforcement complaints of all types reported each month.

Resort dwellings that are permitted with conditions or listed as a conditional use in certain residential zoning classifications are governed by Sections 62-1841.5.5 and 62-1945.2 BCC, respectively. These code sections outline performance standards related to parking, maximum occupancy, excessive or late noise, local management, manager's responsibility, and penalties.

Although resort dwellings are permitted in commercial, industrial and tourist zoning classifications, by County definition, they must be single-family or multi-family dwelling units. Therefore, it would be rare to find non-conforming dwelling units in these zoning classifications. This, combined with some of the specific criteria for permitted with conditions and CUPs in other zoning classifications, limits the allowance of resort dwellings almost exclusively to multi-family or single-family attached residential zoning classifications as indicated by the attached maps.

PROPOSED ORDINANCE REVISION

The proposed ordinance creates a definition of vacation rental in Section 62-1102:

Vacation Rental means any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family or multi-family dwelling unit that is also a transient public lodging establishment but that is not a timeshare project. A transient public lodging establishment means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

Vacation Rental is proposed to be added as a permitted use to the following zoning classification categories as follows:

- Unimproved, Agricultural, Single-Family Residential -1) Resort Dwelling already a Permitted Use, or 2) Vacation Rental added as a Permitted Use. All zoning classifications would, therefore, allow resort dwelling or vacation rental as a permitted use under the proposed modification.
- Multi-Family Residential - Resort Dwelling already a Permitted Use.
- Mobile Home Residential & Recreational Vehicular Park - Resort Dwelling not currently a Permitted Use. Vacation Rental added as Permitted Use.
- Planned Unit Developments (PUDs) - Resort Dwelling Permitted with Conditions or CUP Required. Vacation Rental added as a Permitted Use to all zoning classifications.
- Commercial - Resort Dwelling already a Permitted Use.
- Tourist Commercial & Transient Tourist Use - Resort Dwelling already a Permitted Use.
- Industrial - Resort Dwelling already a Permitted Use.
- Special Classifications - Resort Dwelling not currently a Permitted Use Except in Farmton (FARM-1) Multi-family in Workplace Zoning District; Vacation Rental added as a Permitted Use to FARM-1.

Clerk to the Board Instructions:

None

ORDINANCE NO. 2020-_____

AN ORDINANCE AMENDING CHAPTER 62, LAND DEVELOPMENT REGULATIONS, CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 62, ARTICLE VI, ZONING REGULATIONS, DIVISION 1, GENERALLY, SECTION 62-1102. DEFINITIONS AND RULES OF CONSTRUCTION, TO INCLUDE A NEW DEFINITION OF VACATION RENTAL; AMENDING SECTION 62-1331 GENERAL USE, GU, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1332, PRODUCTIVE AGRICULTURAL, PA, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1333, AGRICULTURAL, AGR, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1334, AGRICULTURAL RESIDENTIAL, AU AND AU(L), TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1334.5, AGRICULTURAL RURAL RESIDENTIAL, ARR, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1335, RURAL ESTATE USE, REU, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1336, RURAL RESIDENTIAL, RR-1, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1337, SUBURBAN ESTATE RESIDENTIAL USE, SEU, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1338, SUBURBAN RESIDENTIAL, SR, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1339, ESTATE USE RESIDENTIAL, EU, EU-1 AND EU-2, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1340, SINGLE-FAMILY RESIDENTIAL, RU-1-13 AND RU-1-11, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1341, SINGLE-FAMILY RESIDENTIAL, RU-1-9, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1342, SINGLE-FAMILY RESIDENTIAL, RU-1-7, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1401, RURAL RESIDENTIAL MOBILE HOME, RRMH-1, RRMH-2.5 AND RRMH-5, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1402, SINGLE-FAMILY MOBILE HOME, TR-1 AND TR-1-A, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1403, SINGLE-FAMILY MOBILE HOME, TR-2, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1404, MOBILE HOME PARK, TR-3, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1405, SINGLE-FAMILY MOBILE HOME COOPERATIVE, TRC-1, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1406, RECREATIONAL VEHICLE PARK, RVP, TO INCLUDE VACATION RENTAL AS A PERMITTED USE AND RENUMBER EXISTING SUBSECTIONS TO

ACCOMMODATE THIS ADDITION; AMENDING SECTION 62-1443, SAME – PERMITTED USES, PERTAINING TO PLANNED UNIT DEVELOPMENTS, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1463, SAME – REZONING AND PERMITTED USES, PERTAINING TO RESIDENTIAL PLANNED UNIT DEVELOPMENTS TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1473, SAME – PERMITTED USES, PERTAINING TO TINY HOUSE PLANNED UNIT DEVELOPMENTS TO INCLUDE VACATION RENTAL AS A PERMITTED USE; AMENDING SECTION 62-1574, FARMTON MIXED USE ZONING OVERLAY DISTRICT, FARM-1, TO INCLUDE VACATION RENTAL AS A PERMITTED USE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREA ENCOMPASSED; PROVIDING AN EFFECTIVE .DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners has in place zoning regulations pertaining to resort dwellings that seek to ensure compatible land uses and responsible development; and

WHEREAS, the Florida Legislature adopted Section 509.032(7)(b), Florida Statutes, in order to limit the ability of local governments to regulate vacation rental. Specifically, this Statute provides that "[a] local law, ordinance, or regulation may not prohibit vacation rental or regulate the duration or frequency of rental of vacation rental. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011"; and

WHEREAS, Brevard County's regulations related to resort dwellings adopted prior to June 1, 2011, are currently grandfathered in; and

WHEREAS, the Board of County Commissioners, on September 15, 2020, approved legislative intent and permission to advertise amendments to land development regulations to create a definition of vacation rental consistent with Section 509.242(1)(c), Florida Statutes, and identify vacation rental as a permitted use in certain zoning classifications; and

WHEREAS, the Board of County Commissioners, on September 15, 2020, further directed that Code amendments be drafted to prevent conflict in zoning classifications between resort dwellings and vacation rental; and

WHEREAS, resort dwelling is currently defined in Section 62-1102 of the Brevard County Code as "any single family dwelling or multifamily dwelling unit which is rented for periods of less than 90 days or three calendar months, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than 90 days or three calendar months, whichever is less. For the purposes of this chapter, a resort

dwelling is a commercial use. For the purposes of this definition, subleases for less than 90 days are to be considered separate rental periods. This definition does not include month-to-month hold-over leases from a previous lease longer than 90 days”; and

WHEREAS, the Building Construction Advisory Committee, November 18, 2020, reviewed the proposed ordinance and the Committee unanimously recommended against approval of the amendment; and

WHEREAS, the Local Planning Agency, on November 23, 2020, reviewed the proposed ordinance and _____; and

WHEREAS, the Board of County Commissioners has reviewed the recommendations of the Local Planning Agency and the Building Construction Advisory Committee and has considered the comments of interested citizens in public hearing; and

WHEREAS, the Board of County Commissioners desires to permit vacation rental in the zoning classifications identified herein without affecting or modifying any other zoning regulations that are not addressed by this Ordinance change; and

WHEREAS, this Ordinance change does not affect any covenants, conditions, and/or restrictions that associations, as defined by Section 720.301(9), Florida Statutes, as may be amended, may have in place; and

WHEREAS, the Board of County Commissioners has determined that the proposed amendment serves a public benefit to residents of and visitors to Brevard County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Underline indicates additions. ~~Strike-through indicates deletions.~~

SECTION 1. Section 62-1102. Definitions and rules of construction. Code of Ordinances of Brevard County, Florida, “Vacation Rental” definition is hereby created as follows:

Vacation Rental means any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family or multi-family dwelling unit that is also a transient public lodging establishment but that is not a timeshare project. A transient public lodging establishment means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

SECTION 2. Section 62-1331(1)a. General use, GU. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

Single-family detached residential dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Vacation Rental.

SECTION 3. Section 62-1332(1)a. Productive agricultural, PA. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) *Permitted uses.*

a. Permitted uses are as follows:

Mobile home residential dwelling.
One single-family dwelling unit.
Tenant dwellings: Where there are 40 or more acres under the same ownership, one tenant dwelling unit is permitted for each five acres, not to exceed ten tenant dwelling units in total. Tenant dwelling units shall be set back 200 feet from all property under different ownership.
All agricultural pursuits. The sale of products produced on the property and any other agricultural produce may be sold from roadside stands as provided in chapter 86, article IV.
Raising and grazing of farm animals, fowl raising and beekeeping.
Nurseries and horticultural pursuits.
Parks and public recreational facilities.
Pet kennels.
Vacation Rental.

SECTION 4. Section 62-1333(1)a. Agricultural, AGR. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

Single-family detached residential dwelling.

Mobile home residential dwelling.
 Tenant dwellings: Where there are 20 acres or more of land under the same ownership, one tenant dwelling unit is permitted for each five acres, not to exceed a total of ten tenant dwellings.
 Agricultural pursuits, including the packing and processing of commodities raised on the premises. The sale of products produced on the property and any other agricultural produce may be sold from roadside stands as provided in chapter 86, article IV.
 Raising and grazing of animals.
 Bed and breakfast inns.
 Dude ranches, with a minimum site size of 40 acres.
 Landscaping businesses.
 Parks and public recreational facilities.
 Pet kennels.
 Plant nurseries and sale of plants raised on the premises.
 Private golf courses.
 Foster homes.
Vacation Rental.

SECTION 5. Sections 62-1334(1)a.1. and 2. Agricultural residential, AU and AU(L).
 Code of Ordinances of Brevard County, Florida, are hereby amended as follows:

(1) *Permitted uses.*

- a. 1. Permitted uses within the AU classification are as follows:
 - Single-family detached residential dwelling.
 - All agricultural pursuits, including the packing, processing, and sales of commodities raised on the premises as provided in chapter 86, article IV.
 - Raising and grazing of animals.
 - Dude ranches, with a minimum area of 40 acres. Barns or stables shall be 200 feet from any property line.
 - Fowl raising and beekeeping.
 - Parks and public recreational facilities.
 - Plant nurseries.
 - Private golf courses.
 - Private camps.
 - Foster homes.
 - Vacation Rental.

2. Permitted uses within the AU(L) sub-classification are as follows:
 - Single-family detached residential dwelling.
 - Agricultural pursuits of a personal non-commercial nature.
 - Structures for the housing of livestock and animals shall not be permitted within 100 feet of any existing residence under different ownership, except where otherwise permitted in section 62-2108.

Parks and public recreational facilities.
Foster homes.
Vacation Rental.

SECTION 6. Section 62-1334.5(1)a. Agricultural rural residential, ARR. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses:

a. Permitted uses are as follows:

Single-family detached residential dwelling.
Manufactured homes.
Modular homes.
Tenant dwellings: One unit is permitted for each five acres of land under the same ownership. Tenant dwellings must be 100 feet from property of different ownership.
Foster homes.
Vacation Rental.

SECTION 7. Section 62-1335(1)a. Rural estate use, REU. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family detached residential dwelling.
Foster homes.
Parks and public recreational facilities.
Vacation Rental.

SECTION 8. Section 62-1336(1)a. Section Rural residential, RR-1. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Sewer lift stations.
Vacation Rental.

SECTION 9. Section 62-1337(1)a. Suburban estate residential use, SEU. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family detached residential dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Sewer lift stations.
Vacation Rental.

SECTION 10. Section 62-1338(1)a. Suburban residential, SR. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family residential detached dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Sewer lift stations.
Vacation Rental.

SECTION 11. Section 62-1339(1)a. Estate use residential, EU, EU-1 and EU-2. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family residential detached dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Sewer lift stations.
Vacation Rental.

SECTION 12. Section 62-1340(1)a. Single-family residential, RU-1-13 and RU-1-11. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family residential detached dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Sewer lift stations.
Vacation Rental.

SECTION 13. Section 62-1341(1)a. Single-family residential, RU-1-9. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family residential detached dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Sewer lift stations.
Vacation Rental.

SECTION 14. Section 62-1342(1)a. Single-family residential, RU-1-7. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family residential detached dwelling.
Parks and public recreational facilities.
Private golf courses.
Foster homes.
Sewer lift stations.
Vacation Rental.

SECTION 15. Section 62-1401(1)a. Rural residential mobile home, RRMH-1, RRMH-2.5 and RRMH-5. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

One single-family mobile home or detached dwelling unit.
Parks and public recreational facilities.
Private golf courses.
Sewer lift stations.
Foster homes.
Vacation Rental.

SECTION 16. Section 62-1402(1)a. Single-family mobile home, TR-1 and TR-1-A. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

Single-family mobile home units.
Single-family detached dwelling units with minimum floor area of 600 square feet.
Foster homes.
Parks and public recreational facilities.
Vacation Rental.

SECTION 17. Section 62-1403(1)a. Single-family mobile home, TR-2. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

Single-family mobile home or detached dwelling units.
Foster homes.
Parks and public recreational facilities.
Vacation Rental.

SECTION 18. Section 62-1404(1)a. Single-family mobile home, TR-3. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

Mobile homes and modular coaches, exclusive of travel trailers and recreational vehicles.

Parks and public recreational facilities.
Vacation Rental.

SECTION 19. Section 62-1405(1)a. Single-family mobile home cooperative, TRC-1. Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(1) Permitted uses.

a. Permitted uses are as follows:

The parking, storage or residential use of single mobile home units and modular coaches.
Parks and public recreational facilities.
Vacation Rental.

SECTION 20. Section 62-1406(1). Recreational vehicle park, RVP. Code of Ordinances of Brevard County, Florida, is hereby amended to insert a new Subsection d., and renumbering old Subsections d. and e. to read as new Subsections e. and f., respectively, as follows:

(1) Permitted uses.

- a. Spaces or lots in RVP recreational vehicle parks may be used by a recreational vehicle or equivalent facilities constructed in or on automotive vehicles, or tents, or other shortterm housing devices, or park trailers, or cabins. Cabins or park trailers utilized for shortterm use may comprise no more than 20 percent of the permitted spaces or lots, and shall not exceed a maximum of 1,000 square feet each in size.
- b. Nonrecreational services and administrative buildings are permitted.
- c. Parks and public recreational facilities.
- d. Vacation Rental.

ed. Permitted uses with conditions:

Convenience store as accessory use to recreational vehicle park.
Preexisting use.
Recreational vehicle destination park. (see section 62-1841.5)

fe. Attachments to principal structures:

1. In no event shall the principal structure be expanded in any manner that changes the structure of the base unit.
2. Attachments are further limited as follows: No attachment or combination of attachments and accessory structures shall exceed 50 percent of the square footage of the recreational vehicle unit, not including a carport. An administrative approval for accessory buildings or attachments may be allowed up to a maximum of 100

percent of the square footage of the recreational vehicle unit as long as the additional square footage is consistent with the character of the surrounding area. Unless otherwise provided for in this chapter attachments shall have no kitchen facilities.

SECTION 21. Section 62-1443(a). Same – Permitted Uses., pertaining to pertaining to planned unit developments, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(a) The PUD zoning classification is designed to allow an applicant to submit a proposal for consideration, for any use or mixture of uses, and to allow the board of county commissioners to approve any proposal which it believes to be in the best interest of the public health, safety and welfare, along with any conditions or limitations thereon which the board of county commissioners deems advisable. Rezoning to the PUD zoning classification shall be an entirely voluntary procedure to be pursued only at the option of the applicant. Approval of the PUD zoning classification rests with the board of county commissioners, based upon its determination that the proposed development is in the best interests of the county. Vacation Rental is a permitted use within the PUD zoning classification. However no nonresidential land uses shall be permitted within the PUD unless the following criteria area met:

- (1) Nonresidential land uses accessory to planned residential uses may be requested within the PUD provided they meet one of the following locational criteria.
 - a. Where the proposed nonresidential use is located consistent with the future land use map series; or
 - b. Where the proposed nonresidential use is completely internal and accessory to the proposed development and the developer demonstrates to the satisfaction of the board of county commissioners that the land uses proposed demonstrates a rational development scheme, interrelated to the development as a whole, which promotes the goals of the PUD zoning classification found in section 62-1442.
- (2) Nonresidential land uses which are not permitted uses in the BU-1 zoning classification must be specified in the preliminary development plan (PDP) application. Proposed uses, setbacks, building heights, buffers and signs shall be submitted with the PDP along with a narrative justification of how these elements help meet the goals of the PUD zoning classification found in section 62-1442.
- (3) Parks and public recreational facilities.
- (4) Institutional uses such as, but not limited to schools, churches or other public or nonprofit uses as specifically designated on the preliminary development plan.
- (5) Uses designated and permitted as part of a DRI development order.

SECTION 22. Section 62-1463(a). Same—Rezoning and permitted uses, pertaining to residential planned unit developments, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(a) The RPUD zoning classification is designed to allow an applicant to first submit a rezoning application for consideration, consistent with the requirements of section 62-1151 and to allow the board of county commissioners to approve any rezoning application which it believes to be in the best interest of the public health, safety and welfare. Rezoning to the RPUD zoning classification shall be an entirely voluntary procedure to be pursued only at the option of the applicant. Approval of the RPUD zoning classification rests with the board of county commissioners, based upon its determination that the proposed rezoning is in the best interests of the county. Vacation Rental is a permitted use within the RPUD zoning classification.

SECTION 23. Section 62-1473(a). Same—Permitted uses, pertaining to tiny house planned unit developments, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

(a) The THPUD zoning classification is designed to allow an applicant to submit a proposal for consideration and to allow the board of county commissioners to approve any proposal which it believes to be in the best interest of the public health, safety and welfare, along with any conditions or limitations thereon which the board of county commissioners deems advisable. Rezoning to the THPUD zoning classification shall be an entirely voluntary procedure to be pursued only at the option of the applicant. Approval of the THPUD zoning classification rests with the board of county commissioners, based upon its determination that the proposed development is in the best interests of the county. Vacation Rental is a permitted use within the THPUD zoning classification.

SECTION 24. Sec. 62-1574(1)a.1.ii. – Permitted uses, pertaining to Farnton mixed use zoning overlay district, Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

1. ii. The following uses as noted or other uses of a similar nature compatible with the character of the uses specifically described in this subsection, are permitted as follows:

- Administrative, executive and editorial offices.
- Aquariums.
- Automobile hire.
- Automobile parts, if confined within a structure.
- Automobile repairs, minor (as defined in section 62-1102).

Automobile sales and storage, provided sales are from a permanent structure and the storage area meets the requirements of article VIII, pertaining to site plans, and article XIII, division 2, pertaining to landscaping.
Automobile tires and mufflers (new), sales and service.
Automobile washing.
Banks and financial institutions.
Child or adult day care centers.
Colleges and universities.
Conservatories.
Contractors' offices, with no outside storage.
Display and sales rooms.
Dog and pet hospitals and beauty parlors, with outside kennels or runs.
Dry cleaning plants, accessory to pickup stations.
Dyeing and carpet cleaning.
Employment agencies.
Electrical appliance and lighting fixtures.
Farmer's markets, operating from within enclosed structures; for external sales see subsection (1)a.4. for conditional use permit.
Foster homes, when operated as part of a multi-family structure.
Fraternities and sororities.
Fruit stores (packing on premises).
Funeral homes and mortuaries.
Furniture stores.
Furriers.
Gasoline service stations, on minimum 15,000 square foot lot having a minimum lot width of 100 feet and a minimum lot depth of 100 feet.
Grocery stores.
Hardware stores.
Hat cleaning and blocking
Hospitals.
Hotels, (three acres minimum lot size) with or without alcoholic beverage sales.
Industrial uses consistent with the light industrial (IU) zoning classification as referenced within section 62-1540.
Laboratories.
Laundries.
Lawn mower sales.
Mail order offices.
Manufacturing, compounding, processing, packaging, storage, treatment or assembly of certain products.
Meat, fish and seafood markets.
Medical buildings and clinics, and dental clinics.
Messenger offices.
Millinery stores.
Motorcycle sales and service.
Multi-family residential dwellings—Minimum density ten and maximum density 15 units per acre, (five-acre minimum lot size).

Music, radio and television shops and repairs.
Nursing homes.
Paint and wallpaper stores.
Parking lots (commercial).
Parks and public recreational facilities.
Plant nurseries (no outside bulk storage of mulch, topsoil, etc.).
Printing services.
Professional offices and office buildings.
Post offices.
Restaurants, with or without alcoholic beverage sales.
Resort dwellings, when operated as part of a multi-family structure.
Retail sales.
Roadside produce stands, when accessory to other onsite development; not a standalone use.
Snack bars.
Telephone and telegraph stations and exchanges.
Television and broadcasting stations, including studios, transmitting stations and towers and other incidental uses usually pertaining to such stations.
Theaters, but no drive-ins.
Ticket offices and waiting rooms for common carriers.
Towers and antennas.
Upholstery shops.
Schools for business training.
Schools, private or parochial.
Vacation Rental.
Warehouses.
Wearing apparel stores.
Wholesale sales.
Worship, places of.

SECTION 25. Conflicting Provisions. In the case of a direct conflict between any provision of this Ordinance and a portion or provision of any other appropriate Federal, State or County law, rule, code or regulation, the more restrictive shall apply.

SECTION 26. Area Encompassed. This Ordinance shall take effect only in the unincorporated area of Brevard County, Florida.

SECTION 27. Effective Date. A certified copy of this Ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. This ordinance shall take effect upon adoption and filing as required by law.

SECTION 28. Inclusion in Code. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Brevard County, Florida; and that the sections of this Ordinance may be renumbered or re-lettered and that the word "Ordinance" may be

changed to "Chapter," "Section," "Article," or such other appropriate word or phrase in order to accomplish such intentions.

DONE, ORDERED AND ADOPTED, in regular session, this ____ day of _____, 2020.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

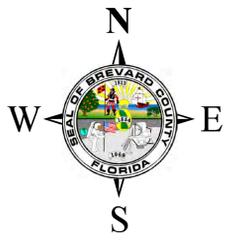
Scott Ellis, Clerk

(S E A L)

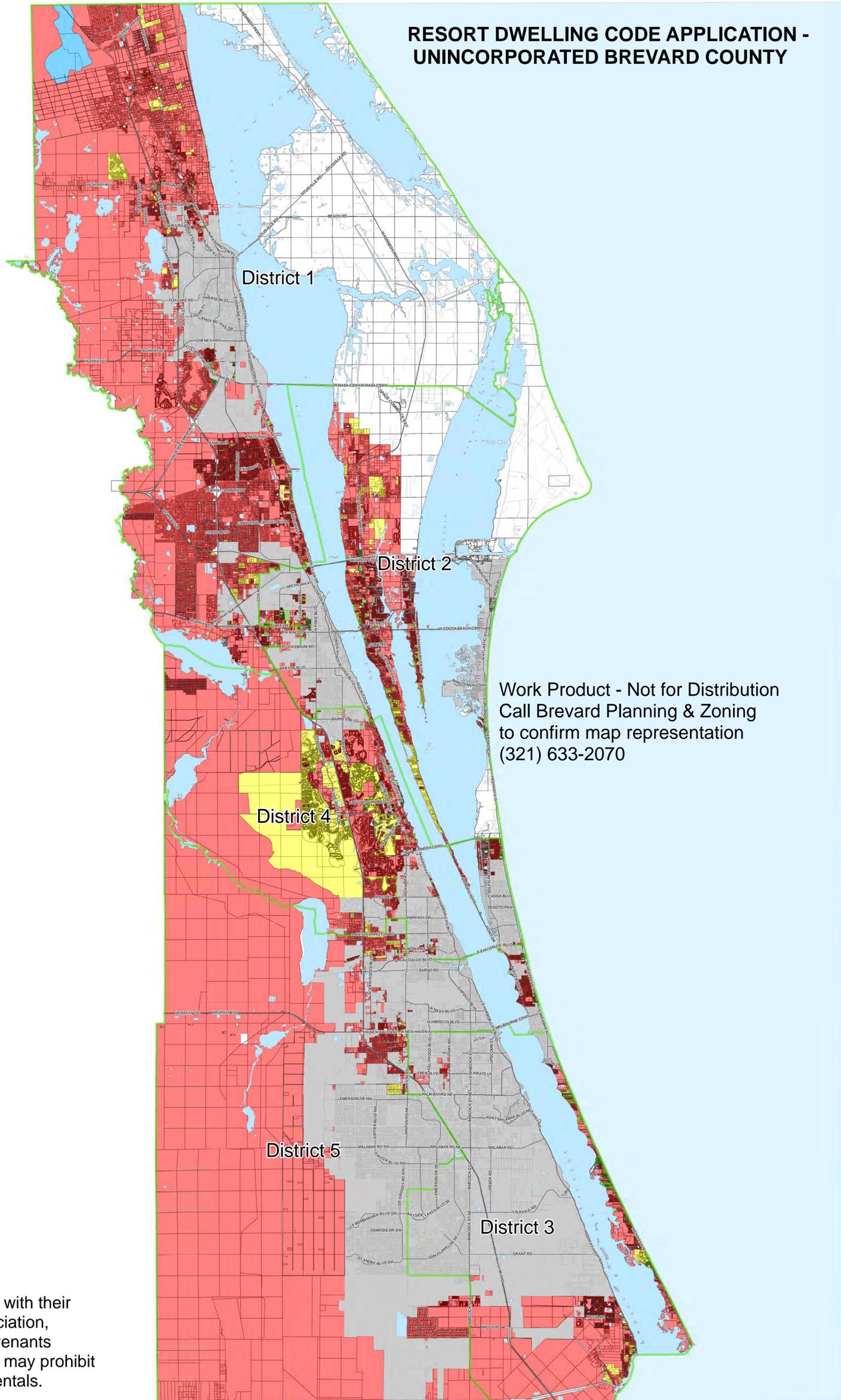
Rita Pritchett, Chair
(Approved by the Board on _____, 2020)

CURRENT RESORT DWELLING CODE V. VACATION RENTAL PROPOSED ORDINANCE - UNINCORPORATED BREVARD COUNTY, FL

ZONING CLASSIFICATION	CURRENT RESORT DWELLING CODE ALLOWANCES				PROPOSED VACATION RENTAL ORDINANCE
	PERMITTED	PERMITTED IF CONDITIONS MET IN SEC.62-1841.5.5	REQUIRES CONDITIONAL USE PERMIT/PUBLIC HEARING PER SEC.62.1945.2	NOT ALLOWED	
UNIMPROVED, AGRICULTURAL AND SINGLE-FAMILY RESIDENTIAL					
RA-2-4, RA-2-6, RA-2-8, RA-2-10 (Single-Family Attached Residential)	SEC.62-1343(1)a				NO CHANGE- RESORT DWELLING PERMITTED
RP (Residential Professional)	SEC.62-1344(1)a				NO CHANGE- RESORT DWELLING PERMITTED
GU (General Use)		SEC.62-1331(1)b			VACATION RENTAL PERMITTED
PA (Productive Agriculture)		SEC.62-1332(1)b			VACATION RENTAL PERMITTED
AGR (Agricultural)		SEC.62-1333(1)b			VACATION RENTAL PERMITTED
AU (Agricultural Residential), AU(L) (Agricultural Residential - Low Intensity)		SEC.62-1334(1)b			VACATION RENTAL PERMITTED
ARR (Agricultural Rural Residential)		SEC.62-1334.5(1)b			VACATION RENTAL PERMITTED
REU (Rural Estate Use)		SEC.62-1335(1)b			VACATION RENTAL PERMITTED
RR-1 (Rural Residential)		SEC.62-1336(1)b	SEC.62-1336(3)		VACATION RENTAL PERMITTED
SEU (Suburban Estate Residential Use)		SEC.62-1337(1)b	SEC.62-1337(3)		VACATION RENTAL PERMITTED
SR (Suburban Residential)		SEC.62-1338(1)b	SEC.62-1338(3)		VACATION RENTAL PERMITTED
EU, EU-1, EU-2 (Estate Use Residential)		SEC.62-1339(1)b	SEC.62-1339(3)		VACATION RENTAL PERMITTED
RU-1-13, RU-1-11 (Single-Family Residential)		SEC.62-1340(1)b	SEC.62-1340(3)		VACATION RENTAL PERMITTED
RU-1-9 (Single-Family Residential)		SEC.62-1341(1)b	SEC.62-1341(3)		VACATION RENTAL PERMITTED
RU-1-7 (Single-Family Residential)		SEC.62-1342(1)b	SEC.62-1342(3)		VACATION RENTAL PERMITTED
MULTI-FAMILY RESIDENTIAL					
RU-2-4, RU-2-6, RU-2-8 (Low Density Multiple Family Residential)	SEC.62-1371(1)a				NO CHANGE- RESORT DWELLING PERMITTED
RU-2-10, RU-2-12, RU-2-15 (Medium Density Multiple Family Residential)	SEC.62-1372(1)a				NO CHANGE- RESORT DWELLING PERMITTED
RU-2-30 (High Density Multiple Family Residential)	SEC.62-1373(1)a				NO CHANGE- RESORT DWELLING PERMITTED
MOBILE HOME RESIDENTIAL & RECREATIONAL VEHICLE PARK					
RRMH-1, RRMH-2.5, RRMH-5 (Rural Residential Mobile Home)				SEC.62-1401	VACATION RENTAL PERMITTED
TR-1, TR-1-A (Single-Family Mobile Home)				SEC.62-1402	VACATION RENTAL PERMITTED
TR-2 (Single-Family Mobile Home)				SEC.62-1403	VACATION RENTAL PERMITTED
TR-3 (Mobile Home Park)				SEC.62-1404	VACATION RENTAL PERMITTED
TRC-1 (Single-Family Mobile Home Cooperative)				SEC.62-1405	VACATION RENTAL PERMITTED
RVP (Recreational Vehicle Park)				SEC.62-1406	VACATION RENTAL PERMITTED
PLANNED UNIT DEVELOPMENTS					
PUD (Planned Unit Development)		SEC.62-1443(b)	SEC.62-1444		VACATION RENTAL PERMITTED
RPUD (Residential Planned Unit Development)		SEC.62-1463(e)	SEC.62-1464		VACATION RENTAL PERMITTED
THPUD (Tiny Home Planned Unit Development)			SEC.62-1474		VACATION RENTAL PERMITTED
COMMERCIAL					
BU-1-A (Restricted Neighborhood Retail Commercial)	SEC.62-1481(1)a				NO CHANGE- RESORT DWELLING PERMITTED
BU-1 (General Retail Commercial)	SEC.62-1482(1)b				NO CHANGE- RESORT DWELLING PERMITTED
BU-2 (Retail, Warehousing & Wholesale Commercial)	SEC.62-1483(1)b				NO CHANGE- RESORT DWELLING PERMITTED
TOURIST COMMERCIAL & TRANSIENT TOURIST USE					
TU-1 (General Tourist Commercial)	SEC.62-1511(1)a				NO CHANGE- RESORT DWELLING PERMITTED
TU-2 (Transient Tourist Commercial)	SEC.62-1512(1)a				NO CHANGE- RESORT DWELLING PERMITTED
INDUSTRIAL					
PBP (Planned Business Park)	SEC.62-1541(1)a				NO CHANGE- RESORT DWELLING PERMITTED
PIP (Planned Industrial Park)	SEC.62-1542(1)a				NO CHANGE- RESORT DWELLING PERMITTED
IU (Light Industrial)	SEC.62-1543(1)a				NO CHANGE- RESORT DWELLING PERMITTED
IU-1 (Heavy Industrial)	SEC.62-1544(1)a				NO CHANGE- RESORT DWELLING PERMITTED
SPECIAL CLASSIFICATIONS					
EA (Environmental Areas)				SEC.62-1571	NO CHANGE - RESORT DWELLING/VACATION RENTAL NOT ALLOWED
GML (Government Managed Lands)				SEC.62-1572	NO CHANGE - RESORT DWELLING/VACATION RENTAL NOT ALLOWED
IN-L (Institutional Use - Light), IN-H (Institutional Use - Heavy)				SEC.62-1573	NO CHANGE - RESORT DWELLING/VACATION RENTAL NOT ALLOWED
FARM-1 (Farmton Mixed Use Zoning Overlay District)	SEC.62-1574(1)a(1)ii				VACATION RENTAL PERMITTED



RESORT DWELLING CODE APPLICATION - UNINCORPORATED BREVARD COUNTY



Work Product - Not for Distribution
 Call Brevard Planning & Zoning
 to confirm map representation
 (321) 633-2070

Disclaimer:
 Users should check with their
 Homeowner's Association,
 if applicable, for covenants
 and restrictions that may prohibit
 or limit short-term rentals.

Legend

- Permitted
- Requires CUP Public Hearing SEC.62-1945.2 Beachside
- Commercial - Industrial Must Be Single Family or Multifamily
- Not Permitted
- Industrial - Must Be Multifamily
- Commissioner Districts
- In Workplace Zoning District When Part of a Multifamily Structure
- Cities and Towns
- Permitted With Conditions SEC.62-1841.5.5 Beachside
- Permitted With Conditions SEC.62-1841.5.5 Mainland

Produced by BoCC - GIS Date: 1/24/2020





Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Unfinished Business

I.1.

9/15/2020

Subject:

Legislative Update - Resort Dwellings

Fiscal Impact:

FY19/20: None

FY20/21: None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners direct staff to seek legislative intent regarding zoning code revisions and/or provide direction regarding tools to assist the public in understanding current or proposed code as it relates to allowance of resort dwellings in specific zoning classifications

Summary Explanation and Background:

On February 11, 2020, the Board of County Commissioners (Board) requested that Planning & Development (P&D) monitor proposed Florida Senate and House bills pertaining to resort dwellings and preemption of regulation to the State. It was further requested that staff provide a report to the Board once those bills reached their respective conclusions. Both Senate Bill 1128 and House Bill 1101 were indefinitely postponed, withdrawn from consideration and died at the close of the legislative session. Therefore, current Brevard County Code regulations regarding resort dwellings have not been preempted to any further extent and remain unchanged.

Staff has developed a decision tree tool and maps to assist both Planning & Zoning employees and the public in understanding the current regulations. These tools could be uploaded to the Planning & Development website for use by the public. However, Code language remains convoluted and, even with the decision tree tool and maps, confirmation of code interpretation is recommended by staff to ensure that best available data is being used to determine permissibility of resort dwellings on a particular property. Lastly, staff can only advise the public regarding properties in unincorporated Brevard County, and a patchwork of regulations remains in place for other municipalities.

Clerk to the Board Instructions:

None



Staff Report

BOARD OF COUNTY COMMISSIONERS

SUBJECT: Legislative Update - Resort Dwellings
DATE: October 28, 2020
AUTHORS: Planning & Development Department (P&D)
FISCAL IMPACT: FY20/21: None
FY21/22: None

Introduction

On February 11, 2020, the Board of County Commissioners (Board) requested that Planning & Development (P&D) monitor proposed Florida Senate and House bills pertaining to resort dwellings and preemption of regulation to the State. It was further requested that staff provide a report to the Board once those bills reached their respective conclusions. Both Senate Bill 1128 and House Bill 1101 were indefinitely postponed, withdrawn from consideration and died at the close of the legislative session. Therefore, current Brevard County Code regulations regarding resort dwellings have not been preempted to any further extent and remain unchanged. Staff has developed a decision tree tool and maps to assist both Planning & Zoning employees and the public in understanding the current regulations. These tools could be uploaded to the Planning & Development website for use by the public. However, Code language remains convoluted and, even with the decision tree tool and maps, confirmation of code interpretation is recommended by staff to ensure that best available data is being used to determine permissibility of resort dwellings on a particular property. Lastly, staff can only advise the public regarding properties in unincorporated Brevard County, and a patchwork of regulations remains in place for other municipalities.

Definitions

In Section 62-1102, the County defines “resort dwelling” as any single-family dwelling or multi-family dwelling unit which is rented for periods of less than 90 days or three calendar months, whichever is less, or which is advertised or held out to the public as a place rented for periods of less than 90 days or three calendar months, whichever is less. For the purposes of Chapter 62, a resort dwelling is a commercial use. For the purposes of this definition, subleases for less than 90 days are to be considered separate rental periods. This definition does not include month-to-month hold-over leases from a previous lease longer than 90 days.

The State defines a “vacation rental” as any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or



BOARD OF COUNTY COMMISSIONERS

Staff Report

dwelling unit that is also a transient public lodging establishment but that is not a timeshare project. Section 509.242(1)(c), Florida Statutes, a “public lodging establishment” is defined to include transient public lodging establishments, which means any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

Background & Tools

There are currently 54 zoning classifications in unincorporated Brevard County, spanning eight categories, below. Allowance of resort dwellings is dependent upon zoning classification, use, adjacent property use/zoning and sometimes location with respect to Highway A1A (A1A). These criteria determine whether resort dwellings are 1) permitted, 2) permitted with conditions, or 3) require a Conditional Use Permit (CUP).

- Unimproved, Agricultural, Single-Family Residential – Permitted, Permitted with Conditions, or CUP Required
- Multi-Family Residential – Permitted
- Mobile Home Residential & Recreational Vehicular Park – Not Permitted
- Planned Unit Developments (PUDs) – Permitted with Conditions or CUP Required
- Commercial - Permitted
- Tourist Commercial & Transient Tourist Use - Permitted
- Industrial - Permitted
- Special Classifications – Not Permitted Except in Farmton Multi-family in Workplace Zoning District

Generally, for the Unimproved, Agricultural and Single-Family Residential category, resort dwellings are permitted only in Single-Family Attached (RA-2-4, RA-2-6, RA-2-8, RA-2-10) and Residential Professional (RP) zoning classifications. For the remainder of the Unimproved, Agricultural, and Single-Family Residential zoning classifications, there must be a non-conforming multi-family use for a resort dwelling to be permitted with conditions. Barring a non-conforming multi-family use, the property must be west of A1A, with direct frontage to A1A or east of A1A without frontage restrictions. None of the A1A-dependent properties can abut single-family zoning or use, and these properties must request a CUP from the Board for resort dwelling. A review of zoning actions since 2014 reveals no CUP



BOARD OF COUNTY COMMISSIONERS

Staff Report

applications for resort dwellings, although there was a one Bed & Breakfast CUP in 2017 that was denied.

Zoning staff reports approximately one inquiry per day regarding permissibility of resort dwellings. Code Enforcement staff reports one complaint per month, of which, about half are substantiated as violations. Resort dwellings that are permitted with conditions or listed as a conditional use in certain residential zoning classifications are governed by Sections 62-1841.5.5 and 62-1945.2 Brevard County Code, respectively. These code sections outline performance standards related to parking, maximum occupancy, excessive or late noise, local management, manager's responsibility, and penalties.

Although resort dwellings are permitted in commercial, industrial and tourist zoning classifications, by County definition, they must be single-family or multi-family dwelling units. Therefore, it would be rare to find non-conforming dwelling units in these zoning classifications. This, combined with some of the specific criteria for permitted with conditions and CUPs in other zoning classifications, limits the allowance of resort dwellings almost exclusively to multi-family or single-family attached residential zoning classifications as indicated by the attached maps.

The maps generated by the Information Technology Department (I.T.) and P&D are as accurate as possible, given available data and Geographic Information System (G.I.S.) layers provided to the County. The Property Appraiser has more than 300 use codes. The multi-family use codes, upon which the map is based, do not directly correlate with the Brevard County zoning definition of multi-family. Therefore, creating a map that is 100% precise is very difficult. Additionally, because the built environment changes day-to-day as new homes are finished or properties are demolished, it is very challenging to create or maintain a map that citizens could rely upon without consulting with County staff to ensure the accuracy of their findings.

Preliminary Analysis

The Florida Legislature adopted Section 509.032(7)(b), Florida Statutes, in order to limit the ability of local governments to regulate vacation rentals. Specifically, this statute provides that "[a] local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011". In addition to unincorporated Brevard, about half of the municipalities in the County had resort dwelling regulations in place prior to June 1, 2011. Some municipalities require additional annual applications and inspections.



BOARD OF COUNTY COMMISSIONERS

Staff Report

Last fall, the County Attorney's Office was asked whether certain zoning restrictions pertaining to resort dwellings could be amended. Based on research conducted by the County Attorney's Office, it is possible for such changes to take place, but certain steps must be undertaken to avoid running afoul of the State's preemption language whereby local governments are prohibited from adopting regulations that prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals.

Specifically, in order to make changes to the existing zoning regulations pertaining to resort dwellings, it will be necessary for the County to adopt a new term, e.g., "vacation rental," that mirrors the State's definition. This will need to be done to avoid a conflict between the State's definition of "vacation rental" and the County's current definition of "resort dwelling." As a result, any new zoning classification(s) that would allow vacation rentals would need to be permitted without any restrictions or conditions, and reference to "resort dwelling" within such zoning classification(s) would need to be removed. The ordinances pertaining to resort dwellings that have been in place since before June 1, 2011, and that are not amended, will continue in operation.

Options for Board Consideration

1. Direct staff to draft legislative intent and permission to advertise amendments to Chapter 62, Article VI, entitled Zoning Regulations, adopting a new definition, e.g., "vacation rentals," that mirrors State law and direct changes to zoning classifications as identified by the Board.
2. Direct staff to upload maps and the decision tree tool to Brevard County website to assist citizens in determining permissibility of resort dwellings for specific properties under current regulations.
3. Take no action.
4. Provide other direction.



County Attorney's Office
2725 Judge Fran Jamieson Way
Building C, Room 308
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Commissioner Tobia, District 3 Commissioner
FROM: Alex Esseesse, Assistant County Attorney *AE*
THRU: Eden Bentley, County Attorney
SUBJECT: Removing restrictions on resort dwellings
DATE: November 7, 2019

Issue: The Florida Legislature adopted Section 509.032(7)(b), Fla. Stat., in order to limit the ability of local governments to regulate vacation rentals. Specifically, this statute provides that “[a] local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.” It has been asked whether the County has the ability to amend its regulations that pertain to resort dwellings in certain zoning classifications to reduce/remove existing conditions.

Question: Can the County amend certain zoning restrictions where resort dwellings are permitted with conditions, allowed based on a conditional use, or not permitted?

Short Answer: It is possible, but certain steps must be taken to avoid running afoul of the State’s preemption language. Specifically, in order to make changes to the existing zoning regulations pertaining to resort dwellings, it will be necessary for the County to adopt the State’s definition of vacation rental to avoid a conflict between the State’s definition of “vacation rental” and the County’s definition of “resort dwelling.” Any new zoning classification(s) that would allow vacation rentals would need to be permitted without any restrictions or conditions.

Analysis

First it is important to outline whether the unchanged provisions of the County’s zoning regulations will remain in place. In short, the Florida Supreme Court has generally addressed the issue of whether laws, or portions thereof, can remain in effect even if they are changed,

amended, or repealed and substantially re-enacted. In *McKibben v. Mallory*, 293 So.2d 48, 53 (Fla. 1974), the Court stated that

where a [law] has been repealed and substantially re-enacted by a statute which contains additions to or changes in the original [law], the re-enacted provisions are deemed to have been in operation continuously from the original enactment whereas the additions or changes are treated as amendments effective from the time the new [law] goes into effect.

See also, Venice HMA, LLC v. Sarasota County, 228 So.3d 76, 83 (Fla. 2017) (where the Court reaffirmed its earlier ruling in *McKibben* by stating “when a [law] is ‘repealed and substantially re-enacted,’ . . . it is ‘deemed to have been in operation continuously from the original enactment.’” (quoting *McKibben*, at 53)). As a result, based on this language, it would appear possible for the County to completely remove specific conditions that limit resort dwellings without causing the County to lose the remaining restrictions that are currently in place. A possible way of addressing this concern is to incorporate WHEREAS clauses that identify the Board’s intent to keep in place the unaltered provisions dating back to before June 2011 and limit the changes to specifically identified Code sections.

Competing Definitions

With that being said, an issue that exists is the disparity between the State’s definition of vacation rentals and the County’s definition of resort dwellings. The State has in place a specific definition for vacation rentals. The State defines a vacation rental as

any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project.

Section 509.242(1)(c), Fla. Stat. A public lodging establishment is defined to include transient public lodging establishments, which means

any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

Section 509.013(4)(a)1., Fla. Stat. Meanwhile, the County defines resort dwelling as

any single family dwelling or multifamily dwelling unit which is rented for periods of less than 90 days or three calendar months, whichever is less, or which is

advertised or held out to the public as a place rented for periods of less than 90 days or three calendar months, whichever is less. For the purposes of this chapter, a resort dwelling is a commercial use. For the purposes of this definition, subleases for less than 90 days are to be considered separate rental periods. This definition does not include month-to-month hold-over leases from a previous lease longer than 90 days.

Section 62-1102, Brevard County Code. The main difference is that the State looks at the number of times the property is being rented out over a 30-day period, which is three (3) times during that one-month period. While the County looks at *any* rental activity for less than 90 days. The differing definitions is likely going to provide legal grounds for a challenge to the ordinance change as the preemption language regulates duration and frequency of rentals.

The Florida Attorney General's Office addressed the issue of "grandfathering in" short-term rental zoning regulations and found that incompatible definitions of vacation rentals, or similarly defined terms, could be grounds to invalidate any new ordinance change(s). Specifically, in AGO 2019-07, the City of Crystal River requested an interpretation on the application of Section 509.032(7)(b), Fla. Stat., and how it impacts a local government's ability to adopt new zoning ordinances on vacation rentals, even when the new regulation would be "less restrictive." The Attorney General's Office found that "[w]hen a law is amended, provisions of the original law that are essentially and materially unchanged are considered to be a continuation of the original law." *Op. Att'y Gen. Fla. 2019-07* (2019). However, the Attorney General's Office noted concern over Crystal River's existing definition of resort housing units in its code and how it was incompatible with the preemption language. The opinion noted that the city's definition¹ would regulate the duration and frequency of vacation rentals, which is expressly prohibited under Section 509.032(7)(b), Fla. Stat. Therefore, it appears that if the County wants to put in place new zoning regulations related to "resort dwellings," the State's definition (and other associated regulations) would need to be utilized and applied in those specific instances rather than "resort dwellings." In so doing, the County should avoid any preemption issues as there would not be a conflict with the State's definition of vacation rentals.

¹The city's zoning regulation at issue allowed for resort housing units in a specific zoning classification as long as certain requirements were followed: "A. Resort housing units are permissible in the [Commercial Waterfront] zoning district, subject to the district standards and the supplemental standards set forth below. B. *Nightly rentals or rentals of less than a one-week period are not permitted.* C. Density for resort housing units shall not exceed twelve (12) units per acre. Resort housing units may be managed by the individual unit owner or by a property management company. D. An occupational license is required for the manager, whether an individual owner with a single unit, or a property management company." Because B. regulates the duration or frequency of rentals, allowing resort housing units as defined by the city in once prohibited zoning classifications would violate Section 509.032(7)(b), Fla. Stat.

In *City of Miami v. AIRBNB, Inc.*, 260 So.3d 478 (Fla. 3rd DCA 2018), the Third District Court of Appeal was tasked with determining whether: (1) the City of Miami’s short-term rental zoning regulation for a specific zoning classification was invalid under State law; and (2) a more restrictive interpretation of said zoning regulation by the city violated the preemption language. Essentially, the city had in place an ordinance that was to be used for residential purposes, which included “land use functions *predominantly of permanent housing.*” (*emphasis added*). The Third District found that, despite being updated in 2016, the city’s ordinance was still enforceable because it was “identical in its material provisions to the zoning code in effect in 2009 [before the preemption language was adopted].” *Id.*, at 482. With respect to the city’s zoning interpretation, the court determined that imposing a complete ban on the existence of rentals in such a zoning classification was overly broad and violated the preemption language. As stated above, the ordinance refers to functions *predominantly* of permanent housing being permitted within the zoning classification. The court stated a complete ban on rentals was not permitted because the ordinance allowed for *incidental* uses to take place, which the court determined would permit short-term rentals based on the facts and circumstances of each case. As a result, the court ruled that the city’s more restrictive zoning interpretation barring rentals in the specific zoning classification was improper because it violated the preemption language.

Conclusion

The County can amend its zoning regulations to allow for certain zoning classifications to permit resort dwellings or remove conditions that restrict where a resort dwelling can exist. However, that would require the term “resort dwelling” to be modified to mirror State law in order to avoid running afoul of the preemption language which prohibits local governments from adopting regulations that prohibit vacation rentals or that regulate the duration or frequency rental of such properties. As a result, any new zoning classification(s) that would allow vacation rentals would need to be permitted without any restrictions or conditions. The ordinances pertaining to resort dwellings that have been in place since before June 1, 2011, and that are not amended will continue in operation.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Miscellaneous

J.8.

2/11/2020

Subject:

Vacation Rentals

Fiscal Impact:

Indeterminate; potential positive impact

Dept/Office:

District 3

Requested Action:

Direct staff to develop code amendments consistent with the direction below

Summary Explanation and Background:

Staff has identified a number of sources of confusion with the current Land Use Code as it relates to short-term rentals such as Airbnb and VRBO. Indeed, the current code is so convoluted that it is not possible to create a map of the County or other form of guide accurately indicating to property-owners where such rentals are allowed. Essentially, a lawful use of property is being restricted through opaqueness of the law and its application.

The only viable solution to this issue involves an amendment to the County’s land use code. The County Attorney’s Office, after researching the issue, has determined that it would be acceptable under statute to add a new use consistent with Florida Statute, “Vacation Rental,” and associated definitions, and include that in the various zoning classifications as a permitted use without conditions (see attached documents).

Once the Vacation Rental use is established and inserted into those zoning classifications which the Board chooses, it would then be appropriate to examine removing the existing use of “short-term rental” from those classifications where there is any conflict. At that point, it would be a simple process for staff to develop a map to guide property owners on where vacation rentals are permitted.

As such, it is requested that the Board direct staff to develop amendments to code to effectuate the following:

- a) The addition of a new use and definition, “Vacation Rental,” mirroring the definition contained in Florida Statute
- b) Include this use as a permitted use, with no conditions, in the following zoning classifications:

- 1) RA-2-4, RA-2-6, RA-2-8, RA-2-10 (Single-Family Attached Residential)

- 2) RP (Residential Professional)
- 3) GU (General Use)
- 4) PA (Productive Agriculture)
- 5) AGR (Agricultural)
- 6) AU, AU(L) (Agricultural Residential)
- 7) ARR (Agricultural Rural Residential)
- 8) REU (Rural Estate Use)
- 9) RR-1 (Rural Residential)
- 10) SEU (Suburban Estate Residential Use)
- 11) SR (Suburban Residential)
- 12) EU, EU-1, EU-2 (Estate Use Residential)
- 13) RU-1-13, RU-1-11, RU-1-9, RU-1-7 (Single-Family Residential)
- 14) RU-2-4, RU-2-6, RU-2-8 (Low Density Multiple Family Residential)
- 15) RU-2-10, RU-2-12, RU-2-15 (Medium Density Multiple Family Residential)
- 16) RU-2-30 (High Density Multiple Family Residential)
- 17) RRMH-1, RRMH-2.5, RRMH-5 (Rural Residential Mobile Home)
- 18) TR-1, TR-1-A, TR-2, TR-3 (Single-Family Mobile Home)
- 19) TRC-1 (Single-Family Mobile Home Cooperative)
- 20) RVP (Recreational Vehicle Park)
- 21) PUD, RPUD, THPUD (Planned Unit Development)
- 22) TU-1 (General Tourist Commercial)
- 23) TU-2 (Transient Tourist Commercial)
- 24) FARM-1 (Farmland Mixed Use Zoning Overlay District)

- c) Amend those existing zoning classifications which include short-term rentals as a use, as necessary, to avoid any conflict or confusion with the vacation rental use.

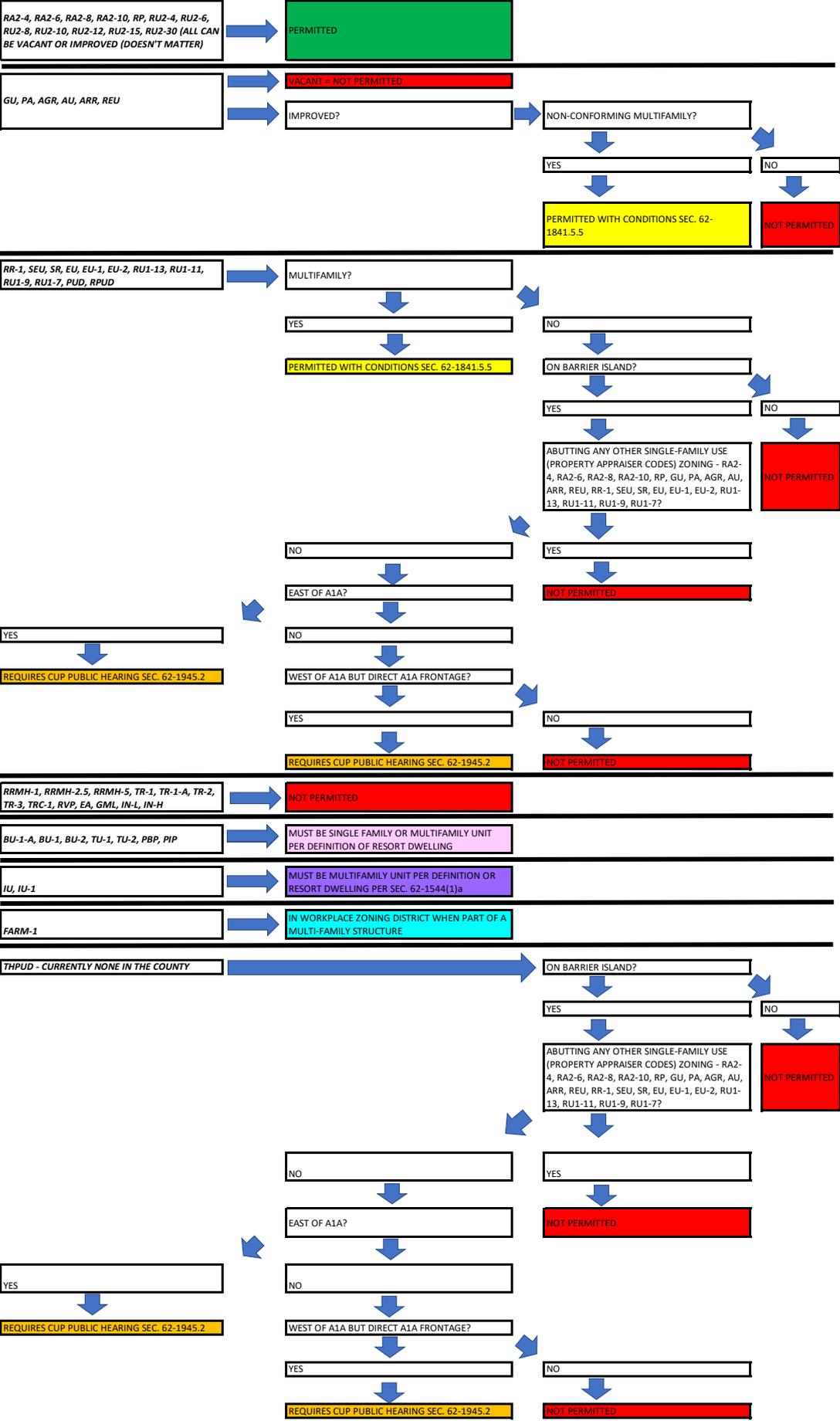
Clerk to the Board Instructions:

RESORT DWELLINGS IN UNINCORPORATED BREVARD COUNTY, FL

ZONING CLASSIFICATION/CODE REFERENCE	PERMITTED	PERMITTED IF CONDITIONS MET IN SEC.62-1841.5.5	REQUIRES CONDITIONAL USE PERMIT/PUBLIC HEARING PER SEC.62-1945.2	NOT ALLOWED	LOCATIONAL STANDARDS REQUIRED
UNIMPROVED, AGRICULTURAL AND SINGLE-FAMILY RESIDENTIAL					
RA-2-4, RA-2-6, RA-2-8, RA-2-10 (Single-Family Attached Residential)	X-SEC.62-1343(1)a				NONE
RP (Residential Professional)	X-SEC.62-1344(1)a				NONE
GU (General Use)		X-SEC.62-1331(1)b			SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY
PA (Productive Agriculture)		X-SEC.62-1332(1)b			SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY
AGR (Agricultural)		X-SEC.62-1333(1)b			SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY
AU (Agricultural Residential), AU(L) (Agricultural Residential - Low Intensity)		X-SEC.62-1334(1)b			SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY
ARR (Agricultural Rural Residential)		X-SEC.62-1334.5(1)b			SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY
REU (Rural Estate Use)		X-SEC.62-1335(1)b			SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY
RR-1 (Rural Residential)		X-SEC.62-1336(1)b	X-SEC.62-1336(3)		SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
SEU (Suburban Estate Residential Use)		X-SEC.62-1337(1)b	X-SEC.62-1337(3)		SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
SR (Suburban Residential)		X-SEC.62-1338(1)b	X-SEC.62-1338(3)		SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
EU, EU-1, EU-2 (Estate Use Residential)		X-SEC.62-1339(1)b	X-SEC.62-1339(3)		SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
RU-1-13, RU-1-11 (Single-Family Residential)		X-SEC.62-1340(1)b	X-SEC.62-1340(3)		SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
RU-1-9 (Single-Family Residential)		X-SEC.62-1341(1)b	X-SEC.62-1341(3)		SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
RU-1-7 (Single-Family Residential)		X-SEC.62-1342(1)b	X-SEC.62-1342(3)		SEC.62-1841.5.5(1)a PERMITTED WITH CONDITIONS - MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
MULTI-FAMILY RESIDENTIAL					
RU-2-4, RU-2-6, RU-2-8 (Low Density Multiple Family Residential)	X-SEC.62-1371(1)a				NONE
RU-2-10, RU-2-12, RU-2-15 (Medium Density Multiple Family Residential)	X-SEC.62-1372(1)a				NONE
RU-2-30 (High Density Multiple Family Residential)	X-SEC.62-1373(1)a				NONE
MOBILE HOME RESIDENTIAL & RECREATIONAL VEHICLE PARK					
RRMH-1, RRMH-2.5, RRMH-5 (Rural Residential Mobile Home)				X-SEC.62-1401	N/A - NOT ALLOWED
TR-1, TR-1-A (Single-Family Mobile Home)				X-SEC.62-1402	N/A - NOT ALLOWED
TR-2 (Single-Family Mobile Home)				X-SEC.62-1403	N/A - NOT ALLOWED
TR-3 (Mobile Home Park)				X-SEC.62-1404	N/A - NOT ALLOWED
TRC-1 (Single-Family Mobile Home Cooperative)				X-SEC.62-1405	N/A - NOT ALLOWED
RVP (Recreational Vehicle Park)				X-SEC.62-1406	N/A - NOT ALLOWED
PLANNED UNIT DEVELOPMENTS					
PUD (Planned Unit Development)		X-SEC.62-1443(b)	X-SEC.62-1444		SEC.62-1841.5.5(1)b PERMITTED WITH CONDITIONS - MULTI-FAMILY TRACT OR SINGLE-FAMILY TRACT APPROVED BY BOCC <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
RPUD (Residential Planned Unit Development)		X-SEC.62-1463(e)	X-SEC.62-1464		SEC.62-1841.5.5(1)b PERMITTED WITH CONDITIONS - MULTI-FAMILY TRACT OR SINGLE-FAMILY TRACT APPROVED BY BOCC <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
THPUD (Tiny Home Planned Unit Development)			X-SEC.62-1474		MUST BE NON-CONFORMING MULTI-FAMILY <u>OR</u> SEC.62-1945.2(1)a&b CUP REQUIREMENTS - EAST OF A1A/WEST OF A1A WITH DIRECT FRONTAGE, NEITHER WITH ABUTTING SINGLE-FAMILY ZONING OR USE
COMMERCIAL					
BU-1-A (Restricted Neighborhood Retail Commercial)	X-SEC.62-1481(1)a				NONE
BU-1 (General Retail Commercial)	X-SEC.62-1482(1)b				NONE
BU-2 (Retail, Warehousing & Wholesale Commercial)	X-SEC.62-1483(1)b				NONE
TOURIST COMMERCIAL & TRANSIENT TOURIST USE					
TU-1 (General Tourist Commercial)	X-SEC.62-1511(1)a				NONE
TU-2 (Transient Tourist Commercial)	X-SEC.62-1512(1)a				NONE
INDUSTRIAL					
PBP (Planned Business Park)	X-SEC.62-1541(1)a				NONE
PIP (Planned Industrial Park)	X-SEC.62-1542(1)a				NONE
IU (Light Industrial)	X-SEC.62-1543(1)a				MUST BE MULTI-FAMILY
IU-1 (Heavy Industrial)	X-SEC.62-1544(1)a				MUST BE MULTI-FAMILY
SPECIAL CLASSIFICATIONS					
EA (Environmental Areas)				X-SEC.62-1571	N/A-NOT ALLOWED
GML (Government Managed Lands)				X-SEC.62-1572	N/A-NOT ALLOWED
IN-L (Institutional Use - Light), IN-H (Institutional Use - Heavy)				X-SEC.62-1573	N/A-NOT ALLOWED
FARM-1 (Farmland Mixed Use Zoning Overlay District)	X-SEC.62-1574(1)a(1)ii				YES - IN WORKPLACE ZONING DISTRICT WHEN PART OF A MULTI-FAMILY STRUCTURE

RESORT DWELLING CODE REQUIREMENTS - UNINCORPORATED BREVARD COUNTY, FL

ZONING CLASSIFICATION



Resort Dwellings/Vacation Rentals: The Hotel Next Door

Excerpts from the Florida League of Cities Legislative Issues 2020

Background:

In 2011, the Florida Legislature prohibited cities and counties from regulating short-term vacation rentals. A short-term vacation rental is defined as a property that is rented more than three times a year for less than 30 days at a time. The state legislation passed in 2011 included a provision that “grandfathered” any ordinance regulating short-term rentals prior to June 1, 2011. The effect of the 2011 law is that two separate classes of cities and counties were created respective to short-term rentals, those with Home Rule authority and those without. In 2014, the Legislature passed SB 356 (Thrasher), which diminished the preemption on short-term rentals. The 2014 law allows local governments to adopt ordinances specific to these rentals so that they can address some of the noise, parking, trash and life-safety issues created by their proliferation in residential neighborhoods. Unfortunately, SB 356 left in place existing statutory language stating that cities and counties cannot “prohibit” short-term rentals or regulate the duration or frequency of the rental.

Those cities and counties fortunate enough to have had an ordinance in place prior to the 2011 preemption are still allowed to regulate short-term rentals, but the question remains whether these ordinances will continue to be valid if amended. To date, they have retained the ability to regulate these properties through zoning and may have duration and frequency requirements. Some of these cities and counties may want to amend their ordinances to adjust to a changing problem. They are reluctant to do so out of fear of losing their existing ordinance and, with it, their Home Rule authority relating to short-term rentals.

Cities and counties without short-term rental regulations in place prior to June 1, 2011, have had their zoning authority stripped and are now seeing these rentals completely overtaking residential neighborhoods. Long-time residents are moving out as a result, and the residential character of traditional neighborhoods is slowly being destroyed.

The impacts of problematic short-term rentals on neighboring residents are felt in a number of ways:

The Commercial Hotel Next Door:

Commercial Activity in Residential Neighborhoods Houses that sleep 26 people are now present in what were once traditional neighborhoods. Because of the inability to regulate the duration of a renter’s stay, these houses could experience weekly, daily or even hourly turnover. Obviously, the constant turnover of renters creates a number of issues for cities, counties, and neighboring property owners. Prior to the preemption, local governments were able to regulate this activity through zoning. But if a city or county cannot “prohibit” these properties, they are powerless to exclude them from residential neighborhoods or regulate them. As a result, investors, many of whom are located out of state or even in a different country, have purchased or built single-family homes with the sole intent of turning them into short-term rentals.

Cities use zoning as a tool to prepare for their future growth and also use it to control where commercial and residential properties are located. Hotels have different infrastructure needs than single-family residential properties. As residential neighborhoods are developed, the infrastructure installed is

designed for the future use of the properties. Many neighborhoods have infrastructure in place with capacity for up to eight people per house. Now there are houses in these very same neighborhoods that sleep more people than the number originally planned for, placing a significant strain on existing infrastructure.

Noise Complaints:

In areas where short-term rentals are situated, many neighboring residents complain of the noise generated by the vacationing renters next door. When people go on vacation, often their behavior changes. They may stay awake later, consume more alcoholic beverages throughout the day, or participate in recreational activities that they would not participate in while at their own homes, such as swimming at midnight with music blaring. For those homes located near water, a lake or the ocean, it is important to note that sound travels easily over water – and residents located hundreds of yards away may be the ones calling and complaining to the police and their local elected officials. Some cities have noise ordinances, but these have proved problematic to enforce. Many times after the police arrive at a residence, the noise dies down. These renters may leave the next day with new ones replacing them. The new renters are often unaware of the noise ordinance or past complaints and may cause the same problems. The out-of-state property owner may not even be aware of the problems created by their renters and with the constant turnover. The problem temporarily ends as one renter leaves and begins again as new renters arrive. This causes a significant drain on law enforcement resources. When law enforcement officers are called to respond to noise complaints, one less officer is on the street either preventing or solving crimes.

Parking:

Many short-term rentals are located in single-family neighborhoods. In most cases, the driveway was built to accommodate two or three vehicles. When you now have a renovated house that acts as a small hotel, there will be more than three cars needed to get these renters to the property. This leads to cars that are parked on the street, making it difficult for emergency vehicles to respond to emergencies and causes increased response times in these neighborhoods. Cities have begun to adopt ordinances creating parking standards for short-term rental properties. Unfortunately, these ordinances only solve the parking issue but fail to address any of the other issues created by this commercial activity in residential areas.

Resort Dwellings Ordinance: Protecting Communities Against the Hotel Next Door

Ayn Samuelson president of South Patrick Residents Association & residential rental owner

- SPRA supports our existing ordinance that has been a fair law for the unincorporated area for 15 years. It's already the law.
- A Pandora's box of unintended consequences will be unleashed if the current resort dwelling ordinance is modified, as it's grandfathered-in to support local control over Resort dwelling zoning since 2006, when SPRA helped lead the initiative to protect residential property rights throughout the county. It's unthinkable that the zoning protections we currently have, and expect to continue, could be ripped away under the guise of property rights.
- This well-crafted ordinance created a balance of property uses in different locations. This is the type of zoning that citizens expect, and one that seeks to ensure the opportunity for different types of property ownership. It works in favor of property rights, not stopping fast-money, transient rentals, but properly directing it to be located in areas that do not negatively impact our long-term, family-based communities. "Zoning laws are created for the simple purpose of protecting the health, safety and general welfare of the people as relates to land use." Without fair zoning laws, the burden of protection shifts to the citizens themselves, and causes an imbalance in favor of short-term property ownership, especially on the barrier island.
- There are 15 years of lawful protections under which we have purchased our homesteads and improved our properties, along with the investment of time and commitment to supporting schools, engaging in civic activity, and caring for our children and seniors. If changed, there would be no other comparable law to protect our established property rights, because the 2011 state law prohibits local control to properly regulate vacation/resort dwellings going forward.
- **Facts & Evidence: There will be serious impacts on our residential communities**
 - **Deleterious impact on the health, safety, and welfare of our communities** with the shift of property ownership away from local ownership and management to: hedge funds, out of state owners, Airbnb and Vrbo influence, and offsite management that creates a nightmare for residents, code enforcement and Sheriff's deputies who will be doomed to fail residents, without this law to support them. They will be chasing short term rental impacts and fail in enforcement and the resolution of problems.
 - **A reduction in affordable housing** will occur (Emory Law), yet, the County actively supports affordable housing with tax dollars and the Housing and Human Services Dept. This is a glaring contradiction, as we know there is a shortage of such housing.
 - **Safety, and security will be eroded with strangers and transients**, who are here to vacation/party, moving weekly in and out of our neighborhoods and creating disruption. The **hotel next door** is incompatible with the character of our residential communities, and would increase fear for safety.
 - **Have you lived near a resort dwelling** and experienced a version of the movie Animal House? I have. Instead of vacationing in a legit hotel, people bring their partying, friends, and animals to neighborhoods, often exhibiting behavior that would not be tolerated in a managed hotel, where help is available and accountable.
 - **Examples:** 14 people vacationing with animals, cars taking over the street; destination wedding; partying late at night; N. Waterway Estates - Skylark, Penguin, Cardinal, Sandpiper; Moorings HOA. Serious violations were reported and cured under the existing ordinance, that would be not be achievable without the existing ordinance.

- **All unincorporated residents, including HOAs** would be impacted without this law to back them up. We would all be left without the current, long-standing law and county protection. Will the unincorporated area become a second-class location in which to live in comparison with those who are protected by city ordinances?
- **It is within the County's purview and responsibility** not to allow additional hazards to be introduced that impact residents' health and safety, or to change the essential character of our neighborhoods. In fact, it is their obligation to protect, if possible. The county made a sound decision in 2006 when this ordinance was crafted with a local law that provides opportunities for different categories of property ownership and appropriate locations for all types of property owners. New developments can craft a PUD, and with approval from the BOCC, sections can be allowed for multi-family and resort dwellings. But "dropping in" vacation rentals into established neighborhoods is not legitimate.
- We seek to protect what we value, and we value our homesteads and communities, as well as balanced property rights under the current 2006 Resort dwelling sections (Sec. 62-1841.5.5.; Sec. 62-1945.2., Sec. 62-1102. with regard to location and performance standards, and the 90 day rental requirement in our residential neighborhoods.)
- Do not open Pandora's box. Rather leave the Legacy of balanced property rights intact.

What can be done under the existing ordinance sections::

- Rent a property for more than 90 days for longer term vacationers in residential areas.
- Develop a new PUD with specific areas allowing multi-family and resort dwellings.
- Rent a dwelling as a vacation rental in currently designated zoning areas.

***Preponderance of evidence supports that the current ordinance remain intact, as written.**

- It is even-handed for all types of property owners, allowing both, ensuring that zoning laws are applied in a reasonable manner in addressing incompatible uses.
- Limits the "hotel next door" and promotes the county's responsibility for the health, safety, and welfare of residents.
- Addresses staff issues of being able to rely on the existing law to efficiently resolve issues and allows more effective use of time for staff and Sheriff's deputies, and their safety.
- Consistency in continuing the expectation of protection afforded by the existing Resort dwelling ordinance. If not, residents in the unincorporated area will be left to fend for themselves without the county law for protection.
- Residents have experienced negative impacts, and to my knowledge, none have been considered positive, regarding excessive numbers of cars and people, partying at all hours, strangers, animals, and no supervision/management. Fast money without the responsibility is not compatible in our residential communities.

From: [Elmore, Amanda T](#)
To: [Jones, Jennifer](#)
Subject: FW: dwelling/vacation rentals
Date: Thursday, November 5, 2020 8:23:36 AM
Attachments: [image001.png](#)

Amanda Elmore

Interim Assistant Director

PLANNING & DEVELOPMENT DEPARTMENT

2725 Judge Fran Jamieson Way, C-201
Viera, Florida 32940

New Direct Line (As of 7/21/2020): (321) 307-8996

New Internal Extension: 58996

e-mail: amanda.elmore@brevardfl.gov

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



From: Abbate, Frank B
Sent: Wednesday, October 14, 2020 9:52 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; Elmore, Amanda T <Amanda.Elmore@brevardfl.gov>
Subject: FW: dwelling/vacation rentals

Tad and Amanda (Don Walker here on Frank's computer) Frank wanted me to send you copies of other emails he's received in reference to Vacation Rentals. If you receive additional emails from Frank on this issue (today) suffice to say those are emails I'm forwarding to you at his request.

Don

From: Krissy Willer <krissywiller@gmail.com>
Sent: Wednesday, October 14, 2020 9:30 AM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: dwelling/vacation rentals

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

I live in South Melbourne Beach. This area is actually in county ordinance. I do not agree with neighborhoods having vacation rentals. This will change our area and I do not want my little neighborhood to change. Here are some reasons why this will be bad for our area:

- 1) Higher probability of increased crime from different strangers living next door daily, without concern whether they are of questionable backgrounds or even "registered" in their hometown.
- 2) Pop-up parties, weddings, re-unions, fraternity parties, etc (think, "animal house" at its worst)
- 3) Effectively changing your residential zoning to the commercial hotel and resort category.
- 4) Absentee management, most likely from out-of-state, out-of-country or corporate ownership.
- 5) Inability to confront your neighbor about common concerns.
- 6) Statistically more visits of Police and Code Enforcement officers to the property next door.

South Melbourne Beach is a very special place and allowing dwelling/vacation rentals will change this area for the worst. Thank you for your time.

Krissy Willer

(321)432-4807

From: [Abbate, Frank B](#)
To: [Calkins, Tad](#); [Elmore, Amanda T](#)
Subject: FW: Resort Dwellings
Date: Wednesday, October 14, 2020 10:09:09 AM

From: Roberta Crapo <r.crapo@yahoo.com>
Sent: Monday, October 12, 2020 1:08 PM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: Resort Dwellings

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

Please do not vote to allow our unincorporated neighborhood to change into unrestricted Dwellings.
We value knowing our neighbors and having 90 day or longer rentals.
Regards
Roberta Crapo
117 Caledonia Drive
Melbourne Beach, FL 32951

From: [Abbate, Frank B](#)
To: [Calkins, Tad](#); [Elmore, Amanda T](#)
Subject: FW: Keeping South Brevard a community
Date: Wednesday, October 14, 2020 9:55:36 AM

From: Carolina Luger <chiniluger@gmail.com>
Sent: Tuesday, October 13, 2020 8:58 PM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: Keeping South Brevard a community

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

My family and I live in a great community where we know our neighbors, where our daughter rides her bicycle in the neighborhood knowing that she is safe. Our small community works towards a better place for our children and for a better future. Approving short term rentals will bring change irreversible to our way of life. Not to mention disturbing our beaches, not respecting the sense of a small community, not knowing who is living next to you. Also, the people that want to rent their places don't reside here 365 days a year. Can you please tell us what is your position in this matter?.I'm voting in the next 21 days and I want to know who we can trust.

Sincerely,
Carolina L.
Floridana Beach

From: [Abbate, Frank B](#)
To: [Calkins, Tad](#); [Elmore, Amanda T](#)
Subject: FW: Vacation Rentals in the South Beaches
Date: Wednesday, October 14, 2020 10:03:01 AM

From: Noreen Williams <nwilliams1955@yahoo.com>
Sent: Tuesday, October 13, 2020 1:48 PM
To: Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: Vacation Rentals in the South Beaches

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

Dear Commissioners:

In the past two weeks, I have been hearing many people urging that we not reelect Mr. Tobia as county commissioner. The reason being is that he is promoting vacation rental properties in the South Beaches. I pray that this is not true (although it seems that it is true) since I already cast my vote for Mr. Tobia. At any rate, I could not have voted for Mr. Patel. Whoever has a vote in preventing our community from being ruined by short term rentals, please listen to us.

My experience comes from my monthly visits to the Florida Gulf Coast community of Anna Maria Island. My parents lived there for decades and my sister and brother-in-law own the iconic West Coast Surf Shop, which has been in business since 1964. I have watched the island change from original cottages and generations of families to ostentatious mansions, whose owners are not in residence, but instead rented out like hotels. Parking and traffic nightmares and overflowing garbage are the least of the problems. There are so few permanent residents/families that the elementary school must bus in children from other areas just to have enough students to fill the classrooms. Local businesses have difficulty getting employees because the traffic to get on the island during the season means it takes over an hour to travel less than a dozen miles. People who work on the island cannot afford to live there as there are limited long term housing options available. I used to love visiting family on the Island, but came to dread it over the last ten years. Since my parents died, and their house was sold and demolished, I have been back once. The next time I return, there will undoubtedly be a giant vacation rental on the property in a neighborhood that was once a residential community where the neighbors knew each other and got together regularly for community events.

There is a difference between Anna Maria and the South Beaches. Anna Maria has more commercial businesses than the South Beaches, so it is good for the businesses having all the

changeover of people. (I know the surf shop's locals no longer live on the island and are not the customer base the shop relies on to make a living) However, in the South Beaches, we have very few, if any, commercial businesses relying on constant turn over of tourists for business. This is another reason why we do not need to ruin paradise with short term rentals.

I look forward to hearing from you regarding what stand you take and what you plan to do. I have many friends who have not yet voted.

Best Regards,
Noreen Williams
6400 Floridana Ave. Melbourne Beach, FL 32951
FLORIDANA BEACH

[Noreen Williams](#)
MS, RD, CDCES, BC-ADM
321-615-1901

From: [Abbate, Frank B](#)
To: [Calkins, Tad](#); [Elmore, Amanda T](#)
Subject: FW: NO SHORT TERM RENTALS PLEASE
Date: Wednesday, October 14, 2020 10:02:01 AM

From: ariel van <sleepingwillowmoon@gmail.com>
Sent: Tuesday, October 13, 2020 2:08 PM
To: Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: NO SHORT TERM RENTALS PLEASE

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

Please do not allow short term rentals in our neighborhoods. Here in Melbourne Beach, Florida we have suffered enough already seeing the dunes and turtle nests destroyed - areas which are SUPPOSED to be protected. These renters shoot off fireworks late into the night, create loud noise and cause havoc. We have constant issues with renters leaving litter, frightening off sea turtles (trying to take pics as they lay eggs). In addition they leave large glaring lights on the beach during nesting season. When the owners are contacted they do nothing. Where is the accountability for this destruction? We have lost so many hatchlings, many wandering in the wrong direction across A1A! Can there be no end to the destruction? The turtles, dunes and environment need to be taken into consideration even if you could care less about the humans (actual residents) trying to live here and pay property taxes.

PLEASE DO NOT ALLOW SHORT TERM RENTALS!

Can't wait to bring more COVID in I suppose? Great then who is going to pay the taxes when everyone is gone? Who is going to come to the beach when it is contaminated? If you want these types around then let them come during red tide so they can experience first hand an environment tainted by unacceptable choices and behaviors like their own.

I know you will find this hard to believe but years ago when I first moved to FL we had birds on the trees - all white and beautiful like paradise! How beautiful it was once upon a time.

Thank you,

V. Van Haltern, Florida Beach

From: [Abbate, Frank B](#)
To: [Calkins, Tad](#); [Elmore, Amanda T](#)
Subject: FW: I am against Vacation Rentals
Date: Wednesday, October 14, 2020 9:59:55 AM

From: YuriW <g.yuriw@gmail.com>
Sent: Tuesday, October 13, 2020 3:46 PM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: I am against Vacation Rentals

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

Dear Commissioner,

I am completely against Vacation Rentals in our neighborhoods, they are damaging our way of life and they are affecting our dunes and the turtles.

I am a long time Floridana resident and I never miss voting.

Thank you,

Yuri Weinstein
6550 Floridana Ave

From: [Abbate, Frank B](#)
To: [Calkins, Tad](#); [Elmore, Amanda T](#)
Subject: FW: Short term rentals
Date: Wednesday, October 14, 2020 9:58:10 AM

From: Seth Ferriell <saferriell@gmail.com>
Sent: Tuesday, October 13, 2020 6:59 PM
To: D1.commissioner@brevardfl.govone; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Subject: Short term rentals

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

I am in opposition to any changes to the short term rental policies in the county. Opposition to any changes is overwhelming among my neighbors for traffic, noise and dune damage reasons. In today's environment any changes would also be met with legal challenges and I am against wasting county resources to defend such litigation. Please vote no on any proposals to allow nightly and short term rentals.

Sincerely
Seth Ferriell
6466 Floridana Ave
Melbourne Beach FL 32951
865-804-4483

From: [Abbate, Frank B](#)
To: [Calkins, Tad](#); [Elmore, Amanda T](#)
Subject: FW: Another Bad Tobia Proposal
Date: Wednesday, October 14, 2020 9:57:07 AM

From: helen stamatacos <hnstamatacos@yahoo.com>
Sent: Tuesday, October 13, 2020 7:48 PM
To: Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>
Cc: Charlie Magal <cmagal@yahoo.com>
Subject: Another Bad Tobia Proposal

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

Commissioners,

I implore you to please stop Mr. Tobias once again desire to ruin Brevard County.

We do not want the continued degradation of our neighborhoods. We live in South Brevard and have watched a slow decline on what attracted us to this pristine oasis. WOW, let's give any one the opportunity to allow total strangers into our neighborhood. Why is it that protective laws that have been in place are just thrown to the wayside????

PLEASE DO NOT support Commissioner Tobia's proposal to allow Vacation Rentals into Brevard County.

We are strongly against resort dwellings anywhere near our neighborhood or homes.

Sincerely,

Helen Stamatacos
Charles Magal, M.D.

9010 S A1A
Melbourne Beach, FL 32951

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: NO DAILY RENTALS
Date: Monday, November 16, 2020 8:56:03 AM

From: Nancy Blair <nblair321@aol.com>
Sent: Sunday, November 15, 2020 12:30 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: NO DAILY RENTALS

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

Dear Attorney Bentley.

I live in Melbourne Beach. I am opposed to changing our existing zoning to allow for daily rentals. I am opposed to ANY changes in the current 2006 exemption. NO CHANGES.

I do not want my residential zoning to essentially be turned into commercial hotel zoning. When I moved here 25 years ago every home in our neighborhood was owner occupied. Now in a 5 street neighborhood there are at least 5 VRBO/AIRBNB rentals on each street. This is disturbing. This has created a revolving door of strangers to use our beach and river parks, all night parties, overt disregard for the environment with trash and dune destruction.

WE ARE NOT ZONED FOR HOTELS. The proposed zoning change goes against The Comprehensive Land Use Plan for our precious barrier island environment. My entire neighborhood is up in arms about this issue. No one wants a hotel in the house next door.

PLEASE VOTE TO OPPOSE ANY CHANGES TO OUR RESIDENTIAL ZONING.

I DO NOT WANT DAILY RENTALS IN MY NEIGHBORHOOD.

Nancy Blair
Melbourne Beach Resident since 1995

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: A petition signature in opposition to Brevard County Vacation Rental rezoning
Date: Monday, November 16, 2020 8:56:09 AM

From: Peggy Cavanaugh <pcavanaugh1@cfl.rr.com>
Sent: Saturday, November 14, 2020 9:48 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: A petition signature in opposition to Brevard County Vacation Rental rezoning

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

Greetings Brevard County Commissioners, County Manager and Attorney:

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term Vacation Rentals throughout our county.

We do not want our quiet residential neighborhoods to be converted to daily or hourly rentals through corporate rental companies, or services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners, County Manager and County Attorney know how much we value our unincorporated Brevard County communities.

We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment.â€

-- Peggy Cavanaugh
pcavanaugh1@cfl.rr.com
32951

This petition was signed at NoDailyRentals.com, operated by the Barrier Island Preservation and Protection Association, Inc. (BIPPA).

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Vacation Rentals Zoning Change Meeting on Nov 18
Date: Monday, November 16, 2020 8:56:42 AM

From: Clifford Allen <cliffordallen0987@gmail.com>
Sent: Thursday, November 12, 2020 3:58 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Vacation Rentals Zoning Change Meeting on Nov 18

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

Eden,

I am extremely unhappy that the county is considering changing the current county rules for vacation rentals to basically allow them anywhere in the unincorporated parts of the county.

I have lived in Diana Shores on Merritt Island for twenty years and the house next to me sold in August 2020. The new owner started running an AIR BNB out of the house in September 2020. I just got code enforcement to stop it in the last three weeks or so once I figured out what they were doing. The owner listed it on AIR BNB for 12 people and did indeed have somewhere around 12 people staying there at times on the weekends. A different group each weekend. How can 12 people stay in a 4 Bedroom house where there is parking for at most 4 cars including the garage unless you block the sidewalk which they were. They were parking all over the street, on the front lawn of the house in question, and partying outside the back of the house by the pool sometimes until 2-3am. I also believe that this adversely affects the property values of the houses near it since I for one would not knowingly buy a house next to an AIR BNB/short term vacation rental. If you pass this and the current owner starts a BNB again, I will have no choice but to sell my house or constantly call the Sheriff Dept for disturbing the peace complaints, in which case you will have to hire more Sheriff deputies to respond to the complaints when this becomes a widespread problem in the county which I suspect it will. Ask yourself if you would like to suddenly find yourself living next to an AIR BNB where you have no idea who is staying there and the people who are staying there don't care how they disrupt the neighborhood since they are on vacation and don't live there.

Clifford Allen
1375 Centaurus Ct
Merritt Island, FL 32953

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Vacation Rental Rezoning
Date: Monday, November 16, 2020 10:56:40 AM

From: Jack Overton <joverton907@gmail.com>
Sent: Monday, November 16, 2020 10:48 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Cc: Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>; nodailyrentals@gmail.com; Sharon Overton <soverton907.so@gmail.com>
Subject: Vacation Rental Rezoning

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

Commissioners,

My wife, Sharon, and I reside at 5671 Sea Lavender Place, Melbourne Beach, FL 32951 (District 3). Our telephone number is 518-810-8462. We are sending this email to express our strong opposition to the proposed change to Brevard County zoning that would permit short term rentals in the unincorporated sections of Brevard County.

It is our opinion that such a change would result in many very negative impacts on our neighborhoods. Most of the residents in South Beaches purchased their homes because of the beauty and tranquility of our neighborhoods. To allow short term rentals would destroy that tranquility and would benefit only those property owners who purchased real property to make money. Our barrier island and its fragile ecosystems need protection.

Short term rentals will also lower property values in our communities. How would you like to own a home that is next to a property that participates in short term rental programs. You decide to sell because of problems you have had with short term renters, and your realtor holds an open house. Unfortunately, the large group of vacationers who rented the house next door is having a party, coupled with loud music and free flowing adult beverages. Why hasn't anyone who attended the open house expressed an interest in our house! Perhaps we should lower our asking price and expect our house to remain on the market much longer!

We have seen the damage and heard the noise created by vacation renters. Many renters are respectful but a lot of them just don't care. Noise, damage, trash, disrespectful conduct. People who live in quiet residential neighborhoods should not be exposed to it. That is why we have hotels, which, by the way, are also experiencing negative consequences from the short term rental industry.

Commissioner Tobia, we live in your district and we are very disappointed to see that you are the sponsor.

Commissioners, please do the right thing and vote against the proposed zoning change.

Sharon and Jack Overton

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: DEC 8 meeting to change the zoning in our residential neighborhoods to allow for daily rentals.
Date: Monday, November 16, 2020 11:09:51 AM

-----Original Message-----

From: Michelle DeFillips <mdefillips@bellsouth.net>
Sent: Monday, November 16, 2020 11:08 AM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: DEC 8 meeting to change the zoning in our residential neighborhoods to allow for daily rentals.

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

I am vehemently opposed to changing the zoning to allow for daily rentals in our residential neighborhoods.

Sincerely,

Michelle DeFillips
Homeowner Brevard County

Sent from my iPhone

From: [Elmore, Amanda T](#)
To: [Jones, Jennifer](#); [Calkins, Tad](#)
Subject: FW: Please STOP daily and short-term rentals
Date: Monday, November 16, 2020 2:06:33 PM

Amanda Elmore
Interim Assistant Director
PLANNING & DEVELOPMENT DEPARTMENT
2725 Judge Fran Jamieson Way, C-201
Viera, Florida 32940
New Direct Line (As of 7/21/2020): (321) 307-8996
New Internal Extension: 58996
e-mail: amanda.elmore@brevardfl.gov
website: <https://www.brevardfl.gov/PlanningDev>

-----Original Message-----

From: Janet Havican <jkhavican@icloud.com>
Sent: Monday, November 16, 2020 2:02 PM
To: Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Elmore, Amanda T <Amanda.Elmore@brevardfl.gov>
Cc: gymdad54@aol.com; Nana <pwiddowson1@gmail.com>; tracywarren1@gmail.com
Subject: Please STOP daily and short-term rentals

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

> Hello Ms Elmore and Mr Abbate, Below is an email that I sent to the Brevard County Commissioners earlier today. I urge you to please read this email and STOP daily and short-term rentals. Thank you! Janet Havican

> I am urging you to please STOP daily and short-term rentals in Brevard County, especially in the unincorporated areas.

>

> I live in the small Rodeheaver community, which is located just south of Aquarina and about 4 miles north of the Sebastian Inlet. Although this is a very small neighborhood we are facing the nightmares caused by daily and short-term rentals. Before voting, I beg you to please consider the following points:

>

> 1) As the number of COVID-19 cases are once again increasing, we will be more exposed to the virus should the daily and short-term rentals be permissible because the renters will not be able to quarantine for 14 days and enjoy the amenities that they are purchasing. This will unnecessarily expose us to a deadly virus. (I am immune compromised and take this virus very seriously.)

> 2) There will be an increased financial burden on the county to handle the additional requirements for code enforcement, as well as complaints stemming from excessive noise and/or destruction of property. I do not want to see my taxes increased to cover the expenses incurred by the county due to a financial gain from the property owners.

> 3) One of the beauties of a small community is knowing who does or does not belong in our neighborhoods. The crime rate could increase when we are no longer able to recognize people and vehicles that are coming/leaving our streets. This will make it more difficult to keep ourselves and our neighbors safe, including our children.

> 4) There have been numerous reports of more people staying at a daily or short-term rental than the property was described to handle. Most recently this occurred in Floridana, where there were at least 10 cars across the front lawn, the noise was excessive and trash was left all over the property. There have also been reports from all over the country where under age groups of people have had parties where alcohol is being consumed. We should not be

contributing to this unfortunate trend.

> 5) I have seen first-hand where short-term renters along the beach are disturbing the protected sea turtles. Those that we have seen, we have stopped them and educated them. But that is likely only a small portion of the offenders. These same people will leave their belongings on the beach overnight which is also a hazard for the protected sea turtles. Although the homeowners should be required to educate their renters and most probably do, the renters don't always understand the consequences and tend to do what is more convenient for them.

>

> Please STOP daily and short-term rentals and choose to preserve our paradise, protect our communities, and value our health.

>

> Thank you for your time and consideration.

>

> Sincerely,

> Janet Havican

> 7795 Winona Road

> Melbourne Beach, FL 32951

> 572-217-0573

>

> Sent from my iPad

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Daily Rentals
Date: Monday, November 16, 2020 2:13:43 PM

From: paulgen@aol.com <paulgen@aol.com>
Sent: Monday, November 16, 2020 1:26 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Daily Rentals

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

Dear Mr. Bentley,

My wife and I oppose any zoning laws that permit daily rentals in the south beaches. Damage to the local environment and people who have no connection to the area will free to party and do things that will wreak havok on our lives. We don't want the traffic or the noise associated with such rentals. We want to preserve what little wildlife land that remains. There are plenty of other beach places for people to go. Let's preserve our paradise. Hotels, daily rentals, anything commercial will ruin it.

Sincerely,
Paul Geneczko
Ravadee Geneczko
Melbourne Beach

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Zoning Changes for Brevard County
Date: Monday, November 16, 2020 3:15:34 PM

From: purplehousefb@brighthouse.com <purplehousefb@brighthouse.com>
Sent: Monday, November 16, 2020 3:03 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Zoning Changes for Brevard County

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

I am opposed to changing our existing zoning to allow for daily rentals. I am opposed to ANY changes in the current 2006 exemption. NO CHANGES.

Any unilateral zoning change can never be in the interest of Brevard County Residents. This county has too many unincorporated areas (Namely the South Beaches) that do not fit with what you are trying to accomplish nor will be benefit in any way. On the contrary.

I do not want my residential zoning to essentially be turned into commercial hotel zoning. Allowing daily vacation rentals will create a revolving door of strangers using our beaches and river parks, having all night parties, and showing overt disregard for the environment with trash and dune destruction.

WE ARE NOT ZONED FOR HOTELS. The proposed zoning change goes against The Comprehensive Land Use Plan for our precious barrier island environment. My entire neighborhood is up in arms about this issue. No one wants a hotel in the house next door.

PLEASE VOTE TO OPPOSE ANY CHANGES TO OUR RESIDENTIAL ZONING.

I DO NOT WANT DAILY RENTALS IN MY NEIGHBORHOOD.

Pamela Boardman

6855 Angeles Road
Floridana Beach FL 32951

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: VOTE NO ON DAILY RENTALS
Date: Monday, November 16, 2020 3:17:04 PM

From: sunnypalms3@att.net <sunnypalms3@att.net>
Sent: Monday, November 16, 2020 2:19 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: VOTE NO ON DAILY RENTALS

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

We are opposed to changing our existing residential zoning to allow for daily rentals (tourist commercial zoning). We are opposed to ANY changes in the current 2006 exemption. NO CHANGES.

We do not want our residential zoning to essentially be turned into commercial hotel zoning. Allowing daily vacation rentals will create a revolving door of strangers using our beaches and river parks, having all night parties, and showing overt disregard for the environment with trash and dune destruction. Who will enforce violations pertaining to these issues?

WE ARE NOT ZONED FOR HOTELS. The proposed zoning change goes against The Comprehensive Land Use Plan for our precious barrier island environment. My entire neighborhood is up in arms about this issue. No one wants a hotel in the house next door.

PLEASE VOTE TO OPPOSE ANY CHANGES TO OUR RESIDENTIAL ZONING.

WE DO NOT WANT DAILY RENTALS IN OUR NEIGHBORHOODS.

We do not want changes to our zoning that will negatively affect my quality of life, or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment, specifically the Archie Carr National Wildlife Refuge.

Please vote NO on this Amendment and preserve our way of life and the economical prosperity of the County of Brevard. The voters in Brevard County greatly appreciate your attention to this issue.

Deborah & William Allison
5920 Riverside Drive
Melbourne Beach, FL 32951
321-953-5859

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Change in Zoning
Date: Tuesday, November 17, 2020 7:58:57 AM

From: Kinghorn, Deborah <Deb.Kinghorn@unh.edu>
Sent: Monday, November 16, 2020 7:00 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Change in Zoning

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

Dear Ms. Bentley:

I am opposed to changing our existing zoning to allow for daily rentals. I am opposed to ANY changes in the current 2006 exemption. NO CHANGES.

I do not want my residential zoning to essentially be turned into commercial hotel zoning. Allowing daily vacation rentals will create a revolving door of strangers using our beaches and river parks, having all night parties, and showing overt disregard for the environment with trash and dune destruction.

WE ARE NOT ZONED FOR HOTELS. The proposed zoning change goes against The Comprehensive Land Use Plan for our precious barrier island environment. My entire neighborhood is up in arms about this issue. No one wants a hotel in the house next door.

PLEASE VOTE TO OPPOSE ANY CHANGES TO OUR RESIDENTIAL ZONING.

I DO NOT WANT DAILY RENTALS IN MY NEIGHBORHOOD.

Sincerely,

Deborah A. Kinghorn

6301 Treetop Drive

Melbourne Beach, FL 32951

(603)969 7584

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Amendment 62-Short Term Rentals
Date: Tuesday, November 17, 2020 7:58:42 AM

From: Michael Wills <mwills98@yahoo.com>
Sent: Monday, November 16, 2020 7:10 PM
To: Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Amendment 62-Short Term Rentals

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

Dear Brevard County Manager, Attorney and Commissioners,

I am writing you today about my concerns regarding proposed zoning Amendment 62. I am currently out of town, or I would most definitely be at the upcoming hearings to speak out against this unwelcome change to the residential zoning code. I bought a second home in Melbourne Beach two years ago which is to serve as my primary residence when I retire in three more years. However, if this change to allow short-term rentals by right goes through, I will most likely sell and look to retire elsewhere. As it will transform the area and will no longer be the kind of "COMMUNITY" in which I would like to reside.

Community: Noun

1) a group of people living in the same place or having a particular characteristic in common.

2) a feeling of fellowship with others, as a result of sharing common attitudes, interests, and goals.

That is precisely what will be destroyed in short order if this proposal to grant short term rental rights moves forward, our community.

A majority of Melbourne Beach (MB) property owners are primary or second home residents who decided make their homes here in hopes of enjoying their property and fellowship with neighbors, without the nuisance of strangers coming and going.

We do not wish to live in short term rental (STR), transient type neighborhoods for the obvious reasons. If we wanted to live in mixed use areas with strangers and high activity, we would buy dwelling units in

downtown or Ft Lauderdale.

Residential property rights are well defined in the zoning codes. When you buy a property zoned as residential in MB, you know what the rules and permitted uses are. If someone wants to run a business or an Inn, one should buy a property zoned business. The purpose of single family residential property is not to maximize economic benefits. That's what for-profit business is for and should be conducted on property zoned as such. In MB we are fortunate to have a very attractive and vibrant short term rental industry. The hotels and other designated areas in Melbourne are nicely equipped to accommodate those who desire short term rentals.

So I respectfully ask that you please refrain from supporting Amendment 62 or other changes to our zoning that would allow for STRs where they are currently not permitted. We wish to preserve the current rules and community that we have invested in to make our home. Please enforce the existing zoning rules and stop the proliferation of short term rental properties in areas where they are not desired without positive consent from the community.

Thank You,

Mike Wills
411 Nikomas Way
Melbourne Beach, FL 32951

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Daily rentals
Date: Tuesday, November 17, 2020 7:58:09 AM

-----Original Message-----

From: Kelly Moes <kelfl@me.com>
Sent: Monday, November 16, 2020 8:11 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Cc: Donald Moes <donmoes@live.com>; KELLY MOES <kelfl@me.com>
Subject: Daily rentals

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

My husband, Donald Moes and I are opposed to any changes in the current zoning that would allow daily rentals. We specifically moved to the South Beaches in Melbourne Beach in 1999 to have peace and tranquillity and to live as close to paradise as we could ever imagine. We could have bought a house in Cocoa Beach or Cape Canaveral which are a lot closer to my work at KSC, but we choose here since it is a lot less populated and much more of a laid back lifestyle. We love that we have the largest population of loggerhead sea turtles in the world. Daily rentals would absolutely wreck our quality of life and endanger our ecosystem.

I ask that you don't allow money to drive your decision. We have always been told that we don't have a high enough tax revenue to have our beaches restored like other Brevard beaches but we accept that for living in our little slice of paradise.

Vote no to daily rentals in unincorporated Brevard County. I am urging you to protect my way of life as well as anyone else that I have talked to, not to change any zoning laws that would allow daily rentals.

Please call me to discuss this further.

Respectfully,
Kelly Moes
Melbourne Beach Resident since 1999
321-427-3538

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Rentals
Date: Tuesday, November 17, 2020 7:58:00 AM

-----Original Message-----

From: Tod Hagan <tod.hagan@gmail.com>
Sent: Monday, November 16, 2020 10:01 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Rentals

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

My family moved to Sunnyland Beach twenty years ago. We do not want short term rentals. South Melbourne beach is a special place in Florida. Please do not ruin it by allowing this. The issues associated with short term rentals are well known and I'll not repeat them here. Please think long term and not just short term gain of commercial interests

Sent from my iPhone

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: No Daily Rentals
Date: Tuesday, November 17, 2020 8:58:24 AM

From: Terry <bachnyny@yahoo.com>
Sent: Tuesday, November 17, 2020 8:56 AM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: No Daily Rentals

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

As a resident of Brevard County, I want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term Vacation Rentals throughout our county.

I do not want our quiet residential neighborhoods to be converted to daily or hourly rentals through corporate rental companies, Airbnb or VRBO.

I want to let you know how much I value our unincorporated Brevard County communities.

I do not want changes to our zoning that will negatively affect my quality of life, or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment.

Terry Bachmann
6220 Treetop Drive
Melbourne Beach, FL 32951
631 275-2343

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Please Oppose Short Term Rentals in our Neighborhoods
Date: Tuesday, November 17, 2020 11:53:41 AM

From: Brent Guay <bjguay@gmail.com>
Sent: Tuesday, November 17, 2020 11:28 AM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Please Oppose Short Term Rentals in our Neighborhoods

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

Dear County Attorney Bentley

My wife and I chose to move to south Melbourne Beach with our 3 children because it was one of the few beach-side communities we could find that still has a somewhat rural residential feel to it. We specifically chose to purchase a home in a neighborhood where we could get to know all of our neighbors and become part of the community- one where everyone comes together to help one another when needed. And we take pride in our beaches and lagoon as much as we do our community. While short-term rentals may benefit some parties involved, I can't imagine how they would benefit the current full time residents in the quaint neighborhoods of south Melbourne Beach.

We are opposed to the proposed zoning changes that would allow short term rentals as we are afraid our quiet residential neighborhoods will simply become a tourist haven, diminishing the small town atmosphere we all currently enjoy (as has happened in countless beach-side communities across Florida).

Respectfully,
Brent & Analisa Guay

770-855-2279

7860 Casuarina Dr
Melbourne Beach FL 32951

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: A petition signature in opposition to Brevard County Vacation Rental rezoning
Date: Tuesday, November 17, 2020 12:13:53 PM

From: Harold Houser <nouser@cfl.rr.com>
Sent: Tuesday, November 17, 2020 12:13 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: A petition signature in opposition to Brevard County Vacation Rental rezoning

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

Greetings Brevard County Commissioners, County Manager and Attorney:

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term Vacation Rentals throughout our county.

We do not want our quiet residential neighborhoods to be converted to daily or hourly rentals through corporate rental companies, or services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners, County Manager and County Attorney know how much we value our unincorporated Brevard County communities.

We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment.â€”

-- Harold Houser
nouser@cfl.rr.com
32951

This petition was signed at NoDailyRentals.com, operated by the Barrier Island Preservation and Protection Association, Inc. (BIPPA).

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Daily rentals in unincorporated Brevard County
Date: Tuesday, November 17, 2020 1:45:18 PM

From: Jennifer Jones <jj62902@gmail.com>
Sent: Tuesday, November 17, 2020 12:48 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Daily rentals in unincorporated Brevard County

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

Dear Eden Bentley,

My family and I have lived in unincorporated Satellite Beach for five years now and greatly enjoy our peaceful quiet neighborhood. Most of the families in our neighborhood know each other and lots of children live in our community as well. I would like to voice my concerns about the upcoming decision to allow daily vacation rentals in unincorporated Brevard County. We already have a home on our street that allows weekly and monthly rentals and that home has often become a source of stress for neighbors who have to listen to loud parties and trash from people who don't respect our neighborhood because they are only here for a short time. We also live on a canal and I worry that frequent visitors will not respect our waterways and will not be educated on the entire ecosystem that depends on the Indian River Lagoon. Lastly, I worry for the safety of our children that live in these communities, including my own daughters. Daily visitors will not have to report that they are registered sexual predators residing for days in our neighborhoods around our children. For these reasons, please consider voting against daily vacation rentals in unincorporated Brevard County.

Thank you for your time and consideration,
Jennifer Jones
406 Atlantis Dr.
Satellite Beach, FL 32937
704-942-1967

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Support BIPPA to ban B& B in residential neighborhoods
Date: Tuesday, November 17, 2020 4:02:37 PM

From: GFARMER8@cfl.rr.com <GFARMER8@cfl.rr.com>
Sent: Tuesday, November 17, 2020 3:02 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: FW: Support BIPPA to ban B& B in residential neighborhoods

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

From: GFARMER8@cfl.rr.com
To: "D1.Commissioner@brevardfl.gov"
Cc:
Sent: Tuesday November 17 2020 2:55:46PM
Subject: Support BIPPA to ban B& B in residential neighborhoods

Hi Rita, Bryan, John,Curt, Kristine, Frank and Eden.

My name is Gary Farmer and I live in Diana Shores in Merritt Island. I fully support BIPPA position to oppose B & B in our neighborhoods for the following reasons.

1. I live across the street from an illegal B & B now. There are as many as a dozen people staying there on the weekends with as many as eight cars blocking the street (only room for four vehicles in the driveway) that does not allow access for emergency vehicles .
2. There is parting until 2-3 o'clock am that makes it impossible to sleep.
3. We do not know what/who the people are or their background. There are children that walk past this house and it puts them danger.
4. It will lower our property values and we will demand the appraised value is lowered to reduce our property taxes.
5. It will require the sheriff department to hire more law enforcement personnel to answer all the complaints that are sure to follow. Will this require property tax increase to cover the cost?

6. We did not move into our neighborhoods to have all the disruptions and we want to keep our neighborhoods safe.

7. I am paying around \$20,000.00 of taxes this year on property I own in Brevard County and I do not want anything that will lower my property values.

I hope you will consider this when you cast your vote. Thank you very much for taking time out from your busy schedule to read this.

Gary A Farmer

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: No Daily Rentals
Date: Tuesday, November 17, 2020 5:36:29 PM

-----Original Message-----

From: Mary Vreeland <mrvreeland@icloud.com>
Sent: Tuesday, November 17, 2020 4:51 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: No Daily Rentals

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

County Attorney Bentley:

>
> VOTE NO FOR DAILY VACATION RENTALS!!!!
> I am against Vacation Rental Rezoning!!!
>
> Mary R Vreeland
> 5593 Cord Grass Ln
> Melbourne Beach, Fl
> 321-409-890
>

Sent from my iPhone

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Opposition to Brevard County Zoning Changes
Date: Wednesday, November 18, 2020 8:45:01 AM

From: Lynn Gronosky <lgronosky@icloud.com>
Sent: Wednesday, November 18, 2020 7:47 AM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Opposition to Brevard County Zoning Changes

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

Dear Brevard County Attorney:

I am a homeowner in unincorporated south Melbourne Beach, District 3, and have owned a home here for the last 30 years. I live here because it is a beautiful, quiet and safe residential community.

I was very concerned to hear that a zoning change is being considered that would allow short term rentals (daily and/or weekly VRBO and AirBB). This would degrade our residential neighborhoods and establish more of a transient community with noise, theft, and a loss of the community/neighborhood that we currently enjoy.

Please help preserve our residential communities by not making changes to the current zoning regulations.

Thank you,
Lynn Gronosky
[393 Hiawatha Way](#)
[Melbourne Beach, FL. 32951](#)
[\(321\)626-2659](#)

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: A petition signature in opposition to Brevard County Vacation Rental rezoning
Date: Wednesday, November 18, 2020 8:45:14 AM

From: Daryl Williams <nwilliams1725@cfl.rr.com>
Sent: Wednesday, November 18, 2020 7:16 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: A petition signature in opposition to Brevard County Vacation Rental rezoning

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

Greetings Brevard County Commissioners, County Manager and Attorney:

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term Vacation Rentals throughout our county.

We do not want our quiet residential neighborhoods to be converted to daily or hourly rentals through corporate rental companies, or services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners, County Manager and County Attorney know how much we value our unincorporated Brevard County communities.

We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment.

-- Daryl Williams

nwilliams1725@cfl.rr.com

32951 I have seen first hand the devastation caused by AirBnB and VRBO on Anna Maria Island.

This petition was signed at NoDailyRentals.com, operated by the Barrier Island Preservation and Protection Association, Inc. (BIPPA).

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Short Term Rentals
Date: Wednesday, November 18, 2020 8:45:29 AM

From: Theresa Hannon <theresahannon@ymail.com>
Sent: Tuesday, November 17, 2020 9:24 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Short Term Rentals

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

Please help!

We do not want short term rentals in our area. I live in residential Melbourne Beach, just South of Melbourne Beach proper. I love it because it's like a small town. I'm surrounded by friends. My neighbors know each other and care. I lost my husband two years ago in a bicycle accident. My neighbors got me through the difficult times. Short term renters don't know or care about the people around them, and they often don't care about the property. Please don't turn Melbourne Beach into a tourist area.

Thank you,
Theresa Hannon
345 Nikomas Way
Melbourne Beach
(Sunnyland Beach)

[Sent from Yahoo Mail on Android](#)
[Sent from Yahoo Mail on Android](#)

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Zoning Changes
Date: Wednesday, November 18, 2020 12:29:27 PM

From: Connie Regan <regancm6@gmail.com>
Sent: Wednesday, November 18, 2020 12:27 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Zoning Changes

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

Dear Ms. Bentley,

I am adamantly against a blanket zoning change. Far more discussion is necessary. In my hometown, rentals in R-1 neighborhoods cannot be closer than 400 feet to another rental. Property owners of R-1 zoned homes in a neighborhood where our children, elderly, pets, and peaceful use and enjoyment are given rights - it Baffles me that a zoning change is up for a vote.

RANDOM GROUPS of strangers in/out of the house next door without county oversight to ensure properties are properly and safely rented - including working smoke alarms, exit plans, fire extinguishers, etc is irresponsible at best

Collecting hospitality tax and ensuring that revenue is paid to the appropriate agency is another consideration - how will all this be handled?

Thank you for your time and attention to this matter and MY VOICE. Currently I am a winter resident, I own my condo in south MLB, and will be homesteading in 2021.

I have also been a guest in several Airbnb/VRBO rentals over the years - only 2 of which were single family/R-1 zoned. Though we were a quiet and respectful group, in each of these rentals BOTH the adjacent neighbors were NOT pleased with our presence.

Respectfully,
Connie Regan

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: Fw: A petition signature in opposition to Brevard County Vacation Rental rezoning
Date: Wednesday, November 18, 2020 1:00:21 PM

From: GEORGE KEOUGH <gkeough@cfl.rr.com>
Sent: Wednesday, November 18, 2020 12:56 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: A petition signature in opposition to Brevard County Vacation Rental rezoning

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

Greetings Brevard County Commissioners, County Manager and Attorney:

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term Vacation Rentals throughout our county.

We do not want our quiet residential neighborhoods to be converted to daily or hourly rentals through corporate rental companies, or services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners, County Manager and County Attorney know how much we value our unincorporated Brevard County communities.

We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment.â€

-- GEORGE KEOUGH
gkeough@cfl.rr.com
32951

This petition was signed at NoDailyRentals.com, operated by the Barrier Island Preservation and Protection Association, Inc. (BIPPA).



This petition has collected
409 signatures
using the online tools at www.ipetitions.com

Printed on 2020-11-03

Save South Melbourne Beach, South Beaches & Unincorporated Brevard County from Airbnb

About this petition

THANKS FOR SUPPORTING South Melbourne Beach, the South Beaches and all of unincorporated Brevard County!!

WE HAVE CLOSED THIS PETITION AFTER RECEIVING OVER 400 SIGNATURES!!

If you want to show your support against allowing Airbnb and daily rentals in our unincorporated neighborhoods, here are more things you can do!

1. Please contact all 5 of our Commissioners! They each get a vote! Tell them why you don't want daily rentals in our quiet residential communities:

[Call and Email All 5 Commissioners!](#)

2. Please take this short survey to provide more feedback to our Commissioners!

[Take a Short Survey](#)

3. Find us on Facebook!

[Follow our Page @NoDailyRentals](#)

[Join Our Private Facebook Group](#) for even more discussion on this issue

Thank you everyone and let's all contact our Commissioners and keep working together to save our unincorporated areas from Airbnb and DAILY rentals!

A NOTE ABOUT DONATIONS: This petition was set up by local residents who want to collect signatures to send to our Brevard County Commissioners. We are NOT ASKING FOR MONEY on this site. If you are asked to donate, the money will support the ipetitions free platform - which we chose because it is non-partisan and free to use.

ORIGINAL PETITION LANGUAGE:

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term or nightly rentals through private rental companies and services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners know how much we value our South Melbourne Beach, South Beaches and unincorporated Brevard County communities, neighborhoods, beaches and wildlife. We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our beautiful natural environment.

This signed petition will be submitted to our Brevard County Commissioners.

Signatures

1. Name: Tyson Misleh on 2020-10-25 16:43:54
Comments: Keep them out.

2. Name: Becky Clarkson on 2020-10-25 20:41:55
Comments:

3. Name: Chris Alba on 2020-10-25 20:59:31
Comments:

4. Name: Eleanor Glover on 2020-10-25 22:04:43
Comments:

5. Name: Randy Herbst on 2020-10-25 22:16:08
Comments: I am a property manager and live in Crystal lakes.
Do not change the lifestyle I bought into, short term rentals will negatively affect our
Community.
We are doing quite fine without your wanting to change our Neighborhood.

6. Name: Cynthia Maguire on 2020-10-25 22:20:20
Comments:

7. Name: Terri Kroboth on 2020-10-25 22:42:52
Comments:

8. Name: Clinton McKenzie on 2020-10-25 22:59:29
Comments:

9. Name: Nadya on 2020-10-25 23:33:35
Comments:

10. Name: Melanie Ledford on 2020-10-25 23:36:29
Comments:

11. Name: Robert Froelich on 2020-10-25 23:43:20
Comments: Short term rentals will ruin our paradise.

12. Name: Peter Goltzman on 2020-10-25 23:48:12
Comments:

13. Name: Kelton on 2020-10-25 23:52:59
Comments:

-
14. Name: Carol Rosasco on 2020-10-26 00:11:07
Comments: Do NOT relax the code for short term rentals in the South Beaches, please!
-
15. Name: LaVergne D Williams on 2020-10-26 00:27:08
Comments:
-
16. Name: Caryl Mearsheimer on 2020-10-26 02:12:20
Comments:
-
17. Name: Jaye saultz on 2020-10-26 03:35:53
Comments:
-
18. Name: Cindy L Springer on 2020-10-26 12:00:53
Comments:
-
19. Name: Max Minnick on 2020-10-26 14:33:40
Comments: Over a month ago I contacted all 5 commissioners and expressed my opposition to this proposal from Tobia. I suggest everyone should look at the political contributions received by our commissioners to get a better understanding of why they vote the way they do. It is appalling.
-
20. Name: Betty Gonzalez on 2020-10-26 15:36:09
Comments: I have seen rentals on the beach that they leave trash and items on the beach over night. (Lawn chairs, toys etc)
-
21. Name: Penny Demi on 2020-10-26 16:54:50
Comments:
-
22. Name: Dave Demi on 2020-10-26 17:04:45
Comments:
-
23. Name: Paul Moran on 2020-10-26 17:15:10
Comments:
-
24. Name: Ruth Murphy on 2020-10-26 17:34:29
Comments:
-
25. Name: Jack Murphy on 2020-10-26 17:40:09
Comments:
-
26. Name: Robert A Sielski on 2020-10-26 17:50:19

Comments: This is a residential neighborhood, not a business district.

27. Name: Stacey Malegiannakis on 2020-10-26 17:52:36
Comments:

28. Name: Charles Roger Hardin on 2020-10-26 18:13:56
Comments:

29. Name: Marcia Dee Hardin on 2020-10-26 18:16:10
Comments:

30. Name: Rick Melchiori on 2020-10-26 18:21:19
Comments:

31. Name: Matilde Carrozza on 2020-10-26 18:23:39
Comments: No short terms rentals please

32. Name: Jason Hanson on 2020-10-26 18:23:44
Comments: Please do not ruin our quite safe and clean south beach neighborhoods by easing restrictions on short term rentals

33. Name: Anthony Mariano on 2020-10-26 18:29:22
Comments:

34. Name: Barbara Arthur on 2020-10-26 18:29:34
Comments:

35. Name: La Shawn Viccellio on 2020-10-26 18:29:48
Comments:

36. Name: Hodges Viccellio on 2020-10-26 18:30:27
Comments:

37. Name: PAULA NESHEK on 2020-10-26 18:34:38
Comments:

38. Name: Kirk Souder on 2020-10-26 18:42:18
Comments: The Woodlands of South Beaches

39. Name: Adriana Montgomery on 2020-10-26 18:48:27
Comments: This is unacceptable. We want to protect our sand dunes and sea turtles.

40. Name: Frank Carmone on 2020-10-26 18:49:18
Comments:
-
41. Name: DONALD EASTMAN JR on 2020-10-26 18:49:51
Comments: No short term rentals. No air b&b.
Just purchased a home on Duval st. Did not this to be like ATLANTIC CITY NJ. CANT
PEOPLE MAKE MONEY DOING SOMETHING SOMEWHERE ELSE.
-
42. Name: Sue Ellen Agin on 2020-10-26 18:59:21
Comments:
-
43. Name: Lizzie Green on 2020-10-26 19:00:07
Comments:
-
44. Name: Kyra Sorgenfrei on 2020-10-26 19:07:31
Comments:
-
45. Name: DIANE GUNDERSON on 2020-10-26 19:08:42
Comments: I am a registered voter in Brevard county, live and own a home in south
melbourne beach and oppose and do not support changed that would allow short term or
nightly rentals.
-
46. Name: Greg Nicklas on 2020-10-26 19:09:21
Comments:
-
47. Name: Theresa West on 2020-10-26 19:10:28
Comments:
-
48. Name: Magda Kopczynska on 2020-10-26 19:22:41
Comments:
-
49. Name: Nick Butko on 2020-10-26 19:23:40
Comments:
-
50. Name: Maureen Maurer on 2020-10-26 19:26:48
Comments:
-
51. Name: Pierre st-ongé on 2020-10-26 19:35:01
Comments: I want to keep my area quiet and safe
-
52. Name: Sid Kirchheimer on 2020-10-26 19:53:19
Comments: If Tobia wants short-term rentals, approve them for HIS street, not mine.
-

53. Name: Alana Ellingham on 2020-10-26 19:54:12
Comments:
-
54. Name: Chris Kirchheimer on 2020-10-26 20:00:13
Comments: No to short-term rentals west of A1A! Don't allow our elected county representatives be bought by special interests!
-
55. Name: Lea Morris on 2020-10-26 20:00:56
Comments:
-
56. Name: Deborah Allison on 2020-10-26 20:03:48
Comments: I say no way to vacation rentals in unincorporated Melbourne Beach!
-
57. Name: jim leathers on 2020-10-26 20:05:22
Comments: If Tobia gets this passed, he has lost my vote forever
-
58. Name: Carmen Glasser on 2020-10-26 20:11:55
Comments: I understand that AirBnB and VRBOs are home owners. But other homeowners have rights as well. We have the right to retain the integrity of our small communities. There are no safe guards in place to ensure hosts hold their guests accountable to our unique community way of life.
-
59. Name: Robert Lani on 2020-10-26 20:29:59
Comments:
-
60. Name: Jodie Algarin on 2020-10-26 20:31:01
Comments:
-
61. Name: Andrea Neumann on 2020-10-26 20:36:18
Comments:
-
62. Name: mike price on 2020-10-26 20:43:59
Comments:
-
63. Name: Valerie Van Haltern on 2020-10-26 20:46:04
Comments: Too many problems with fireworks, destruction of beaches and dunes, turtle nests and nesting disturbed, leaving bright lights on during nesting as well....many baby turtles confused by short term rule breakers end up wandering onto A1A and getting run over Sad, very sad - affecting safety, habitat and property values as well as the quiet and environment we moved here to honor and enjoy
-
64. Name: Cindy P on 2020-10-26 20:54:58
Comments:

-
65. Name: D Nichols on 2020-10-26 20:59:45
Comments:
-
66. Name: Christina Leal on 2020-10-26 21:00:59
Comments:
-
67. Name: Eric L Gibson on 2020-10-26 21:02:26
Comments: The entire reason I moved here is because it still hasn't been swarmed by the developer locusts. Let's keep it that way.
-
68. Name: tony cimaglia on 2020-10-26 21:08:43
Comments: No to short term rentals, they ruin neighborhoods.
-
69. Name: Prine Ines Monsalve on 2020-10-26 21:09:09
Comments:
-
70. Name: Susan Waugh on 2020-10-26 21:10:05
Comments:
-
71. Name: Randall Waugh on 2020-10-26 21:16:14
Comments:
-
72. Name: Jayson Clayton on 2020-10-26 21:47:50
Comments: I am against loosening the restrictions on short term rentals in unincorporated Brevard County.
-
73. Name: Robert Sands on 2020-10-26 22:13:30
Comments:
-
74. Name: Theresa Hennessey on 2020-10-26 22:15:23
Comments: Listen to the residents of South Beaches to keep our area free from nightly AirB&Bs that increase traffic, noise, crime and hurt our turtle nesting dunes on our beautiful beaches.
-
75. Name: Annette Riley on 2020-10-26 22:43:37
Comments:
-
76. Name: joseph on 2020-10-26 22:51:28
Comments: Against any kind of Corporation in our neighborhood that includes Airbnb or any other affiliates
-

77. Name: Judy Davis on 2020-10-26 23:00:26
Comments:

78. Name: Michael Pena on 2020-10-26 23:05:16
Comments:

79. Name: Rosalie Morcom on 2020-10-26 23:15:44
Comments:

80. Name: Beth Ferriell on 2020-10-26 23:21:07
Comments:

81. Name: Reggy King on 2020-10-26 23:24:44
Comments:

82. Name: Debbie Bunk on 2020-10-26 23:34:23
Comments:

83. Name: Theresa Ayers on 2020-10-26 23:37:23
Comments:

84. Name: Kelly Moes on 2020-10-26 23:44:13
Comments:

85. Name: Susy Ramirez on 2020-10-26 23:46:13
Comments:

86. Name: Melissa Hanson on 2020-10-26 23:46:52
Comments:

87. Name: Joan Vaughan on 2020-10-26 23:47:28
Comments: MELBOURNE BEACH IS A WILDLIFE PRESERVE. LOGGERHEAD &
GREENBACK TURTLE NESTING SANCTUARY.
PELICANS, IBIS, FLAMINGO, HAWKS , & ENDANGERED SPECIES OF BIRDS.
AQUATIC LIFE. DOLPHINS, MANATEE, OTTERS, ALLIGATORS AND SO MUCH
MORE .
THAT IS WHAT MAKES THIS AREA
A SACRED PLACE.
UP TO 1970 THERE WERE MANY SMALL BEACH TOWNS ALONG THE COAST WITH
AN ABUNDANCE OF BIRDS, AQUATIC LIFE,
AND NATURAL HABITATS FOR ANIMALS. IT WAS PARADISE!
DEVELOPERS & GREED HAVE CLEAR CUT SO MUCH BEAUTIFUL LAND & WIPED
OUT THOUSANDS & THOUSANDS OF FORRESTS , ENDANGERED ANIMALS &
HABITATS .

CONTAMINATION OF THE INDIAN RIVER LAGOON , OCEANS, RIVERS, AQUIFER. AQUATIC LIFE IS DIEING! .THIS IS NOT AN EXAGGERATION! THIS IS A FACT. THIS HAS BEEN MY HOME FOR 35 YEARS. WE HAVE WITNESSED THE DEVELOPMENT & DESTRUCTION THAT GOES WITH IT. THE TRAFFIC, THE CONTAMINATION OF WATERWAYS, LAGOON, OCEAN. THE AMOUNT OF GARBAGE THAT HUMANS THROW ON THEIR BEACHES. CRIME, THEIF , OVER DEVELOPING WITH ALL ITS PROBLEMS! SHOW SOME RESPECT, COMPASSION & HUMANITY FOR ONE OF THE LAST SMALL BEACH TOWNS IN FLORIDA!

88. Name: Mindy Hartley on 2020-10-27 00:03:41
Comments:

89. Name: Bruce Rosen on 2020-10-27 00:07:32
Comments:

90. Name: Tom Wilby on 2020-10-27 00:10:11
Comments:

91. Name: MaryLee on 2020-10-27 00:20:18
Comments:

92. Name: George Keough on 2020-10-27 00:31:11
Comments:

93. Name: Renee Jones on 2020-10-27 00:35:23
Comments:

94. Name: Heather Carney on 2020-10-27 00:37:33
Comments:

95. Name: Leah Foulk on 2020-10-27 00:55:29
Comments:

96. Name: Peter Saver on 2020-10-27 00:57:43
Comments: We moved to Floridana Beach because it is a peaceful residential area and we want to keep it that way. Keep out Airbnb.

97. Name: Diana Lupone on 2020-10-27 01:00:35
Comments:

98. Name: Karen Lohrman on 2020-10-27 01:01:15
Comments:

-
99. Name: Jennifer Duncan on 2020-10-27 01:02:41
Comments:
-
100. Name: Julie Thomas on 2020-10-27 01:06:04
Comments:
-
101. Name: John Renshaw on 2020-10-27 01:06:44
Comments:
-
102. Name: Mark Andrew Havican on 2020-10-27 01:14:09
Comments: Please do not destroy our paradise by allowing short turn rentals in our area.
-
103. Name: Carol Nash on 2020-10-27 01:19:17
Comments: Please do not change our lovely beachside communities into a short term party zone. We need to protect our very important dunes and sea turtle nesting areas.
-
104. Name: Joe DeSua on 2020-10-27 01:20:04
Comments:
-
105. Name: Christina Keshishian on 2020-10-27 01:23:24
Comments: We moved here to raise a family in a community of neighbors. We don't want to be surrounded by out of state investment properties, poorly maintained and rented night by night to different people. That's not a neighborhood, that's a business district!
-
106. Name: Christopher Stricklan on 2020-10-27 01:24:02
Comments: No short term rentals in our neighborhoods!
-
107. Name: Debbie Doswell on 2020-10-27 01:26:19
Comments:
-
108. Name: Scott Maki on 2020-10-27 01:34:38
Comments:
-
109. Name: Linda Jones on 2020-10-27 01:36:47
Comments:
-
110. Name: Nancy Blair on 2020-10-27 01:37:02
Comments: Let's do everything we can to vote Tobia out!
-
111. Name: John Duncan on 2020-10-27 01:38:41
Comments:

-
112. Name: leo morrissey on 2020-10-27 01:49:42
Comments:
-
113. Name: Ann McLaughlin on 2020-10-27 01:53:00
Comments:
-
114. Name: Carrie Wilson on 2020-10-27 01:58:24
Comments: I also sent an email to John Tobia and he never responded. Maybe he will respond to this!
-
115. Name: Ro Richards on 2020-10-27 02:04:09
Comments:
-
116. Name: Maxine Aaron on 2020-10-27 02:06:46
Comments:
-
117. Name: Marybeth Sanville on 2020-10-27 02:09:24
Comments:
-
118. Name: Thomas Thayer on 2020-10-27 02:18:46
Comments:
-
119. Name: Lena McAnaney on 2020-10-27 02:19:06
Comments: Please help the turtles in Melbourne Beach. Short term residents usually don't know about the Turtles nest. There's a saying. I don't care because I don't live here.
-
120. Name: Deirdre Chelberg on 2020-10-27 02:23:53
Comments:
-
121. Name: Richard Sansone on 2020-10-27 02:25:03
Comments: This measure is a reckless intrusion to our fragile beach environment: attracting large groups of unsupervised tourists is a recipe for destruction of our dunes (watch the kiddies sled down the dunes from the parents' beach rentals on any weekend) and spread of Covid (our normally tranquil beaches now host super spreader parties). This is all sanctioned by our current commissioner John Tobia in the name of "free enterprise". Vote him OUT!
-
122. Name: Gail Routsong on 2020-10-27 02:42:40
Comments:
-
123. Name: Margaret Schneider on 2020-10-27 02:56:31
Comments:

-
124. Name: Linda Taylor on 2020-10-27 03:05:58
Comments: I strongly support this petition.
-
125. Name: Kristin DiDomenico on 2020-10-27 03:06:06
Comments:
-
126. Name: Mary jane Patterson on 2020-10-27 03:08:44
Comments:
-
127. Name: Gaby Dwyer on 2020-10-27 03:09:09
Comments:
-
128. Name: Gina Solow on 2020-10-27 03:09:14
Comments:
-
129. Name: Jay Solow on 2020-10-27 03:10:21
Comments:
-
130. Name: Madison Ridge on 2020-10-27 03:14:39
Comments:
-
131. Name: Mara Hixon on 2020-10-27 03:16:48
Comments: No!!!
-
132. Name: Karen Neuman on 2020-10-27 03:16:49
Comments:
-
133. Name: Lauren Martin on 2020-10-27 03:25:40
Comments:
-
134. Name: Krissy Lindbaek on 2020-10-27 03:25:44
Comments:
-
135. Name: Ann Price on 2020-10-27 03:26:53
Comments:
-
136. Name: Emily Mariano on 2020-10-27 03:52:09
Comments: Keep Floridana beautiful and clean! No short term rentals
-
137. Name: Patricia Shea on 2020-10-27 04:04:30
Comments: I feel that Airbnb rentals will lower property values and I am against them in

the South Beaches.

138. Name: Carrie Adragna on 2020-10-27 04:12:01
Comments:

139. Name: Kristen Cabrera on 2020-10-27 04:49:26
Comments: I already have two Airbnb motels as my immediate "neighbors" and it's been a mess for years already.

140. Name: Christina Earp on 2020-10-27 05:05:21
Comments:

141. Name: Lorie Robison on 2020-10-27 05:09:58
Comments:

142. Name: Dianne Pena on 2020-10-27 08:45:42
Comments: No to short term rentals
No to Airbnb and VRBO

143. Name: Karleigh on 2020-10-27 09:16:15
Comments: Please do not allow short term rentals destroy this area
Is this what you want as your legacy???

144. Name: Thomas Strigenz on 2020-10-27 09:34:59
Comments:

145. Name: Nancy Delloso on 2020-10-27 09:41:23
Comments:

146. Name: Christy Bergeron on 2020-10-27 09:53:33
Comments:

147. Name: Judith Tully on 2020-10-27 10:06:10
Comments:

148. Name: Karen Zavicar on 2020-10-27 10:07:31
Comments: Please no short term rentals here, they will lower our property values. Short term renters are loud, messy and just don't care about the people who live around where they are staying.

149. Name: Christine Barrington on 2020-10-27 10:25:52
Comments:

150. Name: Eileen Donlan on 2020-10-27 10:27:31
Comments: We don't want short term rentals here.
-
151. Name: Deborah Aftung on 2020-10-27 10:34:59
Comments:
-
152. Name: Maria Walker on 2020-10-27 10:38:31
Comments:
-
153. Name: Barbara Sandberg on 2020-10-27 10:41:03
Comments:
-
154. Name: Leanne Fisher on 2020-10-27 10:43:05
Comments:
-
155. Name: Laurie Guiser on 2020-10-27 10:57:56
Comments:
-
156. Name: Tracy on 2020-10-27 10:59:54
Comments:
-
157. Name: Flavia Wilson on 2020-10-27 11:06:40
Comments:
-
158. Name: Amy Sulpazo on 2020-10-27 11:08:10
Comments: Stop short term rentals. This is our home and have chosen this area for the peace and low crime.
-
159. Name: Rick VanSchoick on 2020-10-27 11:12:52
Comments: Don't allow short term rentals. This is our home and have chosen this area for the peace and low crime
-
160. Name: Kaisha on 2020-10-27 11:14:03
Comments:
-
161. Name: Dianne Gocek on 2020-10-27 11:17:14
Comments: Please do not do this and turn Mel Beach into NSB
-
162. Name: Elizabeth Morris on 2020-10-27 11:18:14
Comments:
-
163. Name: James McGrath on 2020-10-27 11:18:53

Comments:

164. Name: Sarah Kort on 2020-10-27 11:20:56
Comments:

165. Name: Kathleen Kunert on 2020-10-27 11:28:46
Comments:

166. Name: Vic Stacy on 2020-10-27 11:29:46
Comments:

167. Name: Joanne on 2020-10-27 11:36:31
Comments:

168. Name: William Farley on 2020-10-27 11:44:14
Comments:

169. Name: Daniel Gonzalez on 2020-10-27 11:45:36
Comments: Allowing big business to buy properties for short term rental will make housing unaffordable for locals. Home prices will skyrocket driving out first time home buyers and young families in place for short term visitors with no interest in preserving the area.

170. Name: Andrea Kamerman on 2020-10-27 11:46:11
Comments:

171. Name: Brian Fox on 2020-10-27 11:51:26
Comments: Current restrictions on short-term rentals must not be changed. In homes where owners disregard restrictions in place we have seen short term renters showing a great lack of respect to neighbors, with crowds in the homes and loud behavior late into the nights. Short term renting also keeps those properties off of the market to locals who need long term rentals.

172. Name: David Fahmie on 2020-10-27 12:09:30
Comments: Don't ease restrictions on short term rentals or allow AirBNB. Tobia isn't listening to his beachside constituents, so make sure he hears you loud and clear.

173. Name: Mark Shantzis on 2020-10-27 12:13:07
Comments: Thank you for taking action against Tobia's ridiculous proposal to destroy neighborhood zoning

174. Name: Mora on 2020-10-27 12:15:35
Comments:

-
175. Name: Leslie Martin on 2020-10-27 12:21:46
Comments:
-
176. Name: Sarah Mooney on 2020-10-27 12:22:06
Comments:
-
177. Name: William Ibinson on 2020-10-27 12:22:13
Comments: Keep short term rentals out!
-
178. Name: KellyAnn on 2020-10-27 12:25:55
Comments:
-
179. Name: Lloyd Dounn on 2020-10-27 12:25:57
Comments: Please do not change the current rules. Motels and hotels are for tourists, not our neighborhood.
-
180. Name: Marcia Ware on 2020-10-27 12:27:09
Comments: Keep our beaches beautiful
-
181. Name: Jean Tanguay on 2020-10-27 12:28:39
Comments:
-
182. Name: M Buban on 2020-10-27 12:35:49
Comments:
-
183. Name: Natalie Hussein on 2020-10-27 12:38:01
Comments:
-
184. Name: Carrie Abraham on 2020-10-27 12:39:16
Comments:
-
185. Name: Steve Cunningham on 2020-10-27 12:42:20
Comments:
-
186. Name: JUDITH GEANURACOS on 2020-10-27 12:49:09
Comments:
-
187. Name: Joan Garboski on 2020-10-27 13:00:06
Comments:
-
188. Name: Hailey Phelps on 2020-10-27 13:07:53

Comments: Keep our local paradise local.

189. Name: Carolina Luger on 2020-10-27 13:08:15
Comments: We are a community, we have the right to fight for it. To bring unknown renters will destroy what we have worked for which sense of community, safety of our children, maintaining our beaches clean, keeping our sand dunes in shape to avoid erosion, noise pollution and more. Nobody has the right to break our peace just for the selfish profit of some, who by the way don't leave here all year around. They do have second houses that they go back to and leave behind chaos in our neighborhood. I reject short time rentals

190. Name: P Gray on 2020-10-27 13:10:37
Comments:

191. Name: Natalie Reiss on 2020-10-27 13:11:44
Comments: Surely we have learned lessons from Dade and Broward county beach front rental communities, they're a disaster. We need to protect our beach front and it's wildlife ASAP or there will be nothing left for tourists to come see and do, fishing, bathing, nature tours etc. We purchased residential property and hope to keep it that way. Renters do not respect nor appreciate the uniqueness of this area, just take a walk on the beach and see for your self!! It's trashed!!!!

192. Name: Cheryl Hernandez on 2020-10-27 13:11:57
Comments: Do not change the wording in the zoning, we do not want the State to have control over our local neighborhoods.

193. Name: Analisa Guay on 2020-10-27 13:12:07
Comments:

194. Name: Cynthia Nielson on 2020-10-27 13:14:05
Comments: No air b n bs!

195. Name: Jeff Bush on 2020-10-27 13:16:46
Comments:

196. Name: Peter on 2020-10-27 13:18:14
Comments: Keep it classy Mel beach

197. Name: Sue Biener on 2020-10-27 13:20:35
Comments:

198. Name: Elizabeth Mathes on 2020-10-27 13:22:02
Comments:

199. Name: Norvetta Bartley on 2020-10-27 13:31:09
Comments:
-
200. Name: Donald Thomas on 2020-10-27 13:37:18
Comments: Vote no on nightly rentals and Air B&B in south Brevard
-
201. Name: Veronica Brown on 2020-10-27 13:42:33
Comments:
-
202. Name: Dawn Witherington on 2020-10-27 13:44:00
Comments:
-
203. Name: Melissa Bartley on 2020-10-27 13:49:41
Comments:
-
204. Name: Ashley Chelberg on 2020-10-27 13:51:51
Comments:
-
205. Name: Sharon Stewart on 2020-10-27 13:58:23
Comments:
-
206. Name: Mark Policano on 2020-10-27 14:02:12
Comments:
-
207. Name: Kristin Robbins on 2020-10-27 14:15:10
Comments:
-
208. Name: Maurice Houeix on 2020-10-27 14:21:01
Comments:
-
209. Name: Donald Moore on 2020-10-27 14:23:57
Comments: Do not allow Air B&Bs
-
210. Name: Clare Fogle on 2020-10-27 14:25:47
Comments:
-
211. Name: Christy Brinke on 2020-10-27 14:43:49
Comments:
-
212. Name: Drew Goldstein on 2020-10-27 14:45:24
Comments: NO
-

213. Name: Tracy Hannon on 2020-10-27 15:17:51
Comments:
-
214. Name: Carol Shehadeh on 2020-10-27 15:23:42
Comments: We need to keep nightly rentals completely out of residential areas.
-
215. Name: Rodgers Cox on 2020-10-27 15:25:04
Comments:
-
216. Name: Sharon Denton on 2020-10-27 15:39:05
Comments:
-
217. Name: Deborah Sands on 2020-10-27 15:48:29
Comments: I have personally experienced the disruption and noise intrusion as a result of short term rental across the canal from my home in Crystal Lakes and am adamant about keeping the current zoning laws in place.
-
218. Name: Ronald Coleman on 2020-10-27 16:11:48
Comments:
-
219. Name: Giuseppe Coucciello on 2020-10-27 16:12:11
Comments:
-
220. Name: Stephen Donaldson on 2020-10-27 16:14:40
Comments:
-
221. Name: Brooke Baker on 2020-10-27 16:31:13
Comments:
-
222. Name: Rob Finlayson on 2020-10-27 16:32:04
Comments:
-
223. Name: Kathleen Adams on 2020-10-27 16:39:17
Comments:
-
224. Name: Gwen Grundell on 2020-10-27 16:45:58
Comments: No short term rentals.
-
225. Name: Judy Barr Machorek on 2020-10-27 16:55:56
Comments:
-
226. Name: Helene Milbert on 2020-10-27 16:58:26

Comments: I've owned a VRBO in GA for over 11 years and we don't want an open rental policy in our quaint city. Maybe something with restrictions and length limits.

227. Name: Kathleen Wood on 2020-10-27 17:15:15
Comments:

228. Name: William Allison on 2020-10-27 17:18:14
Comments:

229. Name: Joanne F Fletcher on 2020-10-27 17:18:43
Comments:

230. Name: Brenda Corris on 2020-10-27 17:30:15
Comments:

231. Name: Denise Fiore on 2020-10-27 17:31:24
Comments:

232. Name: Joel T Petersen on 2020-10-27 17:32:46
Comments: No air B & B's!! Not good for neighborhoods nothin but trouble.

233. Name: Jim Hartley on 2020-10-27 17:50:52
Comments:

234. Name: henry gordon abele on 2020-10-27 18:03:48
Comments: We live in a special place right now. Part of that allure is the lack of commerce such as short term rentals. Short term rentals bring absolutely no positive value to the residents of this community! Stop actions to move forward with short term rentals!

235. Name: Kathleen and Peter Fleury on 2020-10-27 18:46:52
Comments:

236. Name: Deb white on 2020-10-27 18:47:02
Comments:

237. Name: Alice Robbins-Fox on 2020-10-27 18:54:57
Comments: No changes to current zoning laws. This is exactly why I did not vote for Tobia.

238. Name: Cynthia Alonzi on 2020-10-27 19:05:41
Comments: Leave the barrier island alone.

239. Name: Carol Delahanty on 2020-10-27 19:10:04
Comments:
-
240. Name: Andrew on 2020-10-27 19:10:14
Comments:
-
241. Name: Kathleen Conway on 2020-10-27 19:16:06
Comments:
-
242. Name: Jeannine Mjoseth on 2020-10-27 19:25:15
Comments:
-
243. Name: Sally Rohde on 2020-10-27 19:33:34
Comments:
-
244. Name: Lynn Gronosky on 2020-10-27 19:34:21
Comments:
-
245. Name: Gail Myers on 2020-10-27 19:40:09
Comments:
-
246. Name: George Muth Elizabeth Lyons on 2020-10-27 19:53:45
Comments: Please reconsider any zoning changes for our small community Florida Beach and many more just like it.
-
247. Name: Lora Walker on 2020-10-27 20:04:26
Comments: Please save our community and keep our commitment to our clean beaches and wildlife. The locals work too hard to have this happen.
-
248. Name: Julie Ennis on 2020-10-27 20:10:21
Comments:
-
249. Name: Todd Harrison on 2020-10-27 20:29:45
Comments: Please do not change the zoning for the South Beaches
-
250. Name: Ishbel Harrison on 2020-10-27 20:32:19
Comments: No more rentals please.
-
251. Name: Cynthia Stinson on 2020-10-27 20:36:11
Comments:
-
252. Name: Susan Della Rocca on 2020-10-27 20:54:53

Comments: Keep ur current zoning laws in place!!

-
253. Name: Janice Sims on 2020-10-27 21:02:49
Comments: No changes to our current zoning laws. No Airbnb, no nightly or weekly rentals.
-
254. Name: Jeffrey Gronosky on 2020-10-27 21:03:47
Comments:
-
255. Name: Peter Aydelotte on 2020-10-27 21:04:49
Comments:
-
256. Name: Michael Grimes on 2020-10-27 21:08:34
Comments:
-
257. Name: Lynette Corcoran on 2020-10-27 21:31:46
Comments:
-
258. Name: Erika Rogers on 2020-10-27 21:37:53
Comments: We do not want short term rentals . I have lived here for 45 years and I don't want just anyone renting next to my family home as transient lodging
-
259. Name: Debbie J on 2020-10-27 21:43:22
Comments: Please do not change zoning for South Beach area. My husband and I moved here to enjoy the small town feel/beach community. Short term rentals bring absolutely no positive value to the residents of this community! People from outside this area have no vested interest in keeping this area clean, the wildlife safe or crime free and noise free.
-
260. Name: Laura Shonkwiler on 2020-10-27 21:54:19
Comments:
-
261. Name: Ellen Ginevra on 2020-10-27 22:08:52
Comments:
-
262. Name: Dan Sorgenfrei on 2020-10-27 22:13:02
Comments: No to short term rentals. I live in Floridana Beach (32951). Short term renters don't give a crap about the neighborhood. I've personally had a firework land on my roof from a short term rental two doors away, witnessed with my children a short term renter publicly urinating at our private beach access on broad daylight and seen the photographs of the destruction of the dune in our neighborhood from short term renters complete disregard for our sensitive environmental area.
-
263. Name: Denise Roy on 2020-10-27 22:14:42

Comments:

264. Name: Diane Parks on 2020-10-27 22:55:35
Comments:

265. Name: Liz Nowacki on 2020-10-27 22:58:15
Comments:

266. Name: Madelyn Sorgenfrei on 2020-10-27 23:00:40
Comments:

267. Name: Holly Amidon on 2020-10-27 23:04:58
Comments:

268. Name: Wendell Mazelow on 2020-10-27 23:15:18
Comments: Further weakening the zoning laws and family values and continuity of our neighborhoods by allowing strangers to stay short term. No way ! Destructive policies intended to collect more taxes. NO

269. Name: Kristine Pearson on 2020-10-27 23:16:05
Comments:

270. Name: Karen Solomon on 2020-10-27 23:30:50
Comments:

271. Name: Pat Pedernana on 2020-10-27 23:41:36
Comments:

272. Name: Ellie Blair on 2020-10-27 23:57:05
Comments:

273. Name: Michael Peltier on 2020-10-28 00:00:14
Comments:

274. Name: Patricia J Halpin on 2020-10-28 00:24:50
Comments: This change would turn our community into a resort area and that's not what we are. I've witnessed daily and weekly out of state renters trash our beaches and really bother our Nesting turtles. It would be Tragic and cause disputes that our Sheriffs office or police couldn't handle. This is the definition of opening a can of worms! Bad idea.

275. Name: Janine McCusker on 2020-10-28 00:27:14
Comments:

276. Name: Claudia Rich on 2020-10-28 00:28:07
Comments:
-
277. Name: Carmen Martens on 2020-10-28 01:02:52
Comments:
-
278. Name: Bonnie Angy on 2020-10-28 01:04:19
Comments: Please do NOT ease the ruling on vacation rentals in the South Beaches!
-
279. Name: Joseph Angy on 2020-10-28 01:08:08
Comments:
-
280. Name: Violet Slanac on 2020-10-28 01:19:42
Comments:
-
281. Name: Patricia A Keller on 2020-10-28 01:26:29
Comments: Do short term rentals bring in more money through tourist taxes? A zoning change to allow this is an OUTRAGE. We must fight this!!!!
-
282. Name: james ogara on 2020-10-28 01:43:41
Comments:
-
283. Name: Priscilla Kalajian on 2020-10-28 02:28:33
Comments:
-
284. Name: Paul Geneczko on 2020-10-28 02:40:14
Comments:
-
285. Name: Laura Farrara on 2020-10-28 02:42:11
Comments:
-
286. Name: Nancy on 2020-10-28 03:00:30
Comments: Save our beaches
-
287. Name: Lynne Weiss on 2020-10-28 03:22:40
Comments:
-
288. Name: Sandra byrtus on 2020-10-28 03:45:38
Comments:
-
289. Name: Gus Miitti on 2020-10-28 08:08:39
Comments:

-
290. Name: Maria Hans on 2020-10-28 08:23:43
Comments:
-
291. Name: Catherine Leal on 2020-10-28 10:07:55
Comments: Our peaceful way of life and protection of our wonderful wild life depends on it.
-
292. Name: Beverly Mclean on 2020-10-28 10:25:59
Comments: Please save South Beaches of Brevard
-
293. Name: Patricia Peltier on 2020-10-28 11:14:27
Comments:
-
294. Name: Jojo Sauve on 2020-10-28 11:22:37
Comments:
-
295. Name: Sue Holbert on 2020-10-28 12:21:08
Comments: A neighborhood is made up of neighbors, not visitors. Let's keep our neighborhoods neighborly. I want to know my neighbors and not live amongst a string of people I don't know.
-
296. Name: Joan Robertson on 2020-10-28 13:18:53
Comments:
-
297. Name: Patricia A Hall on 2020-10-28 13:23:28
Comments:
-
298. Name: Pamela Boardman on 2020-10-28 13:27:44
Comments: If I wanted to live in a resort area I would have moved to one. The number of people who come down from wherever, are buying property, raping the land to bare soil, thus displacing valuable wildlife. Sometimes they don't even get the proper permits and go ahead and do it anyway!! They build houses, wait the appropriate amount of time (however long that is) And then they rent them out. We like our communities the way they are and welcome new RESIDENTS. I have noticed younger couples with small children actually moving back to our area in the last 2 or so years. This is good!!! These are neighborhoods, NOT resort areas! The new properties (Airbnb & VRBO) give the county tax money, but please remember that the South Beaches Are unique and we don't want or need Airbnb or VRBO other or any other private rental companies.
-
299. Name: Deborah Charnasky on 2020-10-28 13:29:53
Comments:
-
300. Name: Donna Olson on 2020-10-28 13:47:43

Comments: We have a beautiful and pristine natural environment in Marks Landing. Short term rentals would destroy the peaceful nature of our community.

301. Name: Faith Naftal on 2020-10-28 13:51:49
Comments:

302. Name: Robert j Pennington on 2020-10-28 14:19:52
Comments:

303. Name: James Hebert on 2020-10-28 15:10:14
Comments: Residential should remain residential.

304. Name: Mohamad A Hussein on 2020-10-28 15:50:05
Comments: With the increase number if renters around us, we are seeing a significant amount of beach littering.

305. Name: Sharon Kavanagh on 2020-10-28 16:00:44
Comments:

306. Name: Terri Klegerman on 2020-10-28 16:10:14
Comments:

307. Name: Jane Muller on 2020-10-28 16:11:26
Comments:

308. Name: JACK KLEGERMAN on 2020-10-28 16:16:34
Comments:

309. Name: Bill Myers on 2020-10-28 16:20:30
Comments: We do not want to allow short term rentals, AirB&Bs or VRBO in the south beaches.

310. Name: Dennis Denison on 2020-10-28 16:43:58
Comments:

311. Name: Nancy Carta on 2020-10-28 16:46:45
Comments:

312. Name: Janet McCormack on 2020-10-28 16:51:43
Comments:

313. Name: Billisaksen on 2020-10-28 16:59:24

Comments: You're right short term rentals don't work in this county. It's best to protect our beaches in our way of life.

314. Name: Susan Page on 2020-10-28 17:54:54
Comments: We live in a quiet, family oriented neighborhood where we all respect each others property, keep our beaches clean and protect the sea turtles. Short term rentals will bring increased traffic and crime, loud parties, and damage to our sand dunes and the sea turtle population.

315. Name: lynn blumbek on 2020-10-28 18:12:34
Comments:

316. Name: Jenn Jordan on 2020-10-28 18:24:04
Comments:

317. Name: Patricia Ellis on 2020-10-28 18:24:56
Comments:

318. Name: john higgins on 2020-10-28 18:53:01
Comments:

319. Name: Brett Maiwald on 2020-10-28 18:53:11
Comments: Do not want nightly rentals, it's a challenge with the snow birds all ready trying to find their way. We were attacked by a dog on A1A and when returning to the owners only to find out they were vacation people. There is probably AIRBNB and VRBO already, they sure seemed to be.

320. Name: Kelly K Adams on 2020-10-28 18:54:46
Comments:

321. Name: Sharif Hussein on 2020-10-28 19:11:44
Comments: With the increase number if renters around us, we are seeing a significant amount of beach littering.

322. Name: Debra wilson on 2020-10-28 19:14:55
Comments: No short term rentals in our residential neighborhoods please. We have families raising children here.

323. Name: Sharif Hussein on 2020-10-28 20:49:55
Comments: I have been finding much more garbage on the beach on my daily walks the last 2 months or so and was wondering why. This answers my question, we need to be more selective about whom is allowed to visit our pristine Florida beaches in order to keep them pristine. Not only that but how this is affecting wildlife especially in an endangered species habitat is beyond concerning.

-
324. Name: Callie McGinlay on 2020-10-28 21:03:28
Comments:
-
325. Name: Linda Lutz on 2020-10-28 21:10:42
Comments:
-
326. Name: Jeanette Donaldson on 2020-10-28 21:48:26
Comments:
-
327. Name: Leslie baird on 2020-10-28 21:51:55
Comments: No air Bnb!
-
328. Name: STEVE LASCOLA on 2020-10-28 22:00:40
Comments: I do not want short term rentals in my area such as nightly, weekends, weekly or monthly. I think there should be at least a 3-4 month minimum.
-
329. Name: William Beuparlant on 2020-10-28 22:00:48
Comments: Stop Airbnb and these short term weekend rentals. These are family owned residential neighborhoods. There has been an increase of thefts, vandalism, and trespassing among Unruly motorists and illegal parking on private property and our residential areas. Finding syringes, beer cans, and trash left behind on our private beaches is not going to be tolerated.
-
330. Name: James Tuohig on 2020-10-28 22:28:18
Comments:
-
331. Name: Becky Clarkson on 2020-10-28 23:17:40
Comments:
-
332. Name: B J Fulton on 2020-10-29 00:05:00
Comments: Nooooooo!! More rentals!!
-
333. Name: Noreen Williams on 2020-10-29 00:48:52
Comments: Please do not allow these. Do not turn this into a neighborhood where nobody lives here and everybody is a short term rental. That is what resort hotels/motels are for
-
334. Name: Austin Davis on 2020-10-29 01:05:53
Comments:
-
335. Name: Nancy Sayre on 2020-10-29 01:07:54
Comments: Melbourne Beach is special because it is unspoiled by spring breakers and

weekend partiers. People who live here respect nature and the beauty of the place.

336. Name: Lisa Burlinson on 2020-10-29 01:49:46
Comments:

337. Name: Ken Burlinson on 2020-10-29 01:50:48
Comments:

338. Name: Kathy Kodl on 2020-10-29 02:14:15
Comments: I am appalled our county commissioners would think this is a good thing.
Make your views known before I vote.

339. Name: Jamie Brown on 2020-10-29 07:00:30
Comments:

340. Name: John wrieden on 2020-10-29 08:35:55
Comments:

341. Name: Bill Seplow on 2020-10-29 09:38:14
Comments: Our beaches and beachside neighborhoods are a unique gem that need to
be protected and respected

342. Name: Sheryl on 2020-10-29 11:16:20
Comments:

343. Name: Linda McGovern on 2020-10-29 11:46:21
Comments: No to short term rentals!

344. Name: State Rep Randy Fine on 2020-10-29 11:58:15
Comments:

345. Name: Sonja Zander on 2020-10-29 11:58:51
Comments:

346. Name: Tracy Heins on 2020-10-29 12:35:57
Comments:

347. Name: Kathleen Ross on 2020-10-29 12:49:16
Comments:

348. Name: Donna Shepherd on 2020-10-29 13:06:22
Comments:

-
349. Name: Carolyn Pangborn on 2020-10-29 13:31:36
Comments: My husband and I are against short term rentals. We've experienced first hand damage from renters when we tried being long distant landlords with wonderful management. They were disrespectful to adjoining properties and damaged grounds as well as interior of our home. In a fragile turtle nesting ecosystem like Melbourne beach allowing short term rentals other than hotels is a terrible plan and we are fully opposed to it. Not only are we against this for the ecosystem but we don't want our property values lowered with a bunch of rentals around us.
-
350. Name: Margaret Clifford on 2020-10-29 13:35:03
Comments:
-
351. Name: Douglas M Taylor on 2020-10-29 13:46:25
Comments:
-
352. Name: Stephanie Eastman on 2020-10-29 13:48:53
Comments:
-
353. Name: Linda Seapath on 2020-10-29 14:02:12
Comments: No short term rentals!
-
354. Name: Linda Craig on 2020-10-29 14:32:39
Comments:
-
355. Name: Jim Belcher on 2020-10-29 14:36:10
Comments: This would be really sad and we (as a community in South Beaches), dont want this. Its already bad enough with lack of services, no street lights, absentee policing, etc.
-
356. Name: Michael Little on 2020-10-29 14:37:35
Comments:
-
357. Name: Raymond Fash on 2020-10-29 15:35:53
Comments:
-
358. Name: Jim Cronin on 2020-10-29 15:38:15
Comments: How can short term rentals be allowed in a national wildlife refuge? Please protect the turtles and the south beaches.
-
359. Name: Diana Cronin on 2020-10-29 15:40:18
Comments:
-

360. Name: Eric Lowd on 2020-10-29 16:44:18
Comments: Long term renters or nothing
-
361. Name: Jody lowd on 2020-10-29 16:45:35
Comments: No Airbnb or Vrbo etc
-
362. Name: diane mellon on 2020-10-29 17:41:43
Comments: The residents of the South Beaches care for and respect this special environment. Let's keep it that way. No Air BnB
-
363. Name: Will Brannon on 2020-10-29 17:51:24
Comments:
-
364. Name: Raymond Farrara on 2020-10-29 17:52:47
Comments:
-
365. Name: Matthew Fagan on 2020-10-29 18:29:30
Comments:
-
366. Name: LS on 2020-10-29 18:35:18
Comments:
-
367. Name: Teresa Warren on 2020-10-29 19:50:18
Comments: Allowing this to happen for such a small portion of the population you serve is a travesty. While you think you are reducing government regulations - you are actually increasing government interference with our right to quiet enjoyment that we purchased.
-
368. Name: Kenneth C Warren on 2020-10-29 20:14:39
Comments:
-
369. Name: James Frattarola on 2020-10-29 20:50:14
Comments:
-
370. Name: Meehan Janet on 2020-10-29 21:19:32
Comments:
-
371. Name: Jeanne Misleh-Probst on 2020-10-29 23:05:58
Comments:
-
372. Name: Rosemary Allen-Smith on 2020-10-29 23:41:58
Comments:
-

373. Name: Lisa H Anderson on 2020-10-30 00:12:28
Comments: Short term rental would disrupt the very close and unique community atmosphere and sensitive environmental habitats that we love. Please do not let money rule over the needs of this very unique community. Vote No to Short Term Rentals.
-
374. Name: Richard Fritz on 2020-10-30 02:16:38
Comments:
-
375. Name: Deborah Fritz on 2020-10-30 02:19:38
Comments:
-
376. Name: Robert Braun on 2020-10-30 13:14:52
Comments: Things will only get archaic if the abb zoning expansion is not stopped
-
377. Name: Gary and Kathleen Weidenmoyer on 2020-10-30 14:30:12
Comments:
-
378. Name: Patricia Biagi on 2020-10-30 14:48:45
Comments:
-
379. Name: Faith Mars on 2020-10-30 15:04:41
Comments:
-
380. Name: Alysia Smith on 2020-10-30 15:26:46
Comments:
-
381. Name: Joy Waters on 2020-10-30 15:41:20
Comments:
-
382. Name: Stanley Heinricher on 2020-10-30 16:56:40
Comments: Short-term rentals are bad for quality of life.
-
383. Name: Debra Yannotti on 2020-10-30 20:47:27
Comments:
-
384. Name: James McCullough on 2020-10-30 22:18:47
Comments: Love Melbourne south braces because it is not overdeveloped
-
385. Name: Louise Cusa on 2020-10-30 22:51:49
Comments:
-
386. Name: Richard Hohenberger on 2020-10-31 13:39:52

Comments:

-
387. Name: Janet Richardson on 2020-10-31 14:12:26
Comments:
-
388. Name: Robert D Heins on 2020-10-31 14:40:11
Comments:
-
389. Name: Jerry L Giacomino on 2020-10-31 15:10:40
Comments:
-
390. Name: Margaret McHenry on 2020-10-31 15:38:01
Comments:
-
391. Name: James Winter on 2020-10-31 19:23:23
Comments:
-
392. Name: Tina Scarisbrick on 2020-10-31 20:10:40
Comments:
-
393. Name: Robert Kahaly on 2020-10-31 20:48:04
Comments:
-
394. Name: RONALD COBB on 2020-10-31 21:27:38
Comments: Please enforce zoning restrictions that will prevent short-term or nightly property rentals in South Melbourne Beach.
-
395. Name: Becca on 2020-11-01 18:33:03
Comments: Please don't let AirBnB ruin our barrier island like it has in so many other areas of Florida.
-
396. Name: Bonnie Pechulis on 2020-11-01 19:44:38
Comments:
-
397. Name: Roland Pechulis on 2020-11-01 19:45:37
Comments:
-
398. Name: Ann Sepri on 2020-11-01 21:23:53
Comments:
-
399. Name: Ron Lewis on 2020-11-01 21:28:44
Comments: Short term rentals will ruin the atmosphere of south Melbourne Beach

-
400. Name: Julie Fleming on 2020-11-02 00:23:23
Comments: Please help keep Melbourne Beach safe for our children and families who live here.
-
401. Name: marsha Fisher on 2020-11-02 14:22:38
Comments:
-
402. Name: Jacqueline Buck on 2020-11-02 14:36:34
Comments:
-
403. Name: Teresita Aborlleile on 2020-11-02 14:51:12
Comments:
-
404. Name: Joanne on 2020-11-02 15:06:43
Comments:
-
405. Name: Franklin L Smith on 2020-11-02 17:07:34
Comments: I do not want Airbnb in our community
-
406. Name: Joseph Haniff on 2020-11-02 17:19:40
Comments:
-
407. Name: Christine king on 2020-11-02 17:43:33
Comments: We don't need air bnbs. Here. Our communities are congested enough with all building going on. The is not Daytona.
-
408. Name: Carol Fonda on 2020-11-02 19:20:16
Comments: I am already surrounded by rental units in a community of only 8 homes. Please Please Please n more. Even owners doing this on a weekly basis are inconsiderate and not attentive to things like garbage disposal and parking privileges. I have actually had renters park in front of my garage door blocking me from leaving when I had an emergency. NO MORE PLEASE!
-
409. Name: Colin Strigenz on 2020-11-03 01:42:53
Comments:
-

Save South Melbourne Beach, South Beaches & Unincorporated Brevard County from Airbnb

409 signers [Add your name now!](#)

Melbourne Beach Residents 130 Comments



As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term or nightly rentals through private rental companies and services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners know how much we value our South Melbourne Beach, South Beaches and unincorporated Brevard County communities, neighborhoods, beaches and wildlife. We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our beautiful natural environment.

This signed petition will be submitted to our Brevard County Commissioners.

A NOTE ABOUT DONATIONS: This petition was set up by local residents who want to collect signatures to send to our Brevard County Commissioners. We are NOT ASKING FOR MONEY on this site. If you are asked to donate, the money will support the ipetitions free platform - which we chose because it is non-partisan and free to use. If you want to help stop the zoning change, we recommend following our efforts on Facebook for updates on how to get involved or calling and emailing our Commissioners. You can also take a quick survey if you want to send additional feedback or anonymous feedback to our Commissioners:

- [Call and Email All 5 Commissioners! They each get a vote!](#)
- [Follow Our Facebook Page](#)
- [Join Our Facebook Group](#)
- [Take a Short Survey to Provide More Feedback to Our Commissioners](#)

Share for Success

COMMENTS

- Carol Fonda**
I am already surrounded by rental units in a community of only 8 homes. Please Please Please n more. Even owners doing this on a weekly basis are inconsiderate and not attentive to things like garbage disposal and parking privileges. I have actually had renters park in front of my garage door blocking me from leaving when I had an emergency. NO MORE PLEASE!
- Christine king**
We don't need air bnbs. Here. Our communities are congested enough with all building going on. The is not Daytona
- Franklin L Smith**
I do not want Airbnb in our community
- Anonymous**
Please help keep Melbourne Beach safe for our children and families who live here
- Ron Lewis**
Short term rentals will ruin the atmosphere of south Melbourne Beach
- Becca**
Please don't let AirBnB ruin our barrier island like it has in so many other areas of Florida
- RONALD COBB**
Please enforce zoning restrictions that will prevent short-term or nightly property rentals in South Melbourne Beach.
- James McCullough**
Love Melbourne south braces because it is not overdeveloped
- Stanley Heinricher**
Short-term rentals are bad for quality of life
- Robert Braun**
Things will only get archaic if the abb zoning expansion is not stopped

COMMENTS

SIGN THIS PETITION

109 signers [Almost there!](#) [Add your voice!](#)



Melbourne Beach Residents

[Not Melbourne Beach? Click here to logout](#)

Visit [your dashboard](#) to track your petitions and other activities.

1 Petition

109 Signers

- [Manage my profile](#)
- [View my petitions](#)

5/25/2010

Colin Strigens Carol Fonda Christine King Joseph Haniff Franklin L. Smith Joanne
Jacqueline Buck Marsha Fisher Ron Lewis Ann Segri

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I am going to speak about the Administrative Policies of the Future Land use Element which establishes the expertise of staff with regard to ZONING land use issues and the set forth criteria used when considering a RE-ZONING action or a request for a CUP (Conditional Use Permit).

Please - before you stop me by saying that it is not relevant to the proposed zoning changes –

I propose that a zoning change is exactly what is being done to more than 200,000 of your residents.

Administrative Policy 2-D the worst case adverse impacts of potential uses shall be evaluated.

Administrative Policy 3 states AT A MINIMUM to consider–

A. will the proposed use(s) have hours of operation, lighting, odor, noise levels, traffic, or site activity that would SIGNIFICANTLY DIMINIS the enjoyment of, safety or Quality of life in EXISTING NEIGHBORHOODS

B. Will proposed use(s) cause a material reduction in values?

C. Are the proposed uses consistent with an emerging or existing pattern of SURROUNDING DEVELOPMENT – historical land use patterns, actual development over the past 3 years, development approved in the past 3 years but not built.

ADMINISTRATIVE POLICY # 4 – Character of the neighborhood area shall be a factor of consideration WHENEVER a rezoning or application involving a SPECIFIC PROPOSED USE. The character of the are must materially or adversely affect by the proposed use.

A - Must not materially and adversely impact an established residential neighborhood by introducing traffic, volume, activity, type of vehicles, parking trip generation, commercial activity within the neighborhood.

ADMINISTRATIVE POLICY # 5 – IN ADDITION TO Policies 2, 3, and 4,

A – Whether adopted levels of services will be compromised. (roads, traffic, types of traffic, safety or welfare of the residents in existing neighborhoods.

ADMINISTRATIVE POLICY # 6 – APPROVAL MUST BE CONSISTENT WITH All written land development policies , the future land use element AND COASTAL MANAGEMENT ELEMENT, CONSERVATION ELEMENT, POTABLE WATER ELEMENT, SANITARY SEWER (SEPTIC) / SOLID WASTE and so on.

ADMINISTRATIVE POLICY # 7 – IMPACT ON NATURAL WETLANDS, WATER BODIES, OR HABITAT FOR LISTED SPECIES (TURTLES, FISH, BIRDS, THE LAGOON). *WE HAVE SEEN VACATIONERS THROWING EMPTY BEER CANS & BOTTLES IN THE RIVER, SLIDING DOWN THE DUNES, LEAVING TRASH ON THE BEACH.*

ADMINISTRATIVE POLICY # 8 – THE P & Z BOARD SHALL RECOMMEND TO THE COMMISSIONERS BASED UPON CONSIDERATION OF THE FOLLOWING FACTORS:

- 1) The character of the land use of the property surrounding the property being considered
- 2) The change in conditions of the land use and the surround properties
- 3) The impact on available and projected traffic, water, sewer and other public facilities (beach parks)
- 4) COMPATIBILITY with existing land uses
- 5) Appropriateness – based upon public health, safety and welfare.

Second, I am going to address the Agenda Report J.8. Dated 2/11/2020.

This report suggests Indeterminate & potential positive impact –

I think a lack of judgement has been made here with regards to the inability to determine the impacts, and the potential positive impact (which is most likely additional tourist tax income).

If you refer to the Excerpts from the Florida League of Cities Legislative Issues 2020 – included in today’s meeting package - where in fact the Legislature passed a law in 2014 to allow LOCAL GOVERNMENTS to adopt ordinances specific to the rentals so they can address some of the NEGATIVE IMPACTS created by the proliferation of these rentals in residential neighborhoods. Such as noise, parking, trash and life-safety issues.

Second a quick point is that Hotels will likely experience loss of business – so ultimately you may be taking away from that revenue source which is easy for you to know what revenue stream should be submitted, Air B N B and Vacation rental owners are VERY COMPETITIVE and individual owners are looking for ways to compete and one of them is not charging or paying the taxes. MONITORING THIS IS GOING TO REQUIRE ADDITIONAL STAFF AT THE TAX COLLECTORS OFFICE. I HAVE PERSONALLY BEEN AUDITED WITH MY REAL ESTATE COMPANY AND IT IS TIME CONSUMING FOR BOTH.

Summary States – VACATION RENTALS is a LAWFUL use of property that is being restricted through opaqueness of the law and it's application

- 1) This statement is highly arguable – Raising pigs and goats is a lawful under this broad statement, SO WE MUST NOW ALL THIS TO ALL AS WELL.
- 2) – IT IS NOT LAWFUL if it is not a permitted use our zoning classification. People who purchase properties are responsible to purchase in classifications that LAWFULLY PERMIT the types of uses they desire – raising pigs, chickens, goats, cows or Vacation rentals. People are also responsible to purchase in zoning classifications that DO NOT LAWFULLY PERMIT certain activities such as the above mentioned.

Respectfully submitted,
Tracy (Teresa) Warren
Lifetime Brevard County Resident
7865 Winona Rd, Melbourne Beach, FL

321-863-3072
Tracywarren1@gmail.com

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: FW: Support BIPPA to ban B& B in residential neighborhoods
Date: Wednesday, November 18, 2020 3:59:23 PM

From: Jon Devereaux <jondev99@gmail.com>
Sent: Wednesday, November 18, 2020 3:36 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Fwd: FW: Support BIPPA to ban B& B in residential neighborhoods

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

Support BIPPA to ban B & B in residential neighborhoods

Hi Rita, Bryan, John, Curt, Kristine, Frank and Eden Bentley, Esq.

My name is Jon Devereaux and I live in Diana Shores in Merritt Island. I fully support BIPPA position to oppose B & B in our neighborhoods.

We are opposed to ANY changes in the current zoning that would allow daily rentals. We want **NO CHANGES** to the existing 2006 exemptions. **NONE.** Here are just some of the reasons why:

1. I live down the street from an illegal B & B now. There are as many as a dozen people staying there on the weekends with as many as eight cars blocking the street (only room for four vehicles in the driveway), and that does not allow access for emergency vehicles.
2. There is partying until 2-3 o'clock am with loud music and noise which makes it impossible to sleep.
3. We do not know what/who the people are or their background. There are children that walk past this house, and with Strangers and Transients in the house and constant turn-over of new folks every few days, it puts the neighborhood children at risk of being in danger.
4. It will lower our property values, and then the appraised values should be lowered which will in-turn reduce our property taxes, which would mean less money for the County to operate on.
5. It will result in Higher Taxes caused by changing our residential zoning to allow commercial hotel and daily vacation rental resort-type properties.
6. It will require the Sheriff's department to hire more law enforcement personnel to answer all the complaints that will surely follow. Will this require property tax increases to cover the cost?

7. We did not move into our neighborhoods to have all the noise and disruptions, strangers and transients, and we want to keep our neighborhoods safe.

8. I live in Brevard County and pay taxes on the property I own, and I do not want B&B's that will lower my property value and make the neighborhoods less safe.

I hope you will consider this when you cast your vote. We are opposed to ANY changes in the current zoning that would allow daily rentals.

Thank you very much for taking time out from your busy schedule to read this.

Sincerely,
Jon L. Devereaux

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: A petition signature in opposition to Brevard County Vacation Rental rezoning
Date: Wednesday, November 18, 2020 3:58:19 PM

From: Candy Absher <cabsher3@cfl.rr.com>
Sent: Wednesday, November 18, 2020 3:47 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: A petition signature in opposition to Brevard County Vacation Rental rezoning

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

Greetings Brevard County Commissioners, County Manager and Attorney:

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term Vacation Rentals throughout our county.

We do not want our quiet residential neighborhoods to be converted to daily or hourly rentals through corporate rental companies, or services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners, County Manager and County Attorney know how much we value our unincorporated Brevard County communities.

We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment.

-- Candy Absher
cabsher3@cfl.rr.com
32951

This petition was signed at NoDailyRentals.com, operated by the Barrier Island Preservation and Protection Association, Inc. (BIPPA).

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Please Do NOT Change Existing Zoning to Allow for Daily Rentals
Date: Thursday, November 19, 2020 8:29:49 AM

From: Ginny <gmagda@gmail.com>
Sent: Thursday, November 19, 2020 4:00 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Please Do NOT Change Existing Zoning to Allow for Daily Rentals

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

I am writing to express my strong opposition to ANY changes to the existing zoning of Melbourne Beach that would allow for daily rentals. I hope you will do what is right and stand up to the money and developers who are pushing this change.

I have lived in or had strong family connections to Melbourne Beach for the last 40 years. I remember when the bike path was paved on A1A and when you had to cross the bridge to get to a large supermarket. While there have been many changes over this time, I still see Melbourne Beach as a true hidden gem. Where else can you visit a beach and be the only person on it? Our preserves and undeveloped areas allow us to enjoy peace and wildlife.

I understand tourist dollars are important to the area and the state of Florida as a whole. There are already many hotels / motels and resort options for those who appreciate a slower paced vacation. These tend to attract visitors for a week or more and longer term rentals through private homes are already allowed. I'm sure you have already been inundated with stories of weekend visitors who play on the dunes, leave trash on the beach, and otherwise disrespect the natural area and their neighbors. Rezoning will further open the door for these sorts of activities.

Again, I beg you all to please talk to local residents and stand strongly against any zoning changes to Melbourne Beach and surrounding communities. Please preserve our area for further generations and don't let it become another Florida party destination. Would you want to live in a neighborhood of investment properties with rotating parties and transient partiers? The more properties of the type move in, the more long term residents will move out, leading to greater crime and degradation of the area.

Thank you for your time and **please strongly oppose any changes to zoning to allow daily rentals.**

Sincerely,

Virginia Daut

221 Ivory Dr Melbourne Beach

708-341-3822

From: [Bentley, Eden](#)
To: [Jones, Jennifer](#)
Subject: FW: Vacation Rental Rezoning Unincorporated Brevard
Date: Thursday, November 19, 2020 8:30:26 AM

-----Original Message-----

From: CAROL DELAHANTY <cad5016@aol.com>
Sent: Wednesday, November 18, 2020 7:58 PM
To: Bentley, Eden <Eden.Bentley@brevardfl.gov>
Subject: Vacation Rental Rezoning Unincorporated Brevard

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

Eden,

>>

>> I am vehemently against vacation rental rezoning!

>>

>> Carol A Delahanty

>> 3221 Beach View Way

>> Melbourne Beach, FL. 32951

>> 321-543-5822

>> Sent from my iPhone

From: [Aaron Adams](#)
To: [Jones, Jennifer](#)
Cc: [Calkins, Tad](#)
Subject: Information for November 23 Local Planning Agency meeting
Date: Thursday, November 19, 2020 11:53:26 AM
Attachments: [Nodailyrentals-info-packet-cover.pdf](#)
[BIPPA-example-letters-10001.pdf](#)
[BIPPA-petition-2.pdf](#)
[ipetitions 409 signatures 11-03-20.pdf](#)
[NDR Petition 130 signatures 11-19-20.pdf](#)
[Survey 362 responses 11-19-20.pdf](#)

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

Dear Ms. Jones,

Attached please find X pdf files that contain information that I submit for inclusion in the meeting materials for the November 23, 2020, Local Planning Agency meeting. These materials are applicable to the proposed zoning change that would allow daily rentals in much of Brevard County. Although county commissioners have been receiving emails and letters from constituents, I think it is important that the members of the LPA are aware of the community opposition to this proposal.

I submit these comments on behalf of neighbors involved in the opposition to daily rentals.

Files attached contain:

- a cover letter providing relevant information, including important links
- petitions against daily vacation rentals
- example letters against vacation rentals
- links to horror stories from neighbors of vacation rental properties
- links to industry-promoted party vacation rentals

I apologize for the large file size of petition 2 and example letters, but this is a scan of printed pages and I wanted sufficient resolution.

Thank you for your time. Please let me know if you have any questions.

Aaron Adams
190 Ibis Drive
Melbourne Beach, FL 32951
flatsdoctor@att.net

TO: Jennifer Jones (Jennifer.Jones@brevardfl.gov)
cc: Tad Caulkins (Tad.calkins@brevardfl.gov)
FROM: Aaron Adams, Melbourne Shores
SUBJECT: Opposition to proposed rule change to allow daily vacation rentals for
Local Planning Agency
DATE: November 19, 2020

Enclosed please find materials I submit for inclusion in the meeting materials for the November 23, 2020 meeting of the Local Planning Agency at which proposed changes in zoning laws that would allow daily vacation rentals will be discussed. I think it is important that the members of the LPA are aware of the community opposition to this proposal.

Included in this packet:

- petitions against daily vacation rentals
- example letters against vacation rentals
- links to horror stories from neighbors of vacation rental properties
- links to industry-promoted party vacation rentals

Stats on efforts against proposed change in regulations that would allow daily vacation rentals:

- 409 signatures from the original online petition on BIPPAFL.org (10/25 - 11/02/2020)
- 130 signatures from the new NoDailyRentals.com, just launched on 11/15/2020
- 403 survey responses, of which 362 people said they do not want short-term vacation rentals in their neighborhoods (10/25 - 11/18/2020)

Facebook:

Please visit the NoDailyRentals Facebook page for a sampling of letters of opposition to daily rentals as well as some personal accounts from neighbors of problems with vacation rental properties. <https://www.facebook.com/NoDailyRentals/>

- Reached over 4,300 people in just a few weeks
- Over 300 people following across page/group
- All organic traffic, no paid ads

A sampling of easy-to-find examples of vacation rental horror stories for the neighbors of rental properties:

<https://www.clickorlando.com/news/local/2020/07/20/another-weekend-of-party-goers-in-osceola-county-leads-to-several-arrests/>

https://www.local10.com/news/local/2020/11/17/detectives-investigate-2-deaths-at-kendall-home/?fbclid=IwAR1ZBu15vqye_GYiKliJnikl8nPeq0LgkzPSqnKo6bSLmrVXIG2_fOE0k6A

https://www.kpbs.org/news/2020/sep/22/they-come-party-vacation-rentals-cause-problems-do/?fbclid=IwAR2N5VRA1q1X7f79tWDeckSQZDqyqOB_WIRJIDsOlRGiq-qKDCx9F0FUKIE

https://www.coastalbreezenews.com/articles/issues-with-short-term-rental/?fbclid=IwAR1N0hvAq4YwZ0gQhnz6iPN_fknm7QYwSW3qWHnoHNUK8rlb5wQcOYoVbUw

https://www.8newsnow.com/news/local-news/police-man-killed-during-house-party-at-short-term-rental/?fbclid=IwAR1ZBu15vqye_GYIKliJnikl8nPeq0LgkzPSqnKo6bSLmrVXIG2_fOE0k6A

https://www.azfamily.com/news/investigations/cbs_5_investigates/some-phoenix-area-homeowners-say-short-term-rentals-wreaking-havoc-on-their-neighborhoods/article_7e3d17c6-5912-11ea-8f40-57069787b6ff.html?fbclid=IwAR0icev1atuYhWiK2Fr1Ja-X_WZSeMeNXabCRVLF4KRGsab6yCmuVGDA-vg

<https://www.clickorlando.com/news/local/2020/08/10/dozens-arrested-16-guns-confiscated-during-house-party-busts-in-osceola/>

<https://www.orlandosentinel.com/news/crime/os-ne-osceola-county-house-party-shooting-20200414-lbhdjwnzifdcvdq3cgeed4iuyq-story.html>

<https://www.nytimes.com/2020/07/06/us/coronavirus-florida-miami.html>

<https://www.bloomberg.com/news/articles/2019-11-02/airbnb-to-ban-party-houses-after-halloween-shooting-ceo-says>

A sampling of easy-to-find vacation rental industry promotion of party house vacation rentals:

<https://www.vrbo.com/vacation-ideas/travel-guides/families/family-reunions-and-groups/event-houses-to-rent>

<https://www.home-to-go.ca/inspiration/party-house/>

<https://trip101.com/article/party-house-to-rent-for-one-night-in-and-around-orlando>

<https://trip101.com/article/party-house-to-rent-for-one-night-in-and-around-san-diego>

An example of letters sent to Commissioners and posted on the No Daily Rentals Facebook page:

I live in Melbourne Beach. I am opposed to changing our existing zoning to allow for daily rentals. I am opposed to ANY changes in the current 2006 exemption. NO CHANGES.

I do not want my residential zoning to essentially be turned into commercial hotel zoning. When I moved here 25 years ago every home in our neighborhood was owner occupied. Now in a 5 street neighborhood there are at least 5 VRBO/AIRBNB rentals on each street. This is disturbing. This has created a revolving door of strangers to use our beach and river parks, all night parties, overt disregard for the environment with trash and dune destruction.

Current zoning laws on the prohibition of short term rentals are not even being enforced now, these laws need to be enforced. And the zoning laws should not be changed.

WE ARE NOT ZONED FOR HOTELS. The proposed zoning change goes against The Comprehensive Land Use Plan for our precious barrier island environment. My entire neighborhood is up in arms about this issue. No one wants a hotel in the house next door.

PLEASE VOTE TO OPPOSE ANY CHANGES TO OUR RESIDENTIAL ZONING.

I DO NOT WANT DAILY RENTALS IN MY NEIGHBORHOOD.

As owners in the South Shores Community of Melbourne Beach, we want to Save Brevard County including all of our unincorporated areas from Airbnb, daily/weekly rentals and new vacation rental zoning. We originally bought into this area as it was a residential community. If we had wanted to live in an area that would be operated essentially as a "hotel" we would have purchased a home elsewhere.

NOISE: Extreme noise and overzealous partying have a negative impact on the community and those who are actually living in the community. The only recourse for the residents is to report issues to the sheriff's office for them to intervene. Unfortunately despite the Sheriff's best efforts they cannot provide 24/7 monitoring if short term renters get out of hand.

TRAFFIC: There will certainly be increased traffic and parking issues.

COMMUNITY AND BEACH RULES: Given the nature of short term rentals/renters it becomes very difficult to ensure that the tenants will know and follow community rules and county rules for beach use. The beach use can not only effect marine life (given we are within the Archie Carr National Wildlife Refuge) but also can impact the noise and quality of life for those who own property directly on the beach. This has already been an issue in other parts of Florida. Very difficult to have compliance given folks do not have some vested interest in the community.

SAFETY: Vacation rental companies cannot adequately monitor background and integrity of their renters. This can lead to increased crime, destruction of property and leaves opportunity for sexual predators within the community.

Allowing short term rentals may be profitable for that one property but it comes at a huge cost to the community.

A **STRONG REMINDER** that the short term renters will come and go but the community based homeowners will be the ones paying taxes and voting for our local elected officials.

Karl and Debra Holub
209 Oceanway Drive,
Melbourne Beach, FL

Hi Dave & Mary,

Thank you for your email. Please include me in the petition as I am against short-term rentals in Brevard county.

Best regards,

Don

Don Drum
5535 Cord Grass Lane
Melbourne Beach Fla 32951

I, Catherine Tucker, and my husband Gene Tucker object to a change in laws to allow short term rentals. Our address in Florida is 5547 Cord Grass Lane, Melbourne Beach 32951. When we bought the area was relatively quiet. We could cross A1A to get to the ocean easily. Now we wait and wait for a break in traffic to make the dash. And a dear friend was hit and killed by a vehicle when trying to do so. The charm of the area is and has been that it's relatively unknown. We know our neighbors and even are familiar with people in adjoining gated communities. By allowing daily rentals, we'll lose that sense of community we all hold dear.

Thanks for your attention to this matter. Catherine tucker

Sent from AOL Mobile Mail

Get the new AOL app: mail.mobile.aol.com

On Saturday, November 14, 2020, David Vreeland <david.vreeland00@gmail.com> wrote:

Hi Katie, my best to Gene. Firstly, I'm not confident that our HOA rules wouldn't be superseded by county law.

Secondly, even if we in South Shores are insulated, all around us we'd have more traffic, more noise, and more people treating this area like a resort. Also, we have information suggesting that this is just the first salvo. Once they have short term rentals in place they want to put in a new bridge across the river and buy up all available land to convert to hotels, condos, and commercial crap. Not why any of us bought here.

What you and Gene can do is send me an email stating your objection to opening up the county to short term rentals. Include your address here, and I'll add them to the petition we and others have been circulating.

Dave

On Nov 14, 2020, at 6:07 PM, rotonme@aol.com wrote:

Wouldn't our community be protected from this new law the commissioners are trying to pass since we are a gated community with our own bylaws? In any case, I wouldn't agree with a change to our codes to allow daily or hourly rentals. What else can we do to help out with this as we are currently at our permanent residence in Ohio?

Sent from AOL Mobile Mail

Get the new AOL app: mail.mobile.aol.com

On Saturday, November 14, 2020, David Vreeland <david.vreeland00@gmail.com> wrote:

>
>
> <https://www.nodailyrentals.com/what-is-happening/>
>
>
>

I am submitting this email in lieu of signing a petition against any change that would allow short term or vacation rentals in Melbourne Beach.

I have invested in a safe, quiet, gated neighborhood with amenities to be shared by its owners only. In no way should that achievement be disrupted by constant temporary occupants that would take away our benefits & ruin the established tranquility & our way of life.

There are many places available for investors to purchase property for monetary purposes. We chose to invest in this community to live here.

Thank you for your consideration.

Barbara Steinberg
220 Salt Grass Pl
Melbourne Beach, FL 32951

Pat and Steve Fawcett, 5552 Beach Elder Way, Melbourne Beach 03053

To whom it may concern,

Our past experience with daily or weekly rentals has not been positive. Short term renters ,many times, do not respect the rental property or the rights of the adjacent full time neighbors.

Our South Shore community has many full time and seasonal owners. Please protect our property interest by rejecting daily or weekly rentals in unincorporated Melbourne Beach.

Sincerely,

Pat and Steve Fawcett

Sent from my iPhone

Please provide this email regarding the proposed amendments to rentals in Brevard County.

We are not in support of daily rentals in South Shores. It leads to deterioration of the neighborhood and not knowing who is renting from day to day opens up the neighborhood to the possibility of crime. People who live there full time are proud of the neighborhood they live in and don't want to see strangers coming in taking over the amenities and not caring about the community, causing destruction of it. That is why there are hotels - for short term rentals.

Sincerely,
Pat and Kristy Anderson

On Wed, Nov 11, 2020, 10:39 AM David Vreeland <david.vreeland00@gmail.com> wrote:

Check out this website: bippaff.org

There is a meeting in Viera on Monday, the 18th to pass this law allowing short term rentals. If you are against this Mary and I have a petition you can sign. Call us and we'll bring it by. If you're not in South Shores Email your thoughts on the subject and we'll try to attach your emails to the petition.

Time is short. We need your support by Sunday, the 17th in order to organize it for the meeting on the 18th.

Dave and Mary
321-409-8990

To Whom it May Concern:

I am totally against short term rentals in the county. Adding these rentals will bring down the paradise that we are living in now.

They will be a benefit only to the absentee landlords. Florida is such a great state, and we don't need these

short term rentals here in Brevard county.

Rosemary Hughes
5579 Cord Grass Lane
Melbourne Beach, Florida 32951

STOP SHORT-TERM & DAILY RENTALS

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This signed petition will be submitted to our Brevard County Commissioners.

PRINT NAME	SIGNATURE	ADDRESS
JOAN VAUGHAN	<i>Joan Vaughan</i>	265 Pelican DR MS.
Michael Vaughan	<i>Michael Vaughan</i>	265 Pelican DR MS.
Cletus O'Brien	<i>Cletus O'Brien</i>	120 Pelican Dr
Dolores A. Martino	<i>Dolores A. Martino</i>	117 Pelican Dr.
Lynn Blumh	<i>Lynn Blumh</i>	115 Pelican Dr
Theresa	<i>Theresa</i>	114 Pelican Dr
Paolo Chiappina	<i>Paolo</i>	112 Pelican DR
Kimberly Chiappina	KIMBERLY CHIAPPINA	112 Pelican Dr.
Carolyn Chiappina	<i>Carolyn Chiappina</i>	112 Pelican dr.
LUIZ FERNANDES	<i>Luis</i>	125 cardinal DR
Natalie Bushnell	Natalie Bushnell.	119 cardinal Dr.
Barbara Ruff	Barbara Ruff	119 Cardinal Dr.
Amy Sadler	<i>Amy Sadler</i>	280 Pelican Dr.
Tim Cole	<i>Tim Cole</i>	375 Pelican Dr.
WALTER SPANGLER	<i>Walter Spangler</i>	103 PELICAN DR.

Marks
handwritten

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PRINT NAME	SIGNATURE	ADDRESS
Patricia Ellis	Patricia Ellis	6224 Midship Ln Melbourne Beach, FL
Patricia Doran	Patricia Doran	139 SPINNAKER ST Melbourne Beach, FL
Dane Parks	Dane Parks	6234 Leeward Ln Melbourne Beach FL
JOSEPH ANGY	Joseph Angy	6215 MIDSHIP LANE MELBOURNE BCH FL
Dennis P. Papp	Dennis P. Papp	6231 Windward Ln Melbourne Beach, FL
SHAGG CARTER	Shagg Carter	6224 LEeward LN M.B.
Arthur Keller	Arthur Keller	136 Regatta St. Melbourne Beach FL 32951
Carl & Cindy Papp	Cynthia Papp	130 Spinnaker St. 32951 Melbourne Beach
Bonnie Angy	Bonnie Angy	6215 Midship Lane Melb. Bch, FL 32951
Kern DeCamp	Kern DeCamp	115 Regatta St Melbourne Beach
Kate DeCamp	Kate DeCamp	115 Regatta St Melbourne Beach, FL
Patricia A. Keller	Patricia A. Keller	136 Regatta St Melbourne Beach, FL
Joyce Cabrera	Joyce Cabrera	129 Spinnaker St Melbourne Beach, FL
Stefani Angy	Stefani Angy	6215 Midship Lane Melbourne Beach, FL 32951
JOE Nicholls	Joe Nicholls	22517 215 Tide Melbourne Beach

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PRINT NAME	SIGNATURE	ADDRESS
Clarice Nalls	Clarice Nalls	295 Ibis Dr Melbourne Beach FL
MARY VIRGINIA MACK	Mary Virginia Mack	265 Ibis Dr. Melbourne Beach
Mary Kellogg	Mary S. Kellogg	230 Ibis Dr. Melbourne Beach, FL
Cynthia Hersh McGuire	Cynthia McGuire	299 Ibis Dr. MRA FL
Michael McGuire	Michael McGuire	299 Ibis Dr. MRA
Carmen Martens	Carmen Martens	235 Pelican Dr. MRA FL
Michael Szymanski	Michael Szymanski	108 Pelican Dr.
DOM CHARNISKY	Dom Charnisky	320 Heron Dr.
Ed Danton	Ed Danton	260 Pelican Dr
Allison Lewis	Allison Lewis	220 Cardinal Dr.
Louise Hat	Louise Hat	101 Pelican Dr
George A. Brown	George A. Brown	270 Heron Dr.
Valerie Ampius	Valerie Ampius	4525 AIA
Dave Wuestewald	Dave Wuestewald	215 Woodys Circle

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PRINT NAME	SIGNATURE	ADDRESS
Tom Caster		311 Cedar Dale
Paul MacDonald		315 Cardinal Dr.
DONALD MOORE	Donald Moore	105-FLAMINGO DR.
Erin Olinski		125 Ibis Dr.
Tom Erickson	Tom Erickson	280 Ibis Dr.
DAVID ERICKSON		280 Ibis
James S. Howe	James S. Howe	132 Pelican
Marilyn Howe	Marilyn Howe	" "
MICHAEL GREENON		175 FLAMINGO DR.
ELLEN GREENON		175 Flamingo DR.
Tom DeMoss		136 Cardinal Dr.
Mano DeMoss		136 Cardinal Dr.
Jeanette Smith	Jeanette Smith	137 Cardinal Drive
Mare Smith	Mare Smith	137 Cardinal Drive
Pat T. Grimes		135 Cardinal Drive
Carla Grimes	Carla Grimes	135 Cardinal Drive

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PRINT NAME	SIGNATURE	ADDRESS
JOHN R. MULLER		118 CARDINAL DR. MEL BEACH
JANE MULLER	Jane Muller	118 CARDINAL DR. MEL SHORE
Philip Moore	Philip Moore	6020 RIVERSIDE DR
Kathleen Conway	Kathleen Conway	123 CARDINAL DR.
Anthony DeBelle	Anthony DeBelle	60810 S. HUNG AIA
Robert Kahaly	Robert Kahaly	211 WOODY'S CRICKE
EDWARD KALAJIAN	Edward Kalajian	213 SIXTH AVE. MELBOURNE BEACH 32951
Priscilla Kalajian	Priscilla A. Kalajian	213 SIXTH AVE, MELB. Bch. 32951
KRISTEN PERDUE	Kristen Perdue	230 5 th AVE MELB Bch
Patricia Peterson	Patricia Peterson	304 5 th AVE. MEL Bch.
NORA HAFF	Nora Haff	643 CAROUSEL MELBEACH
Andrea Vermillion	Andrea Vermillion	107 Pier Ln Mel beach 32951
CIAOTIA RICH	Ciaotia Rich	310 Pelican Dr.
SCOTT RICH	Scott Rich	310 Pelican Dr.

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PRINT NAME	SIGNATURE	ADDRESS
WILLIAM JOHNSON	William Johnson	5581 CORD GRASS LANE
May Johnson	William Johnson	5581 CORD GRASS LANE
Kevin Bates	Kevin Bates	5681 Sea Lavender Pl.
Sandra Brinckerhoff	Sandra Brinckerhoff	5630 Sea Lavender Pl.
Starr Brinckerhoff	Sandra Brinckerhoff	5630 Sea Lavender Pl.
Richard Swann	Richard Swann	5631 Sea Lavender Pl.
Raymond Zimmerman	Raymond Zimmerman	5640 Sea Lavender Pl.
Susan Zimmerman	Susan Zimmerman	5640 Sea Lavender Pl.
Paul Van Gilder	Paul Van Gilder	211 Oceanway Dr.
Jacqueline Buck	Jacqueline Buck	202 Oceanway Dr.
JOAN W. FINGER	Joan Finger	5690 SEA LAVENDER PL.
Judith Finger	Judith Finger	5690 Sea Lavender PL
MICHAEL V PUTAGGIO	Michael V. Putaggio	5595 Cord Grass Lane, Ind. Bldg.
JOAN SOCHACKI	Joan Sochacki	5527 Cord Grass Ln. Ind. Bldg.
WALTER SOCHACKI	Walter Sochacki	5527 CORD GRASS LN

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PRINT NAME	SIGNATURE	ADDRESS
Carol Langone	Carol Langone	5601 SEA LAVENDER PL Melbourne Bch. FL
VAL H. DOUIS	Val H. Douis	5621 SEA LAVENDER PL " " "
FRANK SEANEY	Frank Seaney	5523 Cord Grass Ln Melbourne Beach FL 32951
NINA VAN GILDER	Nina Van Gilder	211 Oceanway Dr Melbourne Beach, FL 32957
Miriam C. Smith	Miriam C. Smith	5536 Cord Grass Lane Melbourne Beach FL 32951
EVELYN STROGIS	E. Strogis	5611 BEACH ELDER WAY Melbourne Bch FL
RITA FRARE	Rita Frare	5601 Beach Elder Way Melbourne Bch. FL
PAT JANSON	Pat Janson	5591 BEACH ELDER
Pamela Holt	Patricia K Holt	5680 Sea Lavender Place
PAUL HOLT	Paul Holt	" "
BARBARA SANDBERG	Barbara Sandberg	5537 Cord Grass W MELBOURNE 32957
Cynthia Santini	Cynthia Santini	139 Oceanway Dr Mel Beach 32951
BYRON BASHKOV	Byron Bashkov	5538 Cord Grass Lane
K. Schneider	Kate Schneider	5557 Cord Grass W
Michael Holliday	Michael Holliday	5570 Cord Grass Ln Melbourne Bch. 32951

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Mary R. Vreeland	Mary R. Vreeland	5593 Cord Grass Ln, M.B., FL
David R. Vreeland	David R. Vreeland	5593 Cord Grass Ln, M.B., FL
Peter Fleury	Peter Fleury, Sr.	5561 Beach Elder Way, MB
Kathleen Fleury	Kathleen Fleury	5561 Beach Elder Way MB
IGNORE DEVLIN	Lynne Devlin	5562 Cord Grass Lane MB
PATRICK DEVLIN	Patrick Devlin	5562 Cord GRASS LN, MB
Lisa Left	Lisa Left	5594 Cord Grass Ln, MB
Edward J. Left	Edward J. Left	5594 Cord Grass Ln MB
ROBERT LANGONE	Robert Langone	5601 SEA LAVENDER MELB.
Dan Buck	Dan Buck	202 Oceanway Dr. MB
Evelyn Aragona	Evelyn Aragona	5651 Sea Lavender Pl MB
Joseph Aragona	Joseph Aragona	5651 Sea Lavender Pl MB
Iris Culhane	Iris Culhane	5701 Sea Lavender Pl.
JOHN CULHANE	John Culhane	5701 Sea Lavender Pl.
Deborah M. Kupman	Deborah M. Kupman	5711 Sea Lavender Pl
Terrie Kruty	Terrie Kruty	195 Oceanway Dr.

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Viana

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PRINT NAME	SIGNATURE	ADDRESS
John P Johnson		219 6 th Ave. Melbourne Bch 32951
David Bush		2286 th Ave Mel Beach
Jeanette Soucy		211 6 th Ave. Mel. Bch.
Ray Sall		406 S. A Rd Mel. B. P. C.
Darlene Burton		228 6 th Ave. Mel Beach
Richard P Soucy		211 6 th Ave Mel Bch
Catherine Knotts		223 6 th Ave Mel Bch
Kristine Bury-Wilson		216 6 th Ave. Mel Beach
Michael Butcher		212 6 th Ave Melbourne Beach
Leslie Butcher		212 6 th Ave Melbourne Bch
Doreen Gonzalez		225 6 th Ave Melbourne Beach
DAVID CLAYCOMB		224 6 th AVE MELB Bch FL 32951
Mary Hill		227 6 th Ave MB FL
	Susan Hirst	231 0 th Ave Mel Bch 32951
Patricia Claycomb		224 6 th Ave

Jean Vaughan FOR MORE INFORMATION CALL 321-405-7581

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PRINT NAME	SIGNATURE	ADDRESS
Courtney Koos	<i>Courtney Koos</i>	1100 Pine Street Melbourne Beach
Diane Hunter	<i>Diane Hunter</i>	301 6th Ave. Mel Bch FL
Amy May Peterson	<i>Amy May Peterson</i>	305 6th Ave. Mel Bch FL
Peter Peterson	<i>Peter Peterson</i>	305 6th Ave. Mel Bch FL
WALTER HARDMAN	<i>Walter Hardman</i>	320 6th Ave Mel Bch FL
Lauren Hardman	<i>Lauren Hardman</i>	320 6th Ave Mel Beach FL
Chris Pilger	<i>Chris Pilger</i>	319 6th Ave Melbourne Beach FL
Haley Pilger	<i>Haley Pilger</i>	319 6th Ave Mel Bch FL
Stephanie Freethy	<i>Stephanie Freethy</i>	315 6th Ave Melbourne Beach
Gres Freethy	<i>Gres Freethy</i>	315 6th Ave Mel Beach
Terry Block	<i>Terry Block</i>	310 6th Ave Mel Beach
M J Block, Jr.	<i>M J Block Jr</i>	310 6th Ave Melbourne Beach
Rosemary C. Smith	<i>Rosemary C. Smith</i>	1903 Cedar Ln. Mel Bch
LAWRENCE E. Smith	<i>Lawrence E. Smith</i>	1903 CEDAR LN, MELBOURNE
Beverly Burton	<i>Beverly Burton</i>	1903 Cedar Lane, Melbourne Beach

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PRINT NAME	SIGNATURE	ADDRESS
AHAN BURTON	<i>Ahan Burton</i>	1907 Cedar Lane, Melbourne, Beach
Karen Simpson	<i>Karen Simpson</i>	2010 Bonita Ave MB
Daniel Simpson	<i>Daniel R. Simpson</i>	2010 Bonita Ave MB
SARA RUSSO	<i>Sara Russo</i>	384 Dolphin Street MB
DAVID H. MAYS	<i>David H. Mays</i>	2085 BONITA AVE MB
Pamela J. Mills	<i>Pamela J. Mills</i>	290 Pompano Dr. MB
Thomas L. Mills	<i>Thomas L. Mills</i>	290 Pompano Dr. MB
Rodell Newcombe	<i>R. L. Newcombe</i>	340 Pompano Dr. MB
TOM DAVIS	<i>Tom Davis</i>	318 6 TH AVE. AVE MB
Nadine Kalayan Millan	<i>Nadine Kalayan Millan</i>	504 Magnolia Ave Melb. Beach
HARRY ZARET	<i>Harry Zaret</i>	301 SUNF RD MB
Estelle Zaret	<i>Estelle Zaret</i>	301 SUN RD MB
Debra Iorio	<i>Debra Iorio</i>	307 Southampton Dr ^{Indicating}
MIKE IORIO	<i>Mike Iorio</i>	307 Southampton Dr. Indicating
Mari Aldeghi	<i>Mari Aldeghi</i>	566 Veranda Blvd

For more info call 321-405-7581

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PRINT NAME	SIGNATURE	ADDRESS
JOHN PENDERGRAST	<i>John Pendergrast</i>	6225 LEOWARD LN MELBOURNE BEACH
Shelle Pendergrast	<i>Shelle Pendergrast</i>	11
Michelle DePhillips	<i>Michelle DePhillips</i>	Melbourne Beach 240 Ibis Drive
Ernest DeSantis	<i>Ernest DeSantis</i>	6580 S. A1A HWY Mel. Bch. 32951
ISABELLE DESANTIS	<i>Isabelle DeSantis</i>	6580 S. HWY A1A Mel. Bch. 32951
JOHN GADDY	<i>John Gaddy</i>	140 HERON DR MEL. BCH. 32951
Eileen Gaddy	<i>Eileen Gaddy</i>	140 Heron Dr. Mel Bch FL 32951
Nancy Peters	<i>Nancy Peters</i>	310 Heron Dr Melbourne Beach, FL
Steve Peters	<i>Steve Peters</i>	310 Heron Dr. Mel. Bch. FL 32951

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PRINT NAME	SIGNATURE	ADDRESS
HEATH BLUESIDE	<i>Heath Blueside</i>	90 MARGARITA ROAD MELBOURNE BEACH, FL 32955
ALAN SVEVAR	<i>Alan Svevar</i>	412 Hibiscus Trl Mel Beach 32951
Bryan Becker	<i>Bryan Becker</i>	802 Pine St. M.B. 32951
James Hartt	<i>J. Hartt</i>	120 Flores St. Mel Beach 32951
Timothy Roberts	<i>Timothy Roberts</i>	230 Heron Dr Melbourne Bch. FL 32951
KEVIN BLACKMORE	<i>Kevin Blackmore</i>	1350 ATL STREET 32951
Stacey Long	<i>Charles Stacey Long</i>	165 Rita Blvd.
Tim Rogers-Muniz	<i>Tim Rogers-Muniz</i>	23 Cove Rd. MB 32951

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PRINT NAME	SIGNATURE	ADDRESS
Steven Shoop	<i>Steven Shoop</i>	169 AMBER PL Melbourne ^{Beach}
Gregory White	<i>Gregory White</i>	225 Woody Cir MIB FL FL 32951
JEFF MORRIS	<i>Jeff Morris</i>	105 Casselberry Trl 32951
Rusty Zingone	<i>Rusty Zingone</i>	107 Casselberry Trl 32951
Clyde Hippchen	<i>Clyde Hippchen</i>	160 Heron Dr Melb Beach
AMY CONKLIN	<i>Amy Conklin</i>	120 Heron Dr 32951
SHAWN CANNON	<i>Shawn Cannon</i>	120 Heron Dr 32951
Kimberly Seiberling	<i>Kimberly Seiberling</i>	5935 SR-A1A 32951
Robert F. Bessette	<i>Robert F. Bessette</i>	102 Indigo Cove Place ^{Melbourne Beach FL}
Joseph T. Nietupski	<i>Joseph T. Nietupski</i>	2711 S. Highway 1A
Katie Pamy	<i>Katie Pamy</i>	29 Somento Ct. ^{Melbourne Beach} Sat Beach
Carmel Stefanov	<i>Carmel Stefanov</i>	185 Atlantic Ave ^{Indian Lake} 32903

Jean Vaughan 321-405-7581

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PRINT NAME	SIGNATURE	ADDRESS
Krith McLaughlin	<i>Krith McLaughlin</i>	5666 Vera ^{Indialantic FL} Blvd 32903
Maria Mason	<i>Maria Mason</i>	524 Sunset Blvd ^{Melbourne Beach}
Shea Mason	<i>Shea Mason</i>	441 Monaco Dr. Indialantic
Laura Smith	<i>Laura Smith</i>	360 Avenida Del Mar Indialantic
Carol Nieves	<i>Carol Nieves</i>	3165 KRALICE LN. MACABEE, ^{FL 32953}
SABRINA RUGGIAMO	<i>Sabrina Ruggiamo</i>	1043 E. River Oaks Dr IN
Anthony RUGGIAMO	<i>Anthony Ruggiamo</i>	1043 E River Oaks Dr Indialantic
AMANDA PRENDERGAST	<i>Amanda Prendergast</i>	250 MIAMI AVE INDIALANTIC FL 32903
Teresita Aborlleile	<i>Teresita Aborlleile</i>	8115 S. Hwy A1A ^{Melbourne Beach} FL 32951
Ki Holberan	<i>Ki Holberan</i>	Atlantic Dr. Melbourne ³²⁹⁵⁷ Beach
Jan Herndon	<i>Jan Herndon</i>	110 Franklin Ave Indialantic, FL 32903

Jan Herndon 321-405-7581

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PRINT NAME	SIGNATURE	ADDRESS
Ann Sepri	<i>Ann Sepri</i>	6241 Treetop Dr. Mel. Bch 32951
Will (William Travis)	<i>Will</i>	6291 TREETOP DR 32951
Matthew Bradley	<i>Matthew Bradley</i>	6310 Treetop Dr. 32951
Fawn Bradley	<i>Fawn Bradley</i>	6310 Treetop Dr 32951
Jeanalutz	<i>Jeanalutz</i>	6275 Treetop Drive Melbome Beach 32951
Helen Brancacci	<i>Helen M. Brancacci</i>	265 Spoonbill Lane melbourne Bch fl 32951
CAROLINE BRACCACCI	<i>Caroline Braccacci</i>	265 SPOONBILL LANE MELBOURNE BEACH
Christian Lutz	<i>Christian Lutz</i>	6275 Treetop Dr. Melbome beach fl 32951

—Joan Vaughan 321-405-7581

STOP SHORT-TERM & DAILY RENTALS

As residents of Brevard County, we want to keep the 2006 ordinance that places restrictions on vacation rentals. If changed in any way at all it will nullify it and then could allow for short-term or daily and even hourly vacation rentals from big business investors like Airbnb and VRBO.

We do not want changes to the 2006 ordinance that would negatively affect our quality of life as residents or negatively affect our beautiful natural environment. STOP COMMERCIAL DEVELOPMENT IN OUR RESIDENTIAL NEIGHBORHOODS!

By signing this petition, we want to let our Brevard County Commissioners know how much we value our Brevard County communities, neighborhoods, beaches and wildlife.

This signed petition will be submitted to our Brevard County Commissioners.

PRINT NAME	SIGNATURE	ADDRESS
Mikele Carter	Mikele Carter	6235 Treetop Dr MB
PAAVO SEPPI	Paavo Sepri	6241 Treetop Dr. M.B.
Mary Jane Patterson	Mary Jane Patterson	6236 Treetop Dr / Mel Bch FL
William E Patterson	William Patterson	6236 Treetop Dr / Mel Bch FL
Marijo Leger	Marijo Leger	6240 Treetop Dr Mel Bch FL
Dominic Leger	Dominic Leger	6240 Treetop Dr Mel Bch FL
Kat Kimball	Kat Kimball	6230 Treetop Dr.
Marylee Lutz	Marylee Lutz	6275 Treetop Dr.
VICTORIA MATHER	Victoria Mather	6265 Treetop Dr.

STOP SHORT-TERM & DAILY RENTALS

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We do not want changes to the 2006 ordinance that would negatively affect our quality of life as residents or negatively affect our beautiful natural environment. STOP COMMERCIAL DEVELOPMENT IN OUR RESIDENTIAL NEIGHBORHOODS!

By signing this petition, we want to let our Brevard County Commissioners know how much we value our Brevard County communities, neighborhoods, beaches and wildlife.

This signed petition will be submitted to our Brevard County Commissioners.

PRINT NAME	SIGNATURE	ADDRESS
ROBERT M. SOLA	<i>Robert M. Sola</i>	5635 S. HWY A1A #402 MELBOURNE BEACH
DEBORAH J. SOLA	<i>Deborah J. Sola</i>	5635 S. HWY A1A #402 MELBOURNE BEACH
Larry Gardner	<i>Larry Gardner</i>	5700 Highway A1A #15 Melbourne Beach Fla.
Walter Munroe	<i>Walter Munroe</i>	5635 S. HWY A1A Apt 403 Melbourne Beach Fl. 32951
Claire Munroe	<i>Claire Munroe</i>	5635 S. HWY A1A Apt. 403 M.B. FL. 32951
JOANNE E. MILBURN	<i>Joanne E. Milburn</i>	5635 S HWY A1A #302 Melbourne Beach, FL 32951
MICHAEL MILBURN	<i>Michael Milburn</i>	5635 S. HWY A1A #302 Melbourne Beach, FL 32951
Charles Gibson	<i>Charles Gibson</i>	5635 S. Hwy A1A Apt 703 Melbourne Beach 32951
ANDREW R. SOLA	<i>Andrew R. Sola</i>	5635 S HWY A1A #402 M.B. FLA



This petition has collected
409 signatures
using the online tools at www.ipetitions.com

Printed on 2020-11-03

Save South Melbourne Beach, South Beaches & Unincorporated Brevard County from Airbnb

About this petition

THANKS FOR SUPPORTING South Melbourne Beach, the South Beaches and all of unincorporated Brevard County!!

WE HAVE CLOSED THIS PETITION AFTER RECEIVING OVER 400 SIGNATURES!!

If you want to show your support against allowing Airbnb and daily rentals in our unincorporated neighborhoods, here are more things you can do!

1. Please contact all 5 of our Commissioners! They each get a vote! Tell them why you don't want daily rentals in our quiet residential communities:

[Call and Email All 5 Commissioners!](#)

2. Please take this short survey to provide more feedback to our Commissioners!

[Take a Short Survey](#)

3. Find us on Facebook!

[Follow our Page @NoDailyRentals](#)

[Join Our Private Facebook Group](#) for even more discussion on this issue

Thank you everyone and let's all contact our Commissioners and keep working together to save our unincorporated areas from Airbnb and DAILY rentals!

A NOTE ABOUT DONATIONS: This petition was set up by local residents who want to collect signatures to send to our Brevard County Commissioners. We are NOT ASKING FOR MONEY on this site. If you are asked to donate, the money will support the ipetitions free platform - which we chose because it is non-partisan and free to use.

ORIGINAL PETITION LANGUAGE:

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term or nightly rentals through private rental companies and services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners know how much we value our South Melbourne Beach, South Beaches and unincorporated Brevard County communities, neighborhoods, beaches and wildlife. We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our beautiful natural environment.

This signed petition will be submitted to our Brevard County Commissioners.

Signatures

1. Name: Tyson Misleh on 2020-10-25 16:43:54
Comments: Keep them out.

2. Name: Becky Clarkson on 2020-10-25 20:41:55
Comments:

3. Name: Chris Alba on 2020-10-25 20:59:31
Comments:

4. Name: Eleanor Glover on 2020-10-25 22:04:43
Comments:

5. Name: Randy Herbst on 2020-10-25 22:16:08
Comments: I am a property manager and live in Crystal lakes.
Do not change the lifestyle I bought into, short term rentals will negatively affect our
Community.
We are doing quite fine without your wanting to change our Neighborhood.

6. Name: Cynthia Maguire on 2020-10-25 22:20:20
Comments:

7. Name: Terri Kroboth on 2020-10-25 22:42:52
Comments:

8. Name: Clinton McKenzie on 2020-10-25 22:59:29
Comments:

9. Name: Nadya on 2020-10-25 23:33:35
Comments:

10. Name: Melanie Ledford on 2020-10-25 23:36:29
Comments:

11. Name: Robert Froelich on 2020-10-25 23:43:20
Comments: Short term rentals will ruin our paradise.

12. Name: Peter Goltzman on 2020-10-25 23:48:12
Comments:

13. Name: Kelton on 2020-10-25 23:52:59
Comments:

-
14. Name: Carol Rosasco on 2020-10-26 00:11:07
Comments: Do NOT relax the code for short term rentals in the South Beaches, please!
-
15. Name: LaVergne D Williams on 2020-10-26 00:27:08
Comments:
-
16. Name: Caryl Mearsheimer on 2020-10-26 02:12:20
Comments:
-
17. Name: Jaye saultz on 2020-10-26 03:35:53
Comments:
-
18. Name: Cindy L Springer on 2020-10-26 12:00:53
Comments:
-
19. Name: Max Minnick on 2020-10-26 14:33:40
Comments: Over a month ago I contacted all 5 commissioners and expressed my opposition to this proposal from Tobia. I suggest everyone should look at the political contributions received by our commissioners to get a better understanding of why they vote the way they do. It is appalling.
-
20. Name: Betty Gonzalez on 2020-10-26 15:36:09
Comments: I have seen rentals on the beach that they leave trash and items on the beach over night. (Lawn chairs, toys etc)
-
21. Name: Penny Demi on 2020-10-26 16:54:50
Comments:
-
22. Name: Dave Demi on 2020-10-26 17:04:45
Comments:
-
23. Name: Paul Moran on 2020-10-26 17:15:10
Comments:
-
24. Name: Ruth Murphy on 2020-10-26 17:34:29
Comments:
-
25. Name: Jack Murphy on 2020-10-26 17:40:09
Comments:
-
26. Name: Robert A Sielski on 2020-10-26 17:50:19

Comments: This is a residential neighborhood, not a business district.

27. Name: Stacey Malegiannakis on 2020-10-26 17:52:36
Comments:

28. Name: Charles Roger Hardin on 2020-10-26 18:13:56
Comments:

29. Name: Marcia Dee Hardin on 2020-10-26 18:16:10
Comments:

30. Name: Rick Melchiori on 2020-10-26 18:21:19
Comments:

31. Name: Matilde Carrozza on 2020-10-26 18:23:39
Comments: No short terms rentals please

32. Name: Jason Hanson on 2020-10-26 18:23:44
Comments: Please do not ruin our quite safe and clean south beach neighborhoods by easing restrictions on short term rentals

33. Name: Anthony Mariano on 2020-10-26 18:29:22
Comments:

34. Name: Barbara Arthur on 2020-10-26 18:29:34
Comments:

35. Name: La Shawn Viccellio on 2020-10-26 18:29:48
Comments:

36. Name: Hodges Viccellio on 2020-10-26 18:30:27
Comments:

37. Name: PAULA NESHEK on 2020-10-26 18:34:38
Comments:

38. Name: Kirk Souder on 2020-10-26 18:42:18
Comments: The Woodlands of South Beaches

39. Name: Adriana Montgomery on 2020-10-26 18:48:27
Comments: This is unacceptable. We want to protect our sand dunes and sea turtles.

40. Name: Frank Carmone on 2020-10-26 18:49:18
Comments:
-
41. Name: DONALD EASTMAN JR on 2020-10-26 18:49:51
Comments: No short term rentals. No air b&b.
Just purchased a home on Duval st. Did not this to be like ATLANTIC CITY NJ. CANT
PEOPLE MAKE MONEY DOING SOMETHING SOMEWHERE ELSE.
-
42. Name: Sue Ellen Agin on 2020-10-26 18:59:21
Comments:
-
43. Name: Lizzie Green on 2020-10-26 19:00:07
Comments:
-
44. Name: Kyra Sorgenfrei on 2020-10-26 19:07:31
Comments:
-
45. Name: DIANE GUNDERSON on 2020-10-26 19:08:42
Comments: I am a registered voter in Brevard county, live and own a home in south
melbourne beach and oppose and do not support changed that would allow short term or
nightly rentals.
-
46. Name: Greg Nicklas on 2020-10-26 19:09:21
Comments:
-
47. Name: Theresa West on 2020-10-26 19:10:28
Comments:
-
48. Name: Magda Kopczynska on 2020-10-26 19:22:41
Comments:
-
49. Name: Nick Butko on 2020-10-26 19:23:40
Comments:
-
50. Name: Maureen Maurer on 2020-10-26 19:26:48
Comments:
-
51. Name: Pierre st-onge on 2020-10-26 19:35:01
Comments: I want to keep my area quiet and safe
-
52. Name: Sid Kirchheimer on 2020-10-26 19:53:19
Comments: If Tobia wants short-term rentals, approve them for HIS street, not mine.
-

53. Name: Alana Ellingham on 2020-10-26 19:54:12
Comments:
-
54. Name: Chris Kirchheimer on 2020-10-26 20:00:13
Comments: No to short-term rentals west of A1A! Don't allow our elected county representatives be bought by special interests!
-
55. Name: Lea Morris on 2020-10-26 20:00:56
Comments:
-
56. Name: Deborah Allison on 2020-10-26 20:03:48
Comments: I say no way to vacation rentals in unincorporated Melbourne Beach!
-
57. Name: jim leathers on 2020-10-26 20:05:22
Comments: If Tobia gets this passed, he has lost my vote forever
-
58. Name: Carmen Glasser on 2020-10-26 20:11:55
Comments: I understand that AirBnB and VRBOs are home owners. But other homeowners have rights as well. We have the right to retain the integrity of our small communities. There are no safe guards in place to ensure hosts hold their guests accountable to our unique community way of life.
-
59. Name: Robert Lani on 2020-10-26 20:29:59
Comments:
-
60. Name: Jodie Algarin on 2020-10-26 20:31:01
Comments:
-
61. Name: Andrea Neumann on 2020-10-26 20:36:18
Comments:
-
62. Name: mike price on 2020-10-26 20:43:59
Comments:
-
63. Name: Valerie Van Haltern on 2020-10-26 20:46:04
Comments: Too many problems with fireworks, destruction of beaches and dunes, turtle nests and nesting disturbed, leaving bright lights on during nesting as well....many baby turtles confused by short term rule breakers end up wandering onto A1A and getting run over Sad, very sad - affecting safety, habitat and property values as well as the quiet and environment we moved here to honor and enjoy
-
64. Name: Cindy P on 2020-10-26 20:54:58
Comments:

-
65. Name: D Nichols on 2020-10-26 20:59:45
Comments:
-
66. Name: Christina Leal on 2020-10-26 21:00:59
Comments:
-
67. Name: Eric L Gibson on 2020-10-26 21:02:26
Comments: The entire reason I moved here is because it still hasn't been swarmed by the developer locusts. Let's keep it that way.
-
68. Name: tony cimaglia on 2020-10-26 21:08:43
Comments: No to short term rentals, they ruin neighborhoods.
-
69. Name: Prine Ines Monsalve on 2020-10-26 21:09:09
Comments:
-
70. Name: Susan Waugh on 2020-10-26 21:10:05
Comments:
-
71. Name: Randall Waugh on 2020-10-26 21:16:14
Comments:
-
72. Name: Jayson Clayton on 2020-10-26 21:47:50
Comments: I am against loosening the restrictions on short term rentals in unincorporated Brevard County.
-
73. Name: Robert Sands on 2020-10-26 22:13:30
Comments:
-
74. Name: Theresa Hennessey on 2020-10-26 22:15:23
Comments: Listen to the residents of South Beaches to keep our area free from nightly AirB&Bs that increase traffic, noise, crime and hurt our turtle nesting dunes on our beautiful beaches.
-
75. Name: Annette Riley on 2020-10-26 22:43:37
Comments:
-
76. Name: joseph on 2020-10-26 22:51:28
Comments: Against any kind of Corporation in our neighborhood that includes Airbnb or any other affiliates
-

77. Name: Judy Davis on 2020-10-26 23:00:26
Comments:
-
78. Name: Michael Pena on 2020-10-26 23:05:16
Comments:
-
79. Name: Rosalie Morcom on 2020-10-26 23:15:44
Comments:
-
80. Name: Beth Ferriell on 2020-10-26 23:21:07
Comments:
-
81. Name: Reggy King on 2020-10-26 23:24:44
Comments:
-
82. Name: Debbie Bunk on 2020-10-26 23:34:23
Comments:
-
83. Name: Theresa Ayers on 2020-10-26 23:37:23
Comments:
-
84. Name: Kelly Moes on 2020-10-26 23:44:13
Comments:
-
85. Name: Susy Ramirez on 2020-10-26 23:46:13
Comments:
-
86. Name: Melissa Hanson on 2020-10-26 23:46:52
Comments:
-
87. Name: Joan Vaughan on 2020-10-26 23:47:28
Comments: MELBOURNE BEACH IS A WILDLIFE PRESERVE. LOGGERHEAD & GREENBACK TURTLE NESTING SANCTUARY. PELICANS, IBIS, FLAMINGO, HAWKS , & ENDANGERED SPECIES OF BIRDS. AQUATIC LIFE. DOLPHINS, MANATEE, OTTERS, ALLIGATORS AND SO MUCH MORE .
THAT IS WHAT MAKES THIS AREA
A SACRED PLACE.
UP TO 1970 THERE WERE MANY SMALL BEACH TOWNS ALONG THE COAST WITH AN ABUNDANCE OF BIRDS, AQUATIC LIFE, AND NATURAL HABITATS FOR ANIMALS. IT WAS PARADISE!
DEVELOPERS & GREED HAVE CLEAR CUT SO MUCH BEAUTIFUL LAND & WIPED OUT THOUSANDS & THOUSANDS OF FORRESTS , ENDANGERED ANIMALS & HABITATS .

CONTAMINATION OF THE INDIAN RIVER LAGOON , OCEANS, RIVERS, AQUIFER. AQUATIC LIFE IS DIEING! .THIS IS NOT AN EXAGGERATION! THIS IS A FACT. THIS HAS BEEN MY HOME FOR 35 YEARS. WE HAVE WITNESSED THE DEVELOPMENT & DESTRUCTION THAT GOES WITH IT. THE TRAFFIC, THE CONTAMINATION OF WATERWAYS, LAGOON, OCEAN. THE AMOUNT OF GARBAGE THAT HUMANS THROW ON THEIR BEACHES. CRIME, THEIF , OVER DEVELOPING WITH ALL ITS PROBLEMS! SHOW SOME RESPECT, COMPASSION & HUMANITY FOR ONE OF THE LAST SMALL BEACH TOWNS IN FLORIDA!

88. Name: Mindy Hartley on 2020-10-27 00:03:41
Comments:

89. Name: Bruce Rosen on 2020-10-27 00:07:32
Comments:

90. Name: Tom Wilby on 2020-10-27 00:10:11
Comments:

91. Name: MaryLee on 2020-10-27 00:20:18
Comments:

92. Name: George Keough on 2020-10-27 00:31:11
Comments:

93. Name: Renee Jones on 2020-10-27 00:35:23
Comments:

94. Name: Heather Carney on 2020-10-27 00:37:33
Comments:

95. Name: Leah Foulk on 2020-10-27 00:55:29
Comments:

96. Name: Peter Saver on 2020-10-27 00:57:43
Comments: We moved to Floridana Beach because it is a peaceful residential area and we want to keep it that way. Keep out Airbnb.

97. Name: Diana Lupone on 2020-10-27 01:00:35
Comments:

98. Name: Karen Lohrman on 2020-10-27 01:01:15
Comments:

-
99. Name: Jennifer Duncan on 2020-10-27 01:02:41
Comments:
-
100. Name: Julie Thomas on 2020-10-27 01:06:04
Comments:
-
101. Name: John Renshaw on 2020-10-27 01:06:44
Comments:
-
102. Name: Mark Andrew Havican on 2020-10-27 01:14:09
Comments: Please do not destroy our paradise by allowing short term rentals in our area.
-
103. Name: Carol Nash on 2020-10-27 01:19:17
Comments: Please do not change our lovely beachside communities into a short term party zone. We need to protect our very important dunes and sea turtle nesting areas.
-
104. Name: Joe DeSua on 2020-10-27 01:20:04
Comments:
-
105. Name: Christina Keshishian on 2020-10-27 01:23:24
Comments: We moved here to raise a family in a community of neighbors. We don't want to be surrounded by out of state investment properties, poorly maintained and rented night by night to different people. That's not a neighborhood, that's a business district!
-
106. Name: Christopher Stricklan on 2020-10-27 01:24:02
Comments: No short term rentals in our neighborhoods!
-
107. Name: Debbie Doswell on 2020-10-27 01:26:19
Comments:
-
108. Name: Scott Maki on 2020-10-27 01:34:38
Comments:
-
109. Name: Linda Jones on 2020-10-27 01:36:47
Comments:
-
110. Name: Nancy Blair on 2020-10-27 01:37:02
Comments: Let's do everything we can to vote Tobia out!
-
111. Name: John Duncan on 2020-10-27 01:38:41
Comments:

-
112. Name: leo morrissey on 2020-10-27 01:49:42
Comments:
-
113. Name: Ann McLaughlin on 2020-10-27 01:53:00
Comments:
-
114. Name: Carrie Wilson on 2020-10-27 01:58:24
Comments: I also sent an email to John Tobia and he never responded. Maybe he will respond to this!
-
115. Name: Ro Richards on 2020-10-27 02:04:09
Comments:
-
116. Name: Maxine Aaron on 2020-10-27 02:06:46
Comments:
-
117. Name: Marybeth Sanville on 2020-10-27 02:09:24
Comments:
-
118. Name: Thomas Thayer on 2020-10-27 02:18:46
Comments:
-
119. Name: Lena McAneney on 2020-10-27 02:19:06
Comments: Please help the turtles in Melbourne Beach. Short term residents usually don't know about the Turtles nest. There's a saying. I don't care because I don't live here.
-
120. Name: Deirdre Chelberg on 2020-10-27 02:23:53
Comments:
-
121. Name: Richard Sansone on 2020-10-27 02:25:03
Comments: This measure is a reckless intrusion to our fragile beach environment: attracting large groups of unsupervised tourists is a recipe for destruction of our dunes (watch the kiddies sled down the dunes from the parents' beach rentals on any weekend) and spread of Covid (our normally tranquil beaches now host super spreader parties). This is all sanctioned by our current commissioner John Tobia in the name of "free enterprise". Vote him OUT!
-
122. Name: Gail Routsong on 2020-10-27 02:42:40
Comments:
-
123. Name: Margaret Schneider on 2020-10-27 02:56:31
Comments:

-
124. Name: Linda Taylor on 2020-10-27 03:05:58
Comments: I strongly support this petition.
-
125. Name: Kristin DiDomenico on 2020-10-27 03:06:06
Comments:
-
126. Name: Mary jane Patterson on 2020-10-27 03:08:44
Comments:
-
127. Name: Gaby Dwyer on 2020-10-27 03:09:09
Comments:
-
128. Name: Gina Solow on 2020-10-27 03:09:14
Comments:
-
129. Name: Jay Solow on 2020-10-27 03:10:21
Comments:
-
130. Name: Madison Ridge on 2020-10-27 03:14:39
Comments:
-
131. Name: Mara Hixon on 2020-10-27 03:16:48
Comments: No!!!
-
132. Name: Karen Neuman on 2020-10-27 03:16:49
Comments:
-
133. Name: Lauren Martin on 2020-10-27 03:25:40
Comments:
-
134. Name: Krissy Lindbaek on 2020-10-27 03:25:44
Comments:
-
135. Name: Ann Price on 2020-10-27 03:26:53
Comments:
-
136. Name: Emily Mariano on 2020-10-27 03:52:09
Comments: Keep Floridana beautiful and clean! No short term rentals
-
137. Name: Patricia Shea on 2020-10-27 04:04:30
Comments: I feel that Airbnb rentals will lower property values and I am against them in

the South Beaches.

138. Name: Carrie Adragna on 2020-10-27 04:12:01
Comments:

139. Name: Kristen Cabrera on 2020-10-27 04:49:26
Comments: I already have two Airbnb motels as my immediate "neighbors" and it's been a mess for years already.

140. Name: Christina Earp on 2020-10-27 05:05:21
Comments:

141. Name: Lorie Robison on 2020-10-27 05:09:58
Comments:

142. Name: Dianne Pena on 2020-10-27 08:45:42
Comments: No to short term rentals
No to Airbnb and VRBO

143. Name: Karleigh on 2020-10-27 09:16:15
Comments: Please do not allow short term rentals destroy this area
Is this what you want as your legacy???

144. Name: Thomas Strigenz on 2020-10-27 09:34:59
Comments:

145. Name: Nancy Dellosso on 2020-10-27 09:41:23
Comments:

146. Name: Christy Bergeron on 2020-10-27 09:53:33
Comments:

147. Name: Judith Tully on 2020-10-27 10:06:10
Comments:

148. Name: Karen Zavicar on 2020-10-27 10:07:31
Comments: Please no short term rentals here, they will lower our property values. Short term renters are loud, messy and just don't care about the people who live around where they are staying.

149. Name: Christine Barrington on 2020-10-27 10:25:52
Comments:

150. Name: Eileen Donlan on 2020-10-27 10:27:31
Comments: We don't want short term rentals here.
-
151. Name: Deborah Aftung on 2020-10-27 10:34:59
Comments:
-
152. Name: Maria Walker on 2020-10-27 10:38:31
Comments:
-
153. Name: Barbara Sandberg on 2020-10-27 10:41:03
Comments:
-
154. Name: Leanne Fisher on 2020-10-27 10:43:05
Comments:
-
155. Name: Laurie Guiser on 2020-10-27 10:57:56
Comments:
-
156. Name: Tracy on 2020-10-27 10:59:54
Comments:
-
157. Name: Flavia Wilson on 2020-10-27 11:06:40
Comments:
-
158. Name: Amy Sulpazo on 2020-10-27 11:08:10
Comments: Stop short term rentals. This is our home and have chosen this area for the peace and low crime.
-
159. Name: Rick VanSchoick on 2020-10-27 11:12:52
Comments: Don't allow short term rentals. This is our home and have chosen this area for the peace and low crime
-
160. Name: Kaisha on 2020-10-27 11:14:03
Comments:
-
161. Name: Dianne Gocek on 2020-10-27 11:17:14
Comments: Please do not do this and turn Mel Beach into NSB
-
162. Name: Elizabeth Morris on 2020-10-27 11:18:14
Comments:
-
163. Name: James McGrath on 2020-10-27 11:18:53

Comments:

164. Name: Sarah Kort on 2020-10-27 11:20:56
Comments:

165. Name: Kathleen Kunert on 2020-10-27 11:28:46
Comments:

166. Name: Vic Stacy on 2020-10-27 11:29:46
Comments:

167. Name: Joanne on 2020-10-27 11:36:31
Comments:

168. Name: William Farley on 2020-10-27 11:44:14
Comments:

169. Name: Daniel Gonzalez on 2020-10-27 11:45:36
Comments: Allowing big business to buy properties for short term rental will make housing unaffordable for locals. Home prices will skyrocket driving out first time home buyers and young families in place for short term visitors with no interest in preserving the area.

170. Name: Andrea Kamerman on 2020-10-27 11:46:11
Comments:

171. Name: Brian Fox on 2020-10-27 11:51:26
Comments: Current restrictions on short-term rentals must not be changed. In homes where owners disregard restrictions in place we have seen short term renters showing a great lack of respect to neighbors, with crowds in the homes and loud behavior late into the nights. Short term renting also keeps those properties off of the market to locals who need long term rentals.

172. Name: David Fahmie on 2020-10-27 12:09:30
Comments: Don't ease restrictions on short term rentals or allow AirBNB. Tobia isn't listening to his beachside constituents, so make sure he hears you loud and clear.

173. Name: Mark Shantzis on 2020-10-27 12:13:07
Comments: Thank you for taking action against Tobia's ridiculous proposal to destroy neighborhood zoning

174. Name: Mora on 2020-10-27 12:15:35
Comments:

-
175. Name: Leslie Martin on 2020-10-27 12:21:46
Comments:
-
176. Name: Sarah Mooney on 2020-10-27 12:22:06
Comments:
-
177. Name: William Ibinson on 2020-10-27 12:22:13
Comments: Keep short term rentals out!
-
178. Name: KellyAnn on 2020-10-27 12:25:55
Comments:
-
179. Name: Lloyd Dounn on 2020-10-27 12:25:57
Comments: Please do not change the current rules. Motels and hotels are for tourists, not our neighborhood.
-
180. Name: Marcia Ware on 2020-10-27 12:27:09
Comments: Keep our beaches beautiful
-
181. Name: Jean Tanguay on 2020-10-27 12:28:39
Comments:
-
182. Name: M Buban on 2020-10-27 12:35:49
Comments:
-
183. Name: Natalie Hussein on 2020-10-27 12:38:01
Comments:
-
184. Name: Carrie Abraham on 2020-10-27 12:39:16
Comments:
-
185. Name: Steve Cunningham on 2020-10-27 12:42:20
Comments:
-
186. Name: JUDITH GEANURACOS on 2020-10-27 12:49:09
Comments:
-
187. Name: Joan Garboski on 2020-10-27 13:00:06
Comments:
-
188. Name: Hailey Phelps on 2020-10-27 13:07:53

Comments: Keep our local paradise local.

189. Name: Carolina Luger on 2020-10-27 13:08:15
Comments: We are a community, we have the right to fight for it. To bring unknown renters will destroy what we have worked for which sense of community, safety of our children, maintaining our beaches clean, keeping our sand dunes in shape to avoid erosion, noise pollution and more. Nobody has the right to break our peace just for the selfish profit of some, who by the way don't leave here all year around. They do have second houses that they go back to and leave behind chaos in our neighborhood. I reject short time rentals

190. Name: P Gray on 2020-10-27 13:10:37
Comments:

191. Name: Natalie Reiss on 2020-10-27 13:11:44
Comments: Surely we have learned lessons from Dade and Broward county beach front rental communities, they're a disaster. We need to protect our beach front and it's wildlife ASAP or there will be nothing left for tourists to come see and do, fishing, bathing, nature tours etc. We purchased residential property and hope to keep it that way. Renters do not respect nor appreciate the uniqueness of this area, just take a walk on the beach and see for your self!! It's trashed!!!!

192. Name: Cheryl Hernandez on 2020-10-27 13:11:57
Comments: Do not change the wording in the zoning, we do not want the State to have control over our local neighborhoods.

193. Name: Analisa Guay on 2020-10-27 13:12:07
Comments:

194. Name: Cynthia Nielson on 2020-10-27 13:14:05
Comments: No air b n bs!

195. Name: Jeff Bush on 2020-10-27 13:16:46
Comments:

196. Name: Peter on 2020-10-27 13:18:14
Comments: Keep it classy Mel beach

197. Name: Sue Biener on 2020-10-27 13:20:35
Comments:

198. Name: Elizabeth Mathes on 2020-10-27 13:22:02
Comments:

199. Name: Norvetta Bartley on 2020-10-27 13:31:09
Comments:

200. Name: Donald Thomas on 2020-10-27 13:37:18
Comments: Vote no on nightly rentals and Air B&B in south Brevard

201. Name: Veronica Brown on 2020-10-27 13:42:33
Comments:

202. Name: Dawn Witherington on 2020-10-27 13:44:00
Comments:

203. Name: Melissa Bartley on 2020-10-27 13:49:41
Comments:

204. Name: Ashley Chelberg on 2020-10-27 13:51:51
Comments:

205. Name: Sharon Stewart on 2020-10-27 13:58:23
Comments:

206. Name: Mark Policano on 2020-10-27 14:02:12
Comments:

207. Name: Kristin Robbins on 2020-10-27 14:15:10
Comments:

208. Name: Maurice Houeix on 2020-10-27 14:21:01
Comments:

209. Name: Donald Moore on 2020-10-27 14:23:57
Comments: Do not allow Air B&Bs

210. Name: Clare Fogle on 2020-10-27 14:25:47
Comments:

211. Name: Christy Brinke on 2020-10-27 14:43:49
Comments:

212. Name: Drew Goldstein on 2020-10-27 14:45:24
Comments: NO

213. Name: Tracy Hannon on 2020-10-27 15:17:51
Comments:
-
214. Name: Carol Shehadeh on 2020-10-27 15:23:42
Comments: We need to keep nightly rentals completely out of residential areas.
-
215. Name: Rodgers Cox on 2020-10-27 15:25:04
Comments:
-
216. Name: Sharon Denton on 2020-10-27 15:39:05
Comments:
-
217. Name: Deborah Sands on 2020-10-27 15:48:29
Comments: I have personally experienced the disruption and noise intrusion as a result of short term rental across the canal from my home in Crystal Lakes and am adamant about keeping the current zoning laws in place.
-
218. Name: Ronald Coleman on 2020-10-27 16:11:48
Comments:
-
219. Name: Giuseppe Coucciello on 2020-10-27 16:12:11
Comments:
-
220. Name: Stephen Donaldson on 2020-10-27 16:14:40
Comments:
-
221. Name: Brooke Baker on 2020-10-27 16:31:13
Comments:
-
222. Name: Rob Finlayson on 2020-10-27 16:32:04
Comments:
-
223. Name: Kathleen Adams on 2020-10-27 16:39:17
Comments:
-
224. Name: Gwen Grundell on 2020-10-27 16:45:58
Comments: No short term rentals.
-
225. Name: Judy Barr Machorek on 2020-10-27 16:55:56
Comments:
-
226. Name: Helene Milbert on 2020-10-27 16:58:26

Comments: I've owned a VRBO in GA for over 11 years and we don't want an open rental policy in our quaint city. Maybe something with restrictions and length limits.

227. Name: Kathleen Wood on 2020-10-27 17:15:15
Comments:

228. Name: William Allison on 2020-10-27 17:18:14
Comments:

229. Name: Joanne F Fletcher on 2020-10-27 17:18:43
Comments:

230. Name: Brenda Corris on 2020-10-27 17:30:15
Comments:

231. Name: Denise Fiore on 2020-10-27 17:31:24
Comments:

232. Name: Joel T Petersen on 2020-10-27 17:32:46
Comments: No air B & B's!! Not good for neighborhoods nothin but trouble.

233. Name: Jim Hartley on 2020-10-27 17:50:52
Comments:

234. Name: henry gordon abele on 2020-10-27 18:03:48
Comments: We live in a special place right now. Part of that allure is the lack of commerce such as short term rentals. Short term rentals bring absolutely no positive value to the residents of this community! Stop actions to move forward with short term rentals!

235. Name: Kathleen and Peter Fleury on 2020-10-27 18:46:52
Comments:

236. Name: Deb white on 2020-10-27 18:47:02
Comments:

237. Name: Alice Robbins-Fox on 2020-10-27 18:54:57
Comments: No changes to current zoning laws. This is exactly why I did not vote for Tobia.

238. Name: Cynthia Alonzi on 2020-10-27 19:05:41
Comments: Leave the barrier island alone.

239. Name: Carol Delahanty on 2020-10-27 19:10:04
Comments:
-
240. Name: Andrew on 2020-10-27 19:10:14
Comments:
-
241. Name: Kathleen Conway on 2020-10-27 19:16:06
Comments:
-
242. Name: Jeannine Mjoseth on 2020-10-27 19:25:15
Comments:
-
243. Name: Sally Rohde on 2020-10-27 19:33:34
Comments:
-
244. Name: Lynn Gronosky on 2020-10-27 19:34:21
Comments:
-
245. Name: Gail Myers on 2020-10-27 19:40:09
Comments:
-
246. Name: George Muth Elizabeth Lyons on 2020-10-27 19:53:45
Comments: Please reconsider any zoning changes for our small community Floridana Beach and many more just like it.
-
247. Name: Lora Walker on 2020-10-27 20:04:26
Comments: Please save our community and keep our commitment to our clean beaches and wildlife. The locals work too hard to have this happen.
-
248. Name: Julie Ennis on 2020-10-27 20:10:21
Comments:
-
249. Name: Todd Harrison on 2020-10-27 20:29:45
Comments: Please do not change the zoning for the South Beaches
-
250. Name: Ishbel Harrison on 2020-10-27 20:32:19
Comments: No more rentals please.
-
251. Name: Cynthia Stinson on 2020-10-27 20:36:11
Comments:
-
252. Name: Susan Della Rocca on 2020-10-27 20:54:53

Comments: Keep ur current zoning laws in place!!

253. Name: Janice Sims on 2020-10-27 21:02:49
Comments: No changes to our current zoning laws. No Airbnb, no nightly or weekly rentals.

254. Name: Jeffrey Gronosky on 2020-10-27 21:03:47
Comments:

255. Name: Peter Aydelotte on 2020-10-27 21:04:49
Comments:

256. Name: Michael Grimes on 2020-10-27 21:08:34
Comments:

257. Name: Lynette Corcoran on 2020-10-27 21:31:46
Comments:

258. Name: Erika Rogers on 2020-10-27 21:37:53
Comments: We do not want short term rentals . I have lived here for 45 years and I don't want just anyone renting next to my family home as transient lodging

259. Name: Debbie J on 2020-10-27 21:43:22
Comments: Please do not change zoning for South Beach area. My husband and I moved here to enjoy the small town feel/beach community. Short term rentals bring absolutely no positive value to the residents of this community! People from outside this area have no vested interest in keeping this area clean, the wildlife safe or crime free and noise free.

260. Name: Laura Shonkwiler on 2020-10-27 21:54:19
Comments:

261. Name: Ellen Ginevra on 2020-10-27 22:08:52
Comments:

262. Name: Dan Sorgenfrei on 2020-10-27 22:13:02
Comments: No to short term rentals. I live in Floridana Beach (32951). Short term renters don't give a crap about the neighborhood. I've personally had a firework land on my roof from a short term rental two doors away, witnessed with my children a short term renter publicly urinating at our private beach access on broad daylight and seen the photographs of the destruction of the dune in our neighborhood from short term renters complete disregard for our sensitive environmental area.

263. Name: Denise Roy on 2020-10-27 22:14:42

Comments:

264. Name: Diane Parks on 2020-10-27 22:55:35
Comments:

265. Name: Liz Nowacki on 2020-10-27 22:58:15
Comments:

266. Name: Madelyn Sorgenfrei on 2020-10-27 23:00:40
Comments:

267. Name: Holly Amidon on 2020-10-27 23:04:58
Comments:

268. Name: Wendell Mazelow on 2020-10-27 23:15:18
Comments: Further weakening the zoning laws and family values and continuity of our neighborhoods by allowing strangers to stay short term. No way ! Destructive policies intended to collect more taxes. NO

269. Name: Kristine Pearson on 2020-10-27 23:16:05
Comments:

270. Name: Karen Solomon on 2020-10-27 23:30:50
Comments:

271. Name: Pat Pedernana on 2020-10-27 23:41:36
Comments:

272. Name: Ellie Blair on 2020-10-27 23:57:05
Comments:

273. Name: Michael Peltier on 2020-10-28 00:00:14
Comments:

274. Name: Patricia J Halpin on 2020-10-28 00:24:50
Comments: This change would turn our community into a resort area and that's not what we are. I've witnessed daily and weekly out of state renters trash our beaches and really bother our Nesting turtles. It would be Tragic and cause disputes that our Sheriffs office or police couldn't handle. This is the definition of opening a can of worms! Bad idea.

275. Name: Janine McCusker on 2020-10-28 00:27:14
Comments:

276. Name: Claudia Rich on 2020-10-28 00:28:07
Comments:
-
277. Name: Carmen Martens on 2020-10-28 01:02:52
Comments:
-
278. Name: Bonnie Angy on 2020-10-28 01:04:19
Comments: Please do NOT ease the ruling on vacation rentals in the South Beaches!
-
279. Name: Joseph Angy on 2020-10-28 01:08:08
Comments:
-
280. Name: Violet Slanac on 2020-10-28 01:19:42
Comments:
-
281. Name: Patricia A Keller on 2020-10-28 01:26:29
Comments: Do short term rentals bring in more money through tourist taxes? A zoning change to allow this is an OUTRAGE. We must fight this!!!!
-
282. Name: james ogara on 2020-10-28 01:43:41
Comments:
-
283. Name: Priscilla Kalajian on 2020-10-28 02:28:33
Comments:
-
284. Name: Paul Geneczko on 2020-10-28 02:40:14
Comments:
-
285. Name: Laura Farrara on 2020-10-28 02:42:11
Comments:
-
286. Name: Nancy on 2020-10-28 03:00:30
Comments: Save our beaches
-
287. Name: Lynne Weiss on 2020-10-28 03:22:40
Comments:
-
288. Name: Sandra byrtus on 2020-10-28 03:45:38
Comments:
-
289. Name: Gus Miitti on 2020-10-28 08:08:39
Comments:

-
290. Name: Maria Hans on 2020-10-28 08:23:43
Comments:
-
291. Name: Catherine Leal on 2020-10-28 10:07:55
Comments: Our peaceful way of life and protection of our wonderful wild life depends on it.
-
292. Name: Beverly Mclean on 2020-10-28 10:25:59
Comments: Please save South Beaches of Brevard
-
293. Name: Patricia Peltier on 2020-10-28 11:14:27
Comments:
-
294. Name: Jojo Sauve on 2020-10-28 11:22:37
Comments:
-
295. Name: Sue Holbert on 2020-10-28 12:21:08
Comments: A neighborhood is made up of neighbors, not visitors. Let's keep our neighborhoods neighborly. I want to know my neighbors and not live amongst a string of people I don't know.
-
296. Name: Joan Robertson on 2020-10-28 13:18:53
Comments:
-
297. Name: Patricia A Hall on 2020-10-28 13:23:28
Comments:
-
298. Name: Pamela Boardman on 2020-10-28 13:27:44
Comments: If I wanted to live in a resort area I would have moved to one. The number of people who come down from wherever, are buying property, raping the land to bare soil, thus displacing valuable wildlife. Sometimes they don't even get the proper permits and go ahead and do it anyway!! They build houses, wait the appropriate amount of time (however long that is) And then they rent them out. We like our communities the way they are and welcome new RESIDENTS. I have noticed younger couples with small children actually moving back to our area in the last 2 or so years. This is good!!! These are neighborhoods, NOT resort areas! The new properties (Airbnb & VRBO) give the county tax money, but please remember that the South Beaches Are unique and we don't want or need Airbnb or VRBO other or any other private rental companies.
-
299. Name: Deborah Charnasky on 2020-10-28 13:29:53
Comments:
-
300. Name: Donna Olson on 2020-10-28 13:47:43

Comments: We have a beautiful and pristine natural environment in Marks Landing. Short term rentals would destroy the peaceful nature of our community.

301. Name: Faith Naftal on 2020-10-28 13:51:49
Comments:

302. Name: Robert j Pennington on 2020-10-28 14:19:52
Comments:

303. Name: James Hebert on 2020-10-28 15:10:14
Comments: Residential should remain residential.

304. Name: Mohamad A Hussein on 2020-10-28 15:50:05
Comments: With the increase number if renters around us, we are seeing a significant amount of beach littering.

305. Name: Sharon Kavanagh on 2020-10-28 16:00:44
Comments:

306. Name: Terri Klegerman on 2020-10-28 16:10:14
Comments:

307. Name: Jane Muller on 2020-10-28 16:11:26
Comments:

308. Name: JACK KLEGERMAN on 2020-10-28 16:16:34
Comments:

309. Name: Bill Myers on 2020-10-28 16:20:30
Comments: We do not want to allow short term rentals, AirB&Bs or VRBO in the south beaches.

310. Name: Dennis Denison on 2020-10-28 16:43:58
Comments:

311. Name: Nancy Carta on 2020-10-28 16:46:45
Comments:

312. Name: Janet McCormack on 2020-10-28 16:51:43
Comments:

313. Name: Billisaksen on 2020-10-28 16:59:24

Comments: You're right short term rentals don't work in this county. It's best to protect our beaches in our way of life.

314. Name: Susan Page on 2020-10-28 17:54:54
Comments: We live in a quiet, family oriented neighborhood where we all respect each others property, keep our beaches clean and protect the sea turtles. Short term rentals will bring increased traffic and crime, loud parties, and damage to our sand dunes and the sea turtle population.

315. Name: lynn blumbek on 2020-10-28 18:12:34
Comments:

316. Name: Jenn Jordan on 2020-10-28 18:24:04
Comments:

317. Name: Patricia Ellis on 2020-10-28 18:24:56
Comments:

318. Name: john higgins on 2020-10-28 18:53:01
Comments:

319. Name: Brett Maiwald on 2020-10-28 18:53:11
Comments: Do not want nightly rentals, it's a challenge with the snow birds all ready trying to find their way. We were attacked by a dog on A1A and when returning to the owners only to find out they were vacation people. There is probably AIRBNB and VRBO already, they sure seemed to be.

320. Name: Kelly K Adams on 2020-10-28 18:54:46
Comments:

321. Name: Sharif Hussein on 2020-10-28 19:11:44
Comments: With the increase number if renters around us, we are seeing a significant amount of beach littering.

322. Name: Debra wilson on 2020-10-28 19:14:55
Comments: No short term rentals in our residential neighborhoods please. We have families raising children here.

323. Name: Sharif Hussein on 2020-10-28 20:49:55
Comments: I have been finding much more garbage on the beach on my daily walks the last 2 months or so and was wondering why. This answers my question, we need to be more selective about whom is allowed to visit our pristine Florida beaches in order to keep them pristine. Not only that but how this is affecting wildlife especially in an endangered species habitat is beyond concerning.

-
324. Name: Callie McGinlay on 2020-10-28 21:03:28
Comments:
-
325. Name: Linda Lutz on 2020-10-28 21:10:42
Comments:
-
326. Name: Jeanette Donaldson on 2020-10-28 21:48:26
Comments:
-
327. Name: Leslie baird on 2020-10-28 21:51:55
Comments: No air Bnb!
-
328. Name: STEVE LASCOLA on 2020-10-28 22:00:40
Comments: I do not want short term rentals in my area such as nightly, weekends, weekly or monthly. I think there should be at least a 3-4 month minimum.
-
329. Name: William Beuparlant on 2020-10-28 22:00:48
Comments: Stop Airbnb and these short term weekend rentals. These are family owned residential neighborhoods. There has been an increase of thefts, vandalism, and trespassing among Unruly motorists and illegal parking on private property and our residential areas. Finding syringes, beer cans, and trash left behind on our private beaches is not going to be tolerated.
-
330. Name: James Tuohig on 2020-10-28 22:28:18
Comments:
-
331. Name: Becky Clarkson on 2020-10-28 23:17:40
Comments:
-
332. Name: B J Fulton on 2020-10-29 00:05:00
Comments: Nooooooo!! More rentals!!
-
333. Name: Noreen Williams on 2020-10-29 00:48:52
Comments: Please do not allow these. Do not turn this into a neighborhood where nobody lives here and everybody is a short term rental. That is what resort hotels/motels are for
-
334. Name: Austin Davis on 2020-10-29 01:05:53
Comments:
-
335. Name: Nancy Sayre on 2020-10-29 01:07:54
Comments: Melbourne Beach is special because it is unspoiled by spring breakers and

weekend partiers. People who live here respect nature and the beauty of the place.

336. Name: Lisa Burlinson on 2020-10-29 01:49:46
Comments:

337. Name: Ken Burlinson on 2020-10-29 01:50:48
Comments:

338. Name: Kathy Kodl on 2020-10-29 02:14:15
Comments: I am appalled our county commissioners would think this is a good thing.
Make your views known before I vote.

339. Name: Jamie Brown on 2020-10-29 07:00:30
Comments:

340. Name: John wrieden on 2020-10-29 08:35:55
Comments:

341. Name: Bill Seplow on 2020-10-29 09:38:14
Comments: Our beaches and beachside neighborhoods are a unique gem that need to
be protected and respected

342. Name: Sheryl on 2020-10-29 11:16:20
Comments:

343. Name: Linda McGovern on 2020-10-29 11:46:21
Comments: No to short term rentals!

344. Name: State Rep Randy Fine on 2020-10-29 11:58:15
Comments:

345. Name: Sonja Zander on 2020-10-29 11:58:51
Comments:

346. Name: Tracy Heins on 2020-10-29 12:35:57
Comments:

347. Name: Kathleen Ross on 2020-10-29 12:49:16
Comments:

348. Name: Donna Shepherd on 2020-10-29 13:06:22
Comments:

-
349. Name: Carolyn Pangborn on 2020-10-29 13:31:36
Comments: My husband and I are against short term rentals. We've experienced first hand damage from renters when we tried being long distant landlords with wonderful management. They were disrespectful to adjoining properties and damaged grounds as well as interior of our home. In a fragile turtle nesting ecosystem like Melbourne beach allowing short term rentals other than hotels is a terrible plan and we are fully opposed to it. Not only are we against this for the ecosystem but we don't want our property values lowered with a bunch of rentals around us.
-
350. Name: Margaret Clifford on 2020-10-29 13:35:03
Comments:
-
351. Name: Douglas M Taylor on 2020-10-29 13:46:25
Comments:
-
352. Name: Stephanie Eastman on 2020-10-29 13:48:53
Comments:
-
353. Name: Linda Seapath on 2020-10-29 14:02:12
Comments: No short term rentals!
-
354. Name: Linda Craig on 2020-10-29 14:32:39
Comments:
-
355. Name: Jim Belcher on 2020-10-29 14:36:10
Comments: This would be really sad and we (as a community in South Beaches), dont want this. Its already bad enough with lack of services, no street lights, absentee policing, etc.
-
356. Name: Michael Little on 2020-10-29 14:37:35
Comments:
-
357. Name: Raymond Fash on 2020-10-29 15:35:53
Comments:
-
358. Name: Jim Cronin on 2020-10-29 15:38:15
Comments: How can short term rentals be allowed in a national wildlife refuge? Please protect the turtles and the south beaches.
-
359. Name: Diana Cronin on 2020-10-29 15:40:18
Comments:
-

360. Name: Eric Lowd on 2020-10-29 16:44:18
Comments: Long term renters or nothing
-
361. Name: Jody lowd on 2020-10-29 16:45:35
Comments: No Airbnb or Vrbo etc
-
362. Name: diane mellon on 2020-10-29 17:41:43
Comments: The residents of the South Beaches care for and respect this special environment. Let's keep it that way. No Air BnB
-
363. Name: Will Brannon on 2020-10-29 17:51:24
Comments:
-
364. Name: Raymond Farrara on 2020-10-29 17:52:47
Comments:
-
365. Name: Matthew Fagan on 2020-10-29 18:29:30
Comments:
-
366. Name: LS on 2020-10-29 18:35:18
Comments:
-
367. Name: Teresa Warren on 2020-10-29 19:50:18
Comments: Allowing this to happen for such a small portion of the population you serve is a travesty. While you think you are reducing government regulations - you are actually increasing government interference with our right to quiet enjoyment that we purchased.
-
368. Name: Kenneth C Warren on 2020-10-29 20:14:39
Comments:
-
369. Name: James Frattarola on 2020-10-29 20:50:14
Comments:
-
370. Name: Meehan Janet on 2020-10-29 21:19:32
Comments:
-
371. Name: Jeanne Misleh-Probst on 2020-10-29 23:05:58
Comments:
-
372. Name: Rosemary Allen-Smith on 2020-10-29 23:41:58
Comments:
-

373. Name: Lisa H Anderson on 2020-10-30 00:12:28
Comments: Short term rental would disrupt the very close and unique community atmosphere and sensitive environmental habitats that we love. Please do not let money rule over the needs of this very unique community. Vote No to Short Term Rentals.

374. Name: Richard Fritz on 2020-10-30 02:16:38
Comments:

375. Name: Deborah Fritz on 2020-10-30 02:19:38
Comments:

376. Name: Robert Braun on 2020-10-30 13:14:52
Comments: Things will only get archaic if the abb zoning expansion is not stopped

377. Name: Gary and Kathleen Weidenmoyer on 2020-10-30 14:30:12
Comments:

378. Name: Patricia Biagi on 2020-10-30 14:48:45
Comments:

379. Name: Faith Mars on 2020-10-30 15:04:41
Comments:

380. Name: Alysia Smith on 2020-10-30 15:26:46
Comments:

381. Name: Joy Waters on 2020-10-30 15:41:20
Comments:

382. Name: Stanley Heinricher on 2020-10-30 16:56:40
Comments: Short-term rentals are bad for quality of life.

383. Name: Debra Yannotti on 2020-10-30 20:47:27
Comments:

384. Name: James McCullough on 2020-10-30 22:18:47
Comments: Love Melbourne south braces because it is not overdeveloped

385. Name: Louise Cusa on 2020-10-30 22:51:49
Comments:

386. Name: Richard Hohenberger on 2020-10-31 13:39:52

Comments:

387. Name: Janet Richardson on 2020-10-31 14:12:26
Comments:

388. Name: Robert D Heins on 2020-10-31 14:40:11
Comments:

389. Name: Jerry L Giacomino on 2020-10-31 15:10:40
Comments:

390. Name: Margaret McHenry on 2020-10-31 15:38:01
Comments:

391. Name: James Winter on 2020-10-31 19:23:23
Comments:

392. Name: Tina Scarisbrick on 2020-10-31 20:10:40
Comments:

393. Name: Robert Kahaly on 2020-10-31 20:48:04
Comments:

394. Name: RONALD COBB on 2020-10-31 21:27:38
Comments: Please enforce zoning restrictions that will prevent short-term or nightly property rentals in South Melbourne Beach.

395. Name: Becca on 2020-11-01 18:33:03
Comments: Please don't let AirBnB ruin our barrier island like it has in so many other areas of Florida.

396. Name: Bonnie Pechulis on 2020-11-01 19:44:38
Comments:

397. Name: Roland Pechulis on 2020-11-01 19:45:37
Comments:

398. Name: Ann Sepri on 2020-11-01 21:23:53
Comments:

399. Name: Ron Lewis on 2020-11-01 21:28:44
Comments: Short term rentals will ruin the atmosphere of south Melbourne Beach

-
400. Name: Julie Fleming on 2020-11-02 00:23:23
Comments: Please help keep Melbourne Beach safe for our children and families who live here.
-
401. Name: marsha Fisher on 2020-11-02 14:22:38
Comments:
-
402. Name: Jacqueline Buck on 2020-11-02 14:36:34
Comments:
-
403. Name: Teresita Aborlleile on 2020-11-02 14:51:12
Comments:
-
404. Name: Joanne on 2020-11-02 15:06:43
Comments:
-
405. Name: Franklin L Smith on 2020-11-02 17:07:34
Comments: I do not want Airbnb in our community
-
406. Name: Joseph Haniff on 2020-11-02 17:19:40
Comments:
-
407. Name: Christine king on 2020-11-02 17:43:33
Comments: We don't need air bnbs. Here. Our communities are congested enough with all building going on. The is not Daytona.
-
408. Name: Carol Fonda on 2020-11-02 19:20:16
Comments: I am already surrounded by rental units in a community of only 8 homes. Please Please Please n more. Even owners doing this on a weekly basis are inconsiderate and not attentive to things like garbage disposal and parking privileges. I have actually had renters park in front of my garage door blocking me from leaving when I had an emergency. NO MORE PLEASE!
-
409. Name: Colin Strigenz on 2020-11-03 01:42:53
Comments:
-

Site went live 11/10/20
Official Launch 11/15/20

130 Signatures as of 11/19/20
<https://www.nodailyrentals.com/get-involved/>

Sign Our Petition



Help us STOP Daily Rentals! Please sign our petition and share with your friends! Please also contact all 5 Brevard County Commissioners, our County Manager and County Attorney. Their contact information is at the bottom of this page. We need as many people as possible to tell our Commissioners NO to Daily Rentals in our neighborhoods!

Take Action Now!

As residents of Brevard County, we want to keep our current zoning laws in place and protect our unincorporated residential neighborhoods from zoning changes that would allow short-term Vacation Rentals throughout our county.

We do not want our quiet residential neighborhoods to be converted to daily or hourly rentals through corporate rental companies, or services like Airbnb and VRBO.

By signing this petition, we want to let our Brevard County Commissioners, County Manager and County Attorney know how much we value our unincorporated Brevard County communities.

We do not want changes to our zoning that may negatively affect our quality of life as residents or negatively affect our neighborhoods, beaches, wildlife, and beautiful natural environment.

First Name

Last Name

Email

Postal Code

Comments

Sign up for email updates

SIGN NOW

135 signatures

Share this with your friends:

facebook

twitter

First Name	Last Name	Email Address	Postal Code	Comments	Date Signed
Jeffrey	Pangborn	jabojpg@gmail.com	32951	I am against daily, even weekly or monthly rentals. I grew up in Orlando and saw what a transient society does to a community. Visitors won't care about our ecosystem, our privacy & they'll leave trash w/ loud parties & crime will escalate making our taxes go up to pay Sherrif. This will also devalue our properties. Daily rentals isn't what I agreed to when I bought here in this quiet community.	11/18/20 22:09
Jill	Cozza	JillCozza@yahoo.com	32937		11/18/20 18:58
Cathy	Vrh	cathy.vrh@gmail.com	32951		11/18/20 17:52
Scott	Coghill Sr	scottcoghill@att.net	32937	Please do not ruin my quality of life along with thousands of others who moved here to avoid this daily rental stuff that has ruined thousands of communities nationwide! We elected you to preserve our property rights not destroy them for corporate investors.	11/18/20 17:30
Tyann	Franklin	tyannstr@gmail.com	32904	I do not want short term rentals in our neighborhoods. I love our quiet area and do not want the come and go traffic.	11/18/20 16:41
Candy	Absher	cabsher3@cfl.rr.com	32951		11/18/20 15:47
Rosemary	Smith	nerose52@aol.com	32951		11/18/20 14:13
Lee	Francis	LoveLee4x4@aol.com	32775	i am against changing zoning laws for rentals, we like Brevard the way it is!	11/18/20 14:10
Rebecca	Marshall	jackaru@yahoo.com	32951		11/18/20 13:43
Tina	Scarisbrick	tina.scarisbrick@gmail.com	32903		11/18/20 13:42
DONALD	EASTMAN JR	donald1951@comcast.net	32951		11/18/20 13:28
Susan	Bohn	surfersue1@yahoo.com	32952	These rentals disturb every aspect of peace full enjoyment of a residential neighborhood. If Commissioners want them just zone them for THEIR personal street. NIMBY	11/18/20 13:20
GEORGE	KEOUGH	gkeough@cfl.rr.com	32951		11/18/20 12:56
Connie	Regan	regancm6@gmail.com	32951	South MLB resident - soon to be full time/year round - the reason I purchased here is the peace/ quiet enjoyment of R-1 or low-rise condo deveelopment. Having been a guest in an Airbnb/ VRBO home, I understand its concept. However, peaceful use and enjoyment in an R-1 neighborhood will be OVER; additionally, most owners don't pay required hospitality tax.	11/18/20 12:11

Ann	Voldness	a.t.voldness@gmail.com	32951		11/18/20 11:25
Adam	Klaproth	aklaproth@hotmail.com	32935		11/18/20 11:11
Joseph	Sulpazo	jhsulpazo@outlook.com	32951	Daily rentals next to Tobias house only	11/18/20 11:10
Kristie	Utzler	klu77@msn.com	32951	Tourists do not respect our turtle breeding grounds. As I have seen many neighbors doing air B&B more trash flies around my neighborhood, dogs are being let free on beaches and poop is everywhere. Plus these people are not paying the 14% commercial tax and breaking the law. I am disgusted with how rentals are being handled	11/18/20 10:28
Rita	Molloy	trimolloys@aol.com	32951	We strenuously oppose the proposed changes that would allow vacation rentals without restrictions in our communities. The quality of life in our area surrounded by nature preserves is why we own a home there. We share a deep respect for nature and goals of keeping our waterways, indigenous flora and fauna and wildlife viable. Removing regulations will endanger the environment and it's future.	11/18/20 10:18
Gloria	Bella	globe47@hotmail.com	32951		11/18/20 9:47
Holly	Bosco	holly27berry@yahoo.com	32951		11/18/20 9:41
Dale	Abrahams	dale_abrahams@yahoo.com	32940	Thank you for fighting the fight this will impact neighborhoods property values & the environment Our local leadership is interested in revenue! The question is what about safety in these neighborhoods? The barrier island is very special & we need to preserve specific areas of the barrier island along with keeping neighborhoods safe	11/18/20 7:58
daniel	genovesi	danog40@gmail.com	32937	AirBnB is the scourge of community. I have one 2 houses down and the city has never taken action on our behalf?	11/18/20 7:56
Lynn	Gronosky	lgronosky@icloud.com	32951		11/18/20 7:43
Daryl	Williams	nwilliams1725@cfl.rr.com	32951	I have seen first hand the devastation caused by AirBnB and VRBO on Anna Maria Island.	11/18/20 7:16
Becky	Ladd	beckyladd@att.net	32951	Absolutely no vacation rentals. This is a quiet family neighborhood and should stay that way.	11/18/20 5:38
Marcia	Ware	marciamejia1966@gmail.com	32951	No daily rentals!	11/17/20 23:55
Cynthia	McCain	mccaincd@comcast.net	32951	I am not in support of daily Airbnb is disruptive to a neighborhood and actually unsafe I do not know who is coming in and out of the neighborhood and there have already been incidences that included having a fugitive in by Florida beach area no community but a designated Airbnb community should be subjected to this beach areaneighborhood	11/17/20 23:36
Aneta	Sitarska	fertilitycarepractitioner@gmail.com	32951		11/17/20 22:57
Jerzy	Sitarski	jerry.sitarski@afasystems.com	32951		11/17/20 22:56

Jacob	WRonski	jacob.wronski@gmail.com	32951		11/17/20 22:55
Aneta	Wronski	anetawronski@gmail.com	32951	NO !!!	11/17/20 22:48
Elzbieta	Sitarska	elajurek@hotmail.com	32951		11/17/20 22:44
Theresa	Hannon	Theresahannon@ymail.com	32951		11/17/20 21:06
Scott	Maki	scottdmaki@gmail.com	32951	Please do not allow short term rentals in our area. There is growth everywhere around us here in Brevard and Florida in general. But Melbourne and Floridana Beach still maintain charm that will undoubtedly be jeopardized with this change.	11/17/20 20:54
Douglas	Beardmore	beardmore@bellsouth.net	32951	I am opposed to non-resident owners and corporate rentals being allowed to do daily, weekend and short term rentals in unincorporated Brevard. Don't spoil our beautiful area. Don't sell the preserves, don't build an unneeded bridge.	11/17/20 19:43
MaryLee	Lutz	mlonthebeach@hotmail.com	33951		11/17/20 19:18
Rene	Paradis	renep321@hotmail.com	32951	Daily rentals will greatly diminish the quality of life that makes this area so desirable.	11/17/20 19:15
Terri	Klegerman	TerriK133@Gmail.com	32951		11/17/20 18:56
Kathleen	Weidenmoyer	weidenheil@aol.com	32951	NO DAILY RENTALS! Under ANY circumstances!!!	11/17/20 18:27
Yuki	Hood	Seahorse6005@gmail.com	32951	This will increase crimes (drugs, prostitution) and traffic. It will destroy our beautiful hidden paradise, Melbourne beach!!	11/17/20 18:12
Laura	Farrara	lfarrara@yahoo.com	32951		11/17/20 18:11
Terri	Rollins	teri2tea@gmail.com	32951		11/17/20 17:19
LINDA	MINNICK	lminnick@hotmail.com	32951		11/17/20 17:09
Steven	Daut	stmada@gmail.com	32951	Just say NO" to daily rentals!"	11/17/20 17:01
Paul	Lourd	tc4racer@gmail.com	32951	Anything under a month seems unreasonable to me.	11/17/20 16:35
W Scott	Schermerhorn	hatteraspk@aol.com	32951	I am opposed to daily and weekly rentals -	11/17/20 15:25

Paula	Neshek	flpackergal@aol.com	32951		11/17/20 15:10
Wendy	Christian	rc52wc@hotmail.com	32951		11/17/20 14:55
Donna	Jarvis	Jarvisgldl@gmail.com	32951	No! to short-term vacation rentals!	11/17/20 14:42
Mary	Conaty	maryconaty1@gmail.com	32951		11/17/20 14:32
David	Klesch	lnklesch@live.com	32951		11/17/20 14:20
Linda	Klesch	dcklesch@live.com	32951		11/17/20 14:18
Marcia	Shea	shea@snet.net	32951		11/17/20 14:08
Gale	Sellers	gsellers417@gmail.com	32951	I am against shot term rentals in Brevard County.	11/17/20 13:41
Cynthia	Earp	cearpfl@gmail.com	32903	Thank you for caring	11/17/20 13:30
Joni	Herman	joniherman@gmail.com	32951		11/17/20 13:14
oxley	kinnaird	oxleykinnaird@aol.com	32951		11/17/20 12:42
Sandra	Kinnaird	sbeach75@icloud.com	32951	The house next door to us just sold to an out of state resident and is being rented as a daily rental. I will move if this becomes a problem.	11/17/20 12:40
Janet	Havican	jkhavican@yahoo.com	32951	We need to protect the federally protected sea turtles, our communities, beaches and our environment. We need to STOP the daily and short-term rentals in Brevard County!	11/17/20 12:18
Harold	Houser	nhouser@cfl.rr.com	32951		11/17/20 12:12
Mark	Havican	gymdad54@aol.com	32951	We are not ready for the underage drinking, all night parties and then the trash in the neighborhood after the short term renters that don't really care about the neighborhood leave. We don't need or want them.	11/17/20 12:03
Frank	Maurer	f.maurer4@icloud.com	32951	What rational reason do you have for allowing daily rentals?	11/17/20 11:56
Jane	Mccuen-Conway	conwayjane1@gmail.com	32951		11/17/20 11:54
Laura	Shaw	lovinthearts@yahoo.com	32951	8 bedroom/8 bath houses just streets away for daily rentals is RIDICULOUS. That many people pulling in and out of a1a and crossing our road is a disaster waiting to happen.	11/17/20 11:54

Brian	Shaw	briankshaw@yahoo.com	32951	Leave daily rentals to official hotels in designated areas.	11/17/20 11:49
Luis	Sans	ldsans@bellsouth.net	32951	NO to daily rentals, please!	11/17/20 11:48
Sharon	Fahy	smfahy1@yahoo.com	32951	Open your eyes and your ears. We do not want daily rentals!!!	11/17/20 11:39
Chris	Sutherland	quasarchris@gmail.com	32951	No on Daily renters!	11/17/20 11:27
William	Mchenry	wmmchenry@aol.com	32951		11/17/20 11:27
Brent	Guay	bjguay@gmail.com	32951	My wife and I chose to move to south Melbourne Beach with our 3 children because it was one of the few beach-side communities we could find that still has a somewhat rural residential feel to it. While short-term rentals may benefit some parties involved, I can't imagine how they would benefit the current full time residents in the quaint neighborhoods of south Melbourne Beach.	11/17/20 11:21
William	Hogsed	whogsed@gmail.com	32951		11/17/20 11:20
Maxine	Aaron	maxineaaron1959@yahoo.com	32951	no daily rentals	11/17/20 11:16
Analisa	Guay	aguaygb@gmail.com	32951		11/17/20 10:55
LaVergne	Williams	glovprop@bellsouth.net	32951		11/17/20 10:33
Sue	Agin	seabeanz@bellsouth.net	32951-3867	Please leave our zoning laws alone!! None of us wish to have our communities turn into a short term rental neighborhood.	11/17/20 10:06
Richard	Dorzey	rick@dorzey.com	32951		11/17/20 10:06
Linda	Lawton	lindalawton@proton-mail.com	32951	Please do not destroy our neighborhoods	11/17/20 9:42
Kelly	Hagan	hagansbeachhouse@gmail.com	32951		11/17/20 9:24
Paul	Bachmann	tranquility51@yahoo.com	11742	Retain our Paradise!	11/17/20 8:49
Terry	Bachmann	BACHNYNY@YAHOO.COM	11742	Please keep our Communities safe, quiet, environmentally sec	11/17/20 8:35
Deborah	Charnasky	debc1234@gmail.com	32951	Would you want this option available in your neighborhood?	11/17/20 8:33
David a	Nichols	freeway56@aol.com	32951	No no no daily rentals	11/17/20 7:12

Roberta	Nichols	freeway56@icloud.com	32951	Please no rental for our sweet beach community	11/17/20 7:09
Peter & Sally	Goltzman	airpedro@bellsouth.net	32951		11/17/20 6:40
Natalie	Reiss	Nataliereissfl@gmail.com	32951		11/17/20 6:37
Sandra	Byrtus	jabyrtus@aol.com	32951		11/16/20 22:35
Patricia	Ellis	pmerve@aol.com	32951	Bought in Mel Beach BECAUSE of the quiet residential not commercial environment.	11/16/20 22:17
Lisa	Burlinson	lisaburlinson@gmail.com	32951		11/16/20 22:06
Dave	Finnigan	finnigan.david@gmail.com	32951	Don't let the south beaches become south florida!	11/16/20 21:59
Tod	Hagan	tod.hagan@gmail.com	32951		11/16/20 21:48
Deborah	Kinghorn	dkn1@metrocast.net	32951	I fear you will end up destroying the natural preserve in which I live. This is just greed. Stop it.	11/16/20 18:54
Mary Jane	Patterson	a1apetsitters@bell-south.net	32951		11/16/20 18:39
WILLIAM	PATTERSON	wepatt@hotmail.com	32951		11/16/20 18:38
Sam	Brown	sambrown170@gmail.com	32951	If this happens they will building on our preserves next and next our area will look like miami and south fl li	11/16/20 18:35
CALVIN	BOARDMAN	sportfisher@bright-house.com	32951		11/16/20 17:13
Pearl	Spires	pearlspires@hotmail.com	32937		11/16/20 15:55
Dolores	Conway	dccapemay@aol.com	32951	I oppose Daily Rentals.	11/16/20 14:36
Ravadee	Geneczko	ravadee99@aol.com	32951		11/16/20 13:50
Melvin	Johnson	melvjohn@yahoo.com	32951		11/16/20 12:11
Sandra	Johnson	johnsonsandra58@yahoo.com	32951		11/16/20 12:08

james	mcCullough	jpminline@aol.com	32951		11/16/20 11:16
Pamela	Boardman	purplehousefb@bright-house.com	32951	Please do not let short term rentals in our neighborhoods. Our families are important to us and when you are in a position to never know who is next door because it is a short term rental is not only frightening, but also a lack of concern for Brevard County Residents to subject them to such.	11/16/20 9:18
Michael	Wills	mwill98@yahoo.com	32951	No short term rentals!	11/16/20 9:14
Clayton	Banks	sunking5150@gmail.com	32951		11/15/20 21:11
Jeff	Wickman	jeff.nicbeach@outlook.com	32951	This is a family residential neighborhood,not party central	11/15/20 18:28
Sharon	Overton	soverton907.so@gmail.com	32951		11/15/20 18:25
Vlad	Zakashansky	vzakashansky@gmail.com	32951		11/15/20 16:26
Paul	Geneczko	Paulgen@aol.com	32951		11/15/20 15:05
Elaine	Hannula	whanehan@aol.com	32951		11/15/20 14:59
Andrew	Burrough	andyburrough@gmail.com	32903		11/15/20 12:35
Ali	Otoya	otoyali1986@gmail.com	32903		11/15/20 12:34
Miriam	Cabrera	tapdancer48@yahoo.com	32951	No daily rentals!	11/15/20 11:34
Angela	Mauzer	amauz@att.net	32951		11/15/20 11:17
DON & LISA	THIMAS	LISATHIMAS@YAHOO.COM	32951	NO DAILY RENTALS PLEASE!	11/15/20 9:32
Jack	Overton	joverton907@gmail.com	32951		11/15/20 9:20
Dana	Ott	otts@reagan.com	32953		11/15/20 7:45
Roberta	Laver	laverrob@windstream.net	32951		11/15/20 0:25
Sandra	Silver	sandy.silver22@gmail.com	32951	This area is so over populated now we cant deal with need for sewers and destruction of lagoon.more use and people will ruin the island	11/14/20 21:54

Peggy	Cavanaugh	pcavanaugh1@cf.rr.com	32951		11/14/20 21:48
Mary Anne	Minerva	maminerva@gmail.com	32951	We do NOT want changes to our zoning would most definitely affect our quality of life	11/14/20 18:13
Colleen	Hausman	colleenhausman@gmail.com	32953	Please vote NO against any changes to our current laws concerning Short Term Vacation Rentals	11/14/20 16:51
Kathleen	Kodl	kathykodl@yahoo.com	32951	I am totally opposed. We enjoy and rely on resident owners to preserve our community. We don't want a barrage of rentals, we don't need a causeway, we are opposed to a sell off of the Archie Carr preserves.	11/14/20 14:59
Audrey	Wentling	awentling@msn.com	32951		11/14/20 12:20
Cheryl	Hernandez	fremangirl@icloud.com	32951	Commissioners: Please vote against these changes. Keep our neighborhoods neighborhoods, not vacation resorts	11/14/20 12:05
leo	morrissey	lmorrissey22@hotmail.com	32951		11/12/20 14:37
Nancy	Blair	nblair321@aol.com	32951	NO DAILY RENTALS.NO COMMERCIAL DEVELOPMENT IN OUR NEIGHBORHOODS!	11/11/20 22:42
Kristen	Willer	krissywiller@gmail.com	32951		11/11/20 16:40
Frank	Hernandez	hrnandii@bellsouth.net	32951		11/10/20 12:40

Save Brevard County

All of Our Unincorporated Areas
From Airbnb, Daily Rentals
& New Vacation Rental Zoning

Welcome! We're glad you're here!

Our County Commissioners want to allow Airbnb, VRBO and daily vacation rentals throughout all of unincorporated Brevard County. As residents, we need to work together to save our communities from changes to our vacation rental zoning!

Please help us by answering a few quick questions about short-term vacation rentals. Press the "Let's Get Started" button below to continue.

All information collected is anonymous unless you choose to provide your contact information. Comments will be presented to the Brevard County Commissioners to support the protection of unincorporated Brevard County from changes to our vacation rental zoning.

Let's get started!

press **Enter** ↵



Save Unincorporated Brevard County from Daily Vacation Rentals

403 responses

Do you want nightly or short-term vacation rentals, through companies like Airbnb, VRBO, or others, *to be allowed in unincorporated Brevard County?*

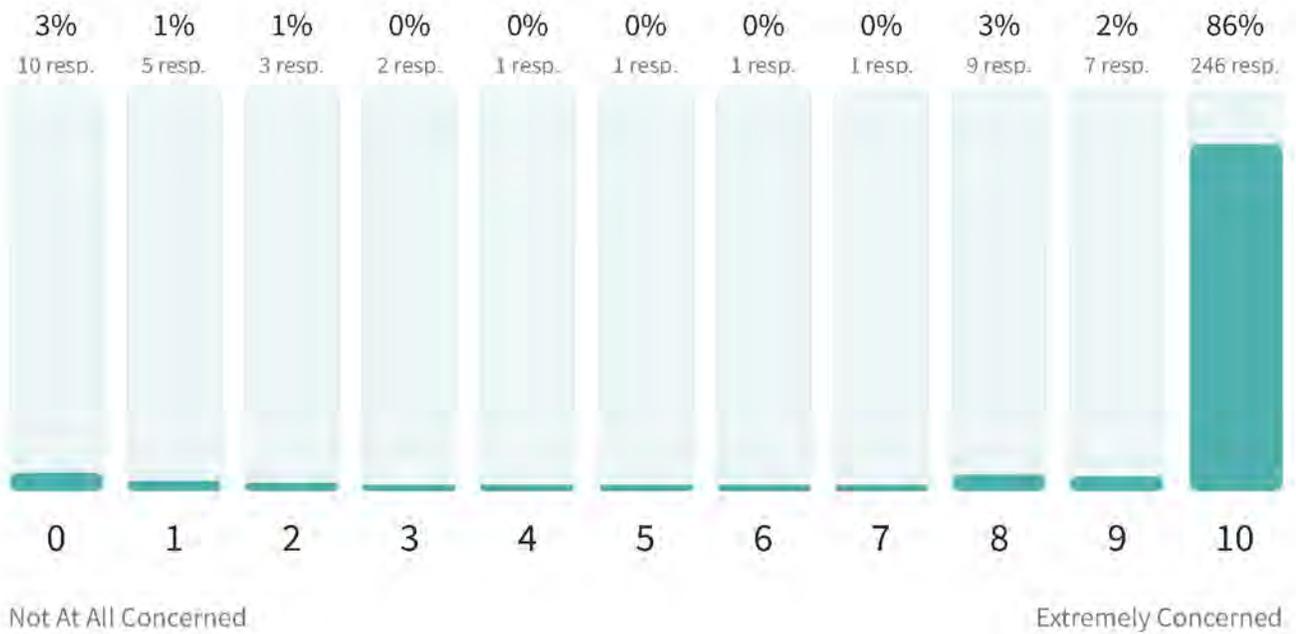
403 out of 403 answered



How concerned would you be if a Vacation Rental moved in and started operating daily rentals next to your home?

286 out of 403 answered

9.2 Average rating



Do you know of any daily or short-term vacation rentals (less than 3 months) available for rent in your neighborhood or general community?

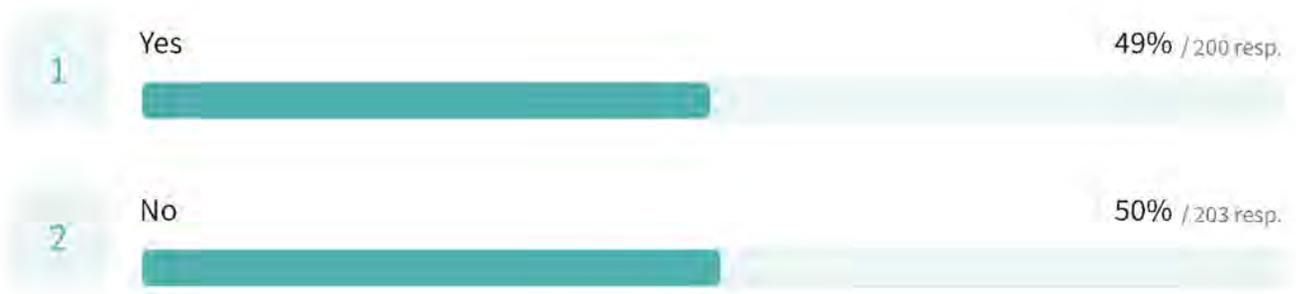
403 out of 403 answered.



Great! Thanks for your feedback!

Do you want to provide a name with your comments when they are sent to our Commissioners?

403 out of 403 answered.



What area of Brevard County do you live in?	*Do you want nightly or short-term vacation rentals, through companies like Airbnb, VRBO, or others,* _*to be allowed in unincorporated Brevard County?*_	*Do you want to share any thoughts about why you don't want daily or short-term vacation rentals in unincorporated Brevard County?*	*Do you have any information you want to report about the effects of daily or short-term vacation rentals in your neighborhood or general community?*	"Almost done! *Are there any other comments, questions or feedback you would like to pass on to our Commissioners about the proposed changes to allow daily and short-term rentals in our communities?*"	"Sounds good! *What name would you like listed with your comments when they are sent to our Commissioners?*"	Start Date (UTC)
Melbourne Beach	No	Noise and parties...Traffic and trash. Bought in a residential area for a reason.....Rentals are nothing but trouble!		Daily rentals do not belong in Melbourne Beach! The amount of taxes paid by residents do not warrant living in an area disturbed by renters that do not want to follow the local laws. We live in an ecologically protected area....lets keep it that way!	Jill/John Martin	2020-11-19 02:03:54
South Patrick Satellite Beach	No	Because the house next-door to us is owned by someone who just Airbnb's. There's always loud random parties in various things going on. We are a family who has lived in this house for 11 years and my husband has lived in this neighborhood since 1978. We are trying to keep this a family neighborhood We are trying to keep this a family neighborhood	The house next-door to us is one	None	Jill Cozza RN	2020-11-19 00:01:17
south beaches - seaview street melbourne beach florida	No	security issues - traffic - congestion - unrecognized transients - homeless		why do we need this . this would degrade our property values and comfort . we hope the county commission denies this request.	Edwin and Patricia Dowdell	2020-11-18 23:14:17
South beaches	No					2020-11-18 18:44:58

Crystal Lakes	No	Would undermine the feeling of community in our neighborhood.	Disruptive to neighbors			2020-11-18 17:10:19
Merritt island	No					2020-11-18 16:46:06
Sunnyland	No	I would like to keep sunnyland a family neighborhood where I know, help and speak to my neighbors. There is not a single reason for the daily rentals other than greed.		I would like the daily rentals to be next door to the commissioners.	Joseph Sul-pazo	2020-11-18 16:01:43
Crystal Lakes	No	Disruptive to our neighborhood. Lowers property values. Creates too much traffic.	rental across the canal from my home resulting in noise and light pollution	I am totally opposed to allowing short term rentals in the south beach area.	Deborah & Robert Sands	2020-11-18 15:25:18
Merritt Island	No	Short term rentals of residential homes is a horrible idea for neighborhoods! Increased noise, traffic, crime, etc. Most short term rentals are not going to give any consideration to their full time/long term neighbors. Peace of mind will be lost. After spending considerable money and time developing a family home, having new neighbors every few days will result in the loss of stability which current neighborhoods create. Please do not allow this proposal to become a reality.		Explained above.		2020-11-18 14:54:56
South beaches	No	Too many people staying in these places with no respect for local residents.		We moved here for the quiet and the respect people have for each other and our beaches. We don't want a motel living in our neighborhood.		2020-11-18 14:43:24
north-west Melbourne	No	They disturb the peace; cause rent to escalate for full-time residents; and many owners commit fraud by keeping their Homestead Exemption tax savings while not even living there.	Strangers coming and going at all hours of day and night. Noise because they are partying and on vacation.	They should govern for the people that actually live and work in this community. What good are tourism dollars when they degrade the quality of life for the permanent residents?		2020-11-18 14:27:07
South Beaches	No				Kathy Chell	2020-11-18 14:17:42
Hamp-ton Homes Merritt Island	No	Bad enough the regular home rentals where the residents don't take care of the house and yard. And people renting the short term rentals are here to play and party with no care in the world for us homeowners who live here full time.	Not at this time	No	Louanna Angel	2020-11-18 13:41:27

South beaches	No	More transients, more crime.		What are they thinking? How does this help us or the county??	Dan Savage	2020-11-18 13:48:28
No short turn rentals	No	We have learned over the years what a nightmare this can be. I ask the question to our commissioners would they want a party house next door to them?	Have been on the phone with the police every night the partying starts. Unbelievable upsetting.		Joan Lee	2020-11-18 12:32:44
Hidden Cove	No					2020-11-18 12:37:53
Un incorporated Melbourne Beach	No	Want to keep area residential zoning ONLY, do not want any short term rentals.	Different people coming and going, more traffic, suspicious activity at times.	PLEASE do not allow short term rentals in South Beaches. We love our residential community and quiet atmosphere, short term rentals and commercial zoning will ruin this! We moved here to get away from commercial zoning and rentals.		2020-11-18 12:08:49
South Melbourne Beach	No			This is an unnecessary change to the current code that provides little or no benefit to current residents.		2020-11-18 09:50:48
Merritt Island	No					2020-11-18 01:38:51
Merritt Island	No	We moved here for the quiet, safe neighborhoods that our kids could ride bikes and play together. We watch out for our neighbors and they for us. We are not interested in having vacationers in and out at all times.		We have plenty of hotels and lodging options right on 528 at the new marina and at the cape which is right at the bridge, several more near KSC. There are enough options to serve visitors while still protecting the safe beautiful island we call home, no need to add more. Courtenay parkway is all ready dangerously scary enough. Please please don't do this to beautiful Brevard county!!		2020-11-18 01:32:59
south beaches	No	Will negatively impact our quality of life. This observation is based on the experience of other areas that allow daily rentals.		Please do not do this	Rene Paradis	2020-11-18 00:16:21

Flori-dana	No	We must protect the integrity of our RESIDENTIAL communi-ties! Our area is populated with folks who live and work here year-round. We cannot abide the increased noise, traffic, and environmental deterioration that short-term rentals will bring. There are no benefits to be gained from this practice.	We have wit-nessed as many as four families "splitting" the rent on a single-family home as short-term tenants, bringing four-times as many vehicles, etc. to our streets, and playing loud ra-dios on our quiet beaches, kids run-ning all over our protected dunes, un-authorized bonfires on the beach, etc.	If our commissioners allow this to happen, then they DO NOT deserve their jobs. They are sup-posed to represent OUR interests!!!		2020-11-17 23:04:06
South Beaches	No	Traffic, noise,		Limits to number of renter allowed if passed? Can rentals be limited to those for a minimum of a week ?	Barbara Fredell	2020-11-17 20:52:34
Mel-bourne Beach	No	We moved to this location because it was a quieter part of the county. We have seen an increase in the traffic on A1A in the last two years, making us rethink moving here. Brevard county is a crazy busy place as it is, daily rentals will not make it better.	I feel that the short term rentals definitely add to the traffic and carelessness of people crossing and driving on A1A. It also makes our beach-es more crowded with people that don't clean up after themselves or respect the wildlife.	How will daily rentals make Brevard County bet-ter? More traffic, more crime, more people? That doesn't sound better to me.	Linda Klesch	2020-11-17 19:39:08

Mel-bourne Beach	No	<p>Already we have day visitors who leave behind a lot of debris on the beaches and roadways. Visitors are unaware of how to maintain protection of the wildlife and sanctuary areas, so our wildlife, beaches, and sanctuaries are vulnerable. The amount of traffic on ATA is already very high with people doing day visits and parking anywhere they think their car will fit. The "party" atmosphere does not allow the locals to enjoy a level of privacy and quiet that homeowners pay property taxes to be able to enjoy. We moved from a condo in Satellite Beach that had Air B&B and day rentals. There were new faces constantly, so there was no sense of community. It was difficult to feel safe with strangers coming and going at all hours of the day and night. People on vacation stay up all hours of the day and night regardless of the day of the week--they are on vacation when we are trying to sleep. This included drinking, fireworks, parking in places that blocked access to the locals, and a lack of privacy. Since the owner lived "somewhere" other than the property, there was no way to contact them to let them know of any issues with problem guests. Even if we had been able to let them know, those guests would be gone and new ones coming in lived the same "vacation" lifestyle. It also felt "Grinchy" to say something to people coming for a week's worth of vacation, while we were trying to live our regular lives. Having open season on these type of rentals will drive the homeowners out. Air B&B's and Day rentals are businesses and should be kept away from residential communities. This is for safety and peace of mind, and giving these up for people to make money in the midst of residential sections of makes the neighborhoods and the beaches unsafe for those of us who moved here for the safe neighborhoods and nice beaches. We are willing to volunteer time and money to keep this safely up while visitors will be adding to the burden of those who volunteer. Once you lose those of us who volunteer to do these things, the county will be burdened with the cost of maintaining what the volunteers currently do. The Indian River is already full of pollution that is not being addressed. We don't need to do the same to the beaches and the wildlife for the sake of people using our neighborhoods as their business venture.</p>		<p>Please consider the people who have permanent homes here. If we wanted to live in the middle of a business area we would have selected that when we bought our home. When you think of "vacation" you may be thinking of a nice quiet family that has a happy time. You may think, "There will be rules." The reality is very different. If the rules were followed we wouldn't have a problem with people being run over in the crosswalks. I am afraid if this is made acceptable simply for additional revenue, the destruction that will follow will far outweigh any gains. I also predict there will be additional revenue loss due to people, such as my family, moving away. I imagine some "business people" will be in favor of this, but I wonder why? Is it to increase their personal revenue or is it to make the communities better? I don't think the two purposes are compatible in this situation.</p>	2020-11-17 19:17:29
Mel-bourne Beach	No	<p>"Noise when I'm sitting outside in my yard. People not caring about the neighborhood"</p>			2020-11-17 17:53:50

Woodlands neighborhood	No	People who rent on a short term basis(ie. nightly or weekly) in this area would more than likely be here on vacation as opposed to short term renters in non- tourist type areas and have no vested interest in protecting our neighborhood or our unique ecosystem environment . Police and neighbors can't be expected to monitor disturbances or issues related to noise, partying or destruction of dunes and turtle habitat.		Neighborhoods are very important communities where people come to know and trust one another. Short term rentals where strangers are coming and going all the time destroy and undermine that feeling of trust. This can also be very difficult for homeowners who are working and not on vacation but still have to deal with noise and carrying on from short term renters who are on vacation and feel they are entitled to having a good time since they are paying for their rental.		2020-11-17 16:33:37
South Beaches	No	A change in zoning is not why people moved here.				2020-11-17 17:13:34
Woodlands	No	I feel that when you buy a house you purchase in a location which is governed and established. This change will no doubt change our area from a residential to a commercial setting. Read about the nightmares in other towns with daily rentals	"We lived in Northern Ny and a neighboring town of Lake Placid experienced many Daily rentals– these folks rented for vacation which includes party, late nights, noise– they are on vacation. It is a serious problem Whenever you live in a place like we do near the water it will attract vacation, late night party , etc. not for neighborhoods of folks who need to go to work each day or those seeking the peace and quiet"	"We have motels, hotels and zoning. Those enterprises are inspected, regulated. Who will regulate the daily rentals in our neighborhoods? Who do we call when there are 2"10 people sleeping in a two bedroom house? The police? You? We do not want Daily rental"	Raymond Farrara	2020-11-17 16:42:18
South Beaches	No	Infrastructure and policing upgrades should be implemented before considering adding traffic and visitors to the area.		Do not do it!	D Mark Taylor	2020-11-17 16:46:55

South Beaches. A1A ocean-front	No					2020-11-17 16:17:34
Melbourne Beach	No	Live in this area due to the quiet, serene, calm environment with little traffic. Want it to stay that way.		I want to stay living in Melbourne Beach for the purposes I purchased my house here and short term vacation rentals will ruin this serene environment.		2020-11-17 15:06:38
Aquarina	No	It will ruin our way of life on this barrier island. It will increase traffic tenfold. Pollution tenfold. Beach destruction. Beach litter. Turtle deaths. Turtle failures to nest. Plastic pollution. Fisherman pollution- more fishermen clogging the beaches means more hooks and wires and trash in the sand to kill turtles. It's an outrage. Developers want to dollars and more foot traffic. It will ruin this world for the residents!! It will also increase crime. We will look like cocoa beach- crowded dirty and no pristine beach. Please do NOT ALLOW DAILY RENTALS. AWFUL!!!!!!!		I am so concerned about this. Save our beaches. Save our turtles. Save our quality of life!!! NO SHORT TERM RENTALS ALLOWED FOR THE LOVE OF GOD!!!	Lorelei Hosler	2020-11-17 14:54:46
South Beaches	No			Would you want this option available in your neighborhood?		2020-11-17 13:24:03
Aquarina	No	We chose to purchase our house because it is residential. The quickest way to destroy neighborhoods is to allow properties to become short term rentals.				2020-11-17 12:44:03
Mark's Landing boarders Florida to north	No	Would cause Additional impact to our waist systems (septics) that already may be affecting the Indian River Lagoon	They have littered the beaches while partying as well as disregard for the turtle lighting ordinance and cluttering beach with items that nesting turtles can become in tangled		Shagg Catri 55 year resident in Brevard beaches	2020-11-17 10:14:01
South beaches	No			Do not allow short term rentals or we will vote you out.	Alex Zauhere	2020-11-17 02:33:11

South beaches	No	To many diverse people and unregulated rentals, would lower home prices and odds are increase crime in the area. These houses are usually used for parties and in a residential setting it is a recipe for disaster!		"NO DAILY VACATION RENTALS. ACT NOW. SAVE OUR NEIGHBORHOODS. Essentially this vote will change residential zoning to commercial zoning in your neighborhood! We opposed to ANY changes in the current zoning that would allow daily rentals."		2020-11-17 02:05:16
Saint Andrews Village	No		Short term rentals don't have stake in the game. Property becomes worn and owners then have to pay for upkeep.			2020-11-17 00:50:55
South Beaches	No	The renters have shown a propensity for careless actions and a disregard for community.			Joseph I Haniff	2020-11-17 00:38:56
Neighborhood	No	We do not want strangers in our small residential neighborhood. Would not feel safe with strangers around all the time. Please don't ruin our south beaches.				2020-11-16 23:57:02
melbourne shores	No	this area will look like south fl if we dont fight		the only reason they are pushing this is for there own agenda	sam brown	2020-11-16 23:38:14
South Beaches - Sunnyland	No	I have 1 next to my house and 1 Air B&B behind us on A1A. It is weird and nothing but noise and trouble...	1 Air B&B next to us and 1 behind us... Loud, weird unsafe....	Oppose short term rentals	Francis and Sandra Kallam	2020-11-16 23:23:23
Flori-dana	No	It would be the ultimate destruction of our local small businesses, neighborhoods, wildlife, native fauna, lagoon, beaches and way of life. It would bring property values down in the long term and force many people from their homes. The law enforcement costs would become astronomical because of the inevitable destruction and complaints (etc). The county already does not enforce it's own laws, this would be no different. More pedestrians not knowing where they are or where they are going would lead to more traffic incidents. This would also bring in "seedy" developers that will ravage the land and destroy the simple life we have enjoyed for decades.		Do the right thing for your constituents for once!!! VOTE NO!!!! Or you will all be looking for new jobs come next election!		2020-11-16 22:13:44

South Beaches	No	These are neighborhoods not mini hotels	Destruction of Sand dunes and nests of sea turtles	DO NOT LET THIS HAPPEN PLEASE	Pamela Boardman	2020-11-16 21:48:04
Donald	No	We get up at 5:30am on work mornings, and if vacationers rent a nearby property, they have no interest in keeping the noise down after 10pm, and it will cause issues if we cannot sleep due to noisy neighbors.	The short-term renters tend to make much more noise than long-term renters and homeowners. If there is a problem with the vacation renters, we can call and report it to the owners, but it can cause serious friction between neighbors. It's not good.	I do not believe short term rentals should be allowed where there are single family homes.		2020-11-16 20:15:06

Satellite Beach	No	<p>I grew up in Panama City Beach, FL and lived there for over 25 years. I moved away from there to escape the tourists. I moved specifically to Brevard County beaches because I wanted to live in a coastal community (emphasis on "community") that wasn't overrun with tourists; a community that functions without the necessity of revenue generated from tourist dollars. In my experience, the quality of life for the majority of citizens is exponentially greater in a non-tourist community. I've watched too many of my friends and family members struggle to make ends meet in a tourist dependent town. Natural disasters (oil spills, hurricanes), pandemics, national and local financial crisis' (market and real estate crashes), and more have all wreaked havoc on tourist dependent towns. The residents of these towns suffer tremendously when this happens, losing their homes and more. Its an investor's and developer's dream to buy into a tourist based economy; which means less homesteaded real estate, more tax dollars through RE tax and Tourism tax; and more. It doesn't mean just short-term rentals, it means a good majority of the community will rely on long-term rental housing while they work their mediocre tourist, service jobs. When a disaster strikes, these long-term rental families are often displaced and are forced to leave and move far distances to find housing. It also means an increase in the overall population which effects every aspect of our community increasing things such as need for local services including government (health, schools, governance, utilities, emergency services) and public (retail, restaurants, entertainment) sectors, crime rates, traffic (did I mention traffic!), and I could go on. Bottom line, allowing an increase in tourism (aka allowing more short-term rentals) will completely create a new community that is unrecognizable from what it is today. A community that is unstable with high-highs, and low-lows. A place where most families do not want to call home once they figure out how bad things can get during those lows. We are the Space Coast. Let's focus on that. Not how to pad the pockets of the few in government and development that see a gold rush for a future tourist town.</p>	<p>I grew up in Panama City Beach, FL and lived there for over 25 years. I moved away from there to escape the tourists. I moved specifically to Brevard County beaches because I wanted to live in a coastal community (emphasis on "community") that wasn't overrun with tourists; a community that functions without the necessity of revenue generated from tourist dollars. In my experience, the quality of life for the majority of citizens is exponentially greater in a non-tourist community. I've watched too many of my friends and family members struggle to make ends meet in a tourist dependent town. Natural disasters (oil spills, hurricanes), pandemics, national and local financial crisis' (market and real estate crashes), and more have all wreaked havoc on tourist dependent towns. The residents of these towns suffer tremendously when this happens, losing their homes and more. Its an investor's and developer's dream to buy into a tourist based economy; which means less homesteaded real estate, more tax dollars through RE tax and Tourism tax; and more. It doesn't mean just short-term rentals, it means a good majority of the community will rely on long-term rental housing while they work their mediocre tourist, service jobs. When a disaster strikes, these long-term rental families are often displaced and are forced to leave and move far distances to find housing. It also means an increase in the overall population which effects every aspect of our community increasing things such as need for local services including government (health, schools, governance, utilities, emergency services) and public (retail, restaurants, entertainment) sectors, crime rates, traffic (did I mention traffic!), and I could go on. Bottom line, allowing an increase in tourism (aka allowing more short-term rentals) will completely create a new community that is unrecognizable from what it is today. A community that is unstable with high-highs, and low-lows. A place where most families do not want to call home once they figure out how bad things can get during those lows. We are the Space Coast. Let's focus on that. Not how to pad the pockets of the few in government and development that see a gold rush for a future tourist town.</p>		2020-11-16 19:30:13
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Marks LAND-ING/ TREE-TOP VIL-LAGE	No	TO RETAIN OUR NATURAL ENVIRONMENT FOR WILDLIFE AND THE ENJOYMENT & RESPECT BY RESIDENTS AND TOURISTS, DEVELOPMENT MUST BE LIMITED TO THAT WHICH WAS DETERMINED SUSTAINABLE BY EARLIER COUNTY COMMISSIONERS AND VOTES BY OUR CITIZENS		I OPPOSE EFFORTS TO BRING COMMERCIAL DEVELOPMENT TO OUR UNIQUE & FRAGILE NEIGHBORHOODS	Ann Sepri	2020-11-16 19:50:12
south beaches	No	we bought here for A REASON many years ago. to allow shot term vaca rentals will ruin the area	sunnyland beach Hiawatha st	let the people impacted vote on this	Steve Bernyk	2020-11-16 19:58:37
Mark's landong	No	Purposely Bought property knowing no commercial or resort type activity in out zoning.			Patricia Ellis	2020-11-16 19:27:20
Mel-bourne shores	No		"NOT something YOU or I want to live next door to!!!!!! There are very limited options to control the situation. Police will NOT be happy responding to nuisance calls in the middle of the night for noise etc. Please do not change our zoning."		David Wallin	2020-11-16 19:00:13
Mel-bourne Shores	No	Do not want to become a weekend party scene		Will the remainder of our wildlife area, like Archie Carr, be affected now or in the future?	Paul G	2020-11-16 18:50:43

Mel-bourne Shores	No	<p>"We are against short term vacation rentals used by Airbnb, VRBO and others that convert a residential home into a resort dwelling. The FL DBPR, Division of Hotels and Restaurants classify the business of transient daily/short term rentals as Public Lodging. We do not want to live next to Public Lodging. We do not want to live next to transient residents that are not invested in our neighborhood. Tobia has cloaked the nature of the use of Airbnb residential property, which is Public Lodging, under the guise of residential use. Tobia pretends to be the defender of property owner's rights. Tobia stands firm on the definition of a single family residential home. If it is being used in any way as residential, no one can present an argument against it. As the Commissioner's seek to change the rules and re-imagine unincorporated Brevard County with a broad brush, we should request a no vote since the rule change should be examined and based on an individual community basis. All of our communities are different. We should request that a Focused Test be placed on the nature of the use of the residential property to determine if the use is residential or has moved into a new use that is clearly non-residential in nature and transitioned into a Public Lodging classification. Lastly, we should request from the Legislature, a common sense definition of residential use of a single family home that is in a residential neighborhood."</p>		<p>"I would like to ask the Commissioner's, Why? A most obvious question would be, would you try to stop a daily rental public lodging establishment from opening for business next to your home ? What if the rules you seek to change open the door and permit a half-way house for recovering addicts or felons as short term rentals next to your home. We are against short term vacation rentals used by Airbnb, VRBO and others that convert a residential home into a resort dwelling. The FL DBPR, Division of Hotels and Restaurants classify the business of transient daily/short term rentals as Public Lodging. We do not want to live next to Public Lodging. We do not want to live next to transient residents that are not invested in our neighborhood. Tobia has cloaked the nature of the use of Airbnb residential property, which is Public Lodging, under the guise of residential use. Tobia pretends to be the defender of property owner's rights. As the Commissioner's seek to change the rules and re-imagine unincorporated Brevard County with a broad brush, we request a no vote since the rule change should be examined and based on an individual community basis. All of our communities are different. We request that a Focused Test be placed on the nature of the use of the residential property to determine if the use is residential or has moved into a new use that is clearly non-residential in nature and transitioned into a Public Lodging classification. Lastly, we request from the Legislature, a common sense definition of residential use of a single family home that is in a residential neighborhood."</p>		2020-11-16 16:39:22
barefoot bay	No	renters may not follow rules, and short term rentals would make this worse		think about this situation in your neighborhood	mary dwyer	2020-11-16 18:03:14
St. Andrews Village	No	Too transient; too disruptive; no respect for property	No	No		2020-11-16 17:26:30

Rode-heaver (which is south of Aquafina)	No	<p>"This is where I live, not where I vacation. I chose to retire along the beach and Indian River Lagoon so that I could enjoy the quiet and tranquility of this area. For health reasons, I need to reside in a low stress environment, and that's what I have right now.</p> <p>If short-term vacation rentals are allowed in the unincorporated areas of Brevard County:</p> <p>1) there will be more exposure to COVID - THIS IS NOT ACCEPTABLE BECAUSE VACATIONERS WILL NOT QUARANTINE AND WILL GO TO THE BEACH AND RIVER,</p> <p>2) Brevard County will incur more expenses to cover additional manpower required for code and noise violations - IT IS NOT ACCEPTABLE TO INCREASE TAXES SO THAT OTHERS TURN A PROFIT,</p> <p>3) my property value will decrease because it will no longer be a place people will want to live - THIS IS NOT ACCEPTABLE BECAUSE I WANT MY PROPERTY VALUE TO INCREASE FOR FINANCIAL SECURITY,</p> <p>4) we will not know who does/does not belong in our neighborhood - IT IS NOT ACCEPTABLE TO JEOPARDIZE OUR NEIGHBORHOOD SECURITY WHEN WE DON'T KNOW WHO DOES/DOES NOT BELONG,</p> <p>5) history has shown that often short-term renters do not care about the property or community in which they are renting, instead they feel entitled to certain amenities or exceptions because they've paid a premium to stay at a beach house - IT IS NOT ACCEPTABLE FOR SHORT TERM RENTERS TO DESTROY PERSONAL OR COMMUNITY PROPERTY AND NOT BE HELD ACCOUNTABLE, PLUS THEY'VE CAUSED HARDSHIP ON THE NEIGHBORS FOR WHICH THERE IS NO COMPENSATION,</p> <p>6) we won't be able to keep our children safe because we don't know the strangers in our tight knit community - IT IS NOT ACCEPTABLE FOR OUR CHILDREN TO NOT BE ABLE TO GO OUTSIDE AND FEEL SAFE,</p> <p>7) based on my experience, those with vacation or short-term rentals would not want to live next door to a vacation or short-term rental due to the points I've listed above - IT IS NOT ACCEPTABLE FOR THOSE THAT WANT SHORT-TERM RENTALS TO PUSH THIS ON THOSE OF US THAT ARE NOT SUPPORTIVE."</p>	<p>"1) I have read the horror stories from neighborhoods like Florida where the short-term/daily renters have had in excess of 10 cars parked across the front lawn and the noise was out of control. I DON'T WANT THIS IN MY NEIGHBORHOOD OR ANY OTHER NEIGHBORHOOD.</p> <p>2) I have seen short-term renters in a beach house across the street from me DISTURB the protected sea turtles! THIS IS AGAINST THE LAW, but nobody will address the issue unless they see it happen.</p> <p>3) I have seen short-term renters in a beach house across the street from me leave their belongings and trash on the beach overnight. THIS DISTURBS THE NESTING OF THE PROTECTED SEA TURTLES."</p>	<p>I urge you to PLEASE stop the daily and short-term rentals in our communities. The ill-effects of renters are compromising our health by unnecessarily exposing us to COVID and other communicable diseases, the health of our environment by disturbing the turtles and manatees, the health of our environment by littering and not cleaning up after themselves, and putting undue stress on us, all for their financial gain. It is not acceptable for us to be used in this fashion.</p>	Janet Havican	2020-11-16 16:34:27
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Mel-bourne Shores	No	No		No	Sandra Lehman	2020-11-16 16:56:52
South of florida	No	"Lowers market value (#2) Wear and tear on amenities Safety of all (#1) Raises insurance costs"	Renters do not care about the property or the people around them. HOA's and COA's have rules to protect the homeowner and property. Renters may not even know the rules. Bad, bad, bad!	WHY would you even want this? We are living in crazy times with crazy people! Homeowners expect peace and quiet AND safety!! Vote NO!!!!!!		2020-11-16 16:16:40
South shores	No			Keep our communities safe and our small town atmosphere intact.		2020-11-16 15:29:21

Homer Rodeheaver Subdivision	No	<p>"One of the many benefits of living here is the wildlife, especially the sea turtles. While we, as residents take great pride in our efforts to preserve this habitat, we notice that short term guests have damaged our sand dunes, kept lights on beachside, set off fireworks, etc, all of which are detrimental to our turtle population. We are a remote area and have no means of educating short term guests or enforcement, should their actions call for such measures.</p> <p>In addition, residents consciously chose to live in a rural residential area void of commercial establishments. Effectively changing the zoning restrictions might benefit those who bought property based on speculation of such change, but would not benefit the lifestyle changes for the current residents.</p> <p>Our South Beach Communities are a rare gem on the Florida East Coast and should be respected preserved, as such. If anyone were to call for and/or approve this change, it should be our residents, not a "representative " who does not reflect the consensus of his/her constituents. This should be a referendum decision, not one made by Government Officials on the behalf of few who stand to profit from that decision."</p>	<p>Yes. It has become apparent that issues with short term tenants are unable to be resolved within the offending timeframe as there is no readily available governing agency able to respond in a timely manner due. This is the largest concern. If short term tenants are in violation of local restrictions, they are long gone and the damage done before a response from our governing agencies. In addition, it puts the onus of policing such incidents on our local residents. This flies in the face of the desire to live in a quiet, non commercial residential neighborhood.</p>	<p>Please, before deciding on the fate of one of Central Florida's last stretches of non-commercial shoreline, defer to a consensus of current property owners. Arguably, by allowing such changes we may see an uptick in property values, but the damage to our environment and quiet lifestyle can never be replaced. Brevard's South Beaches are a true gem and should be coveted, not destroyed to the benefit of more revenue producing commercial properties which prevail along Florida's East Coast. Be proud of what we have, do not seek to destroy it.</p>	Lisa G Burlinson	2020-11-16 14:59:19
Saint Andrew's Village	No	I don't wish to live next to a hotel without rules	Renters have little respect for Village rules, i.e. parking etc. There is no supervision of the renters, they do as they please.	Don't submit to a minority of residents who wish to turn ther home into a motel.		2020-11-16 15:14:18

Mel-bourne Shores	No	daily renters don't respect our beaches, leave trash, create noise, create a public nuisance, don't abide by traffic ordinances and don't respect the sanctuaries,/nature/preserves, of the tax payers and the property owners who live in this beautiful area full time. They depreciate the value of our homes.		Don't change the laws! Don't allow daily rentals! How dare you!		2020-11-16 14:45:57
Mel-bourne Shores	No			Most people move here to leave a hectic neighborhood. Commercial development i.e. one day rentals would make this area a hectic neighborhood. We need to protect what green spaces there are here.		2020-11-16 14:31:17
Aquarina	No	"Littered beaches Reduce property values Increase traffic"		X	Deborah Korinis	2020-11-16 12:52:16
crystal lakes	No	that may allow for people buying up real estate for profit from rental income. we don't want investors ruining our communities and flooding them with strangers		NO NO and NO to commissioners that just decide things on their own. I would be curious to see where they live or if they personally want rentals		2020-11-16 12:48:01
South Mel-bourne Beach	No	I moved to this area knowing that there was not a hotel or any type of commercial operation going on near my home. It was a choice - a decision - and I feel it is my right to continue enjoying the lifestyle I chose.	Dumping trash in the Indian River, leaving trash on the beach, noise, trespassing onto others property. Men peeing in the front yard!	You think this is a money maker, but that is not your job to make money. Your job is to protect and serve ALL of your residents. Code enforcement is already unable to keep up with the work load, they and the sheriff will need more staff.		2020-11-16 12:36:52

Crystal Lakes	No	This past year with random people visiting the beaches has been disturbing to the peace and environment. Lack of respect and common courtesy. Prior to covid, the area was self-governed in a sense that the neighbors looked out for and reprimanded each other if behavior was not acceptable. A few bad apples has spoiled everything.		In general people should be able to do as they please with their own property. However, once daily rental start happening, the freedoms for the rest of us will be infringed upon because with new offerings, other rules will start popping up randomly. For instance, the Florida beaches are technically not dog friendly but so many of us have used and enjoyed life with our pets here . The communities cooperate and enjoy for the most part our neighbors pets. Random encouragement of rentals means random pets...drivers that don't think about kids and walkers, etc. Knowing each other is a security issue in these times. That being said perhaps there is a solution of compromise like some rule of a month or something. Daily would be horrible. The roads are full of bad drivers as it is. Having people not know where they are going or the speed limit or where the driveways are on A1a will be horrible. We have a great mix of age group and diversity that is why people choose to live in these communities. On the other hand, many people are struggling to keep their properties and may need to rent them now and again. Every time an issue is brought to light we loose more individual rights. Not sure if it is even constitutional to govern like this.		2020-11-16 12:16:52
South Beaches	No	"I've been to places that do allow it and it's a nightmare! People on vacation up till all hours of the night. Many families crammed into one house. Cars all over the driveway/street. Trash overflowing from receptacles-they don't pick up after their dogs- A total disaster"	I just wrote about it in an earlier question	I am against daily & short term rentals	Sandra S	2020-11-16 12:28:33
South Beaches	No	They are building them in my back yard!		Do your jobs and keep our area lovely and safe!	Dr. George Paul Marino	2020-11-16 12:23:39

Flori-dana Bch.	No	This is a quiet residential neighborhood area, we do not want it turning into a beach party quickly vacation area where people come and sew their oats for a quick vacation then go home to their quiet lives. This IS OUR QUIET LIFE every day and we would like to keep it that way!!!	We have seen several out of towners rent beach side and disrespect our dunes, kids climbing and playing on the turtle nesting dunes, also leaving trash behind	This is our quiet we have life here, that's why we have moved here to enjoy it, please don't ruin it because the county and state would like extra revenue from quickie tourist rentals, there are plenty of tourist areas that are already in the state, thank you!	Richard Gibbs	2020-11-16 11:35:58
South Beaches	No	Too many people in and out will affect the turtle nesting! Outsiders are selfish as they also leave their trash ALL over the beach for us to clean up and there is theft to homeowners. Why would you want more people in a time of Covid anyway??? Long term this is a very bad idea as our little A1A is backed up with traffic as it is. Don't destroy it by trying to be like South Fl with all the hi-rises, traffic and garbage. Please keep it beautiful and save something for once instead of always destroying it!!! SAVE THE TURTLES!!!!	Theft and messes left on the beach!!! I even see "visitors" climbing on the dunes!!!! No respect for anything or anyone but themselves.	I want the commissioners to act responsibly not selfishly or greedily!!! No!!!!	Linda Osters	2020-11-16 11:03:22
Mel-bourne Shores	No					2020-11-16 11:00:14
Mel-bourne Beach 32951	No	They often have wild parties late into the night, this is a family neighborhood. Short term rentals do no background checks, that concerns me. They also feel entitled to show no consideration to normal residents.	There was one next door, people parked all over, their were wild parties, fortunately next to that is a lawyer who kept up lawsuits about access for the disabled and they finally sold the house to a nice neighbor.	Short term rentals have no investment in the neighborhood and have a "what happens in Vegas, stays in Vegas" attitude. They are strangers.	Leonard Reinhart	2020-11-16 08:02:05
South Mel-bourne Beach	No	I don't want to lose the small town feel of our small town.		Don't do this!		2020-11-16 04:51:14
Rode-heaver	No	We are primarily year-round residents and do not want noise, trash, and mobs if vacationers next door.		We want our children and elderly to be safe on our streets. This precludes strangers in and out on a daily or weekly basis.	Patricia Wid-dowson	2020-11-16 03:56:54

mel-bourne beach	No	these are homes and the county should not allow neighbors homes be turned into motels		I wonder if the county commissioner would like their neighbors to turned their homes into a motel motels belong in commercial zoned area.		2020-11-16 03:35:45
Flori-dana	No	Our neighborhood is a safe and tranquil area to live, people respect each other's privacy and property, this would change with overnight visitors.		I would like to know why the board of commissioners are considering changing the ruling on daily and short-term rentals in our area?	Linda Jones	2020-11-16 03:13:16
Flori-dana	No	Strangers, noise, dune destruction, lack of respect for the neighborhood and possibly dangerous assholes.	Two houses away in two different directions we hear loud music, strange dogs barking, too many cars with a parade of different license plates, extra people – “cousins” – coming and going, boats parked on front lawns and illegal use of our beach access and climbing around on the dunes by these renters, ignoring our community bylaws. There's more, for sure.	Where has Tobia been in the S. beaches? Never have seen him. He gives no thought to the effects of these rentals on our lives. He must be living large in Palm Bay, far from our concerns, enjoying his peace and quiet as vrbo and Airbnb line his pockets. He promotes rentals as a way for homeowners to optimize profits on their properties at the expense of losing family neighborhoods. Disgraceful, and we want it to be illegal.	Christine Kirchheimer	2020-11-16 02:28:49
South Mel-bourne Beach	No	I feel it would ruin the quiet, peaceful, neighborhood that I purposely bought in.		Please stop it. It destroys neighborhoods.		2020-11-16 02:50:57
Flori-dana	No		We are concerned about noise levels in the neighborhood and over crowded beach parking and our peaceful quiet community.	Please listen to what your voting citizens are asking of you and decide accordingly. Protect our community and property values.	John and Joanne Wrieden	2020-11-16 02:40:33

South beaches	No	"Neighborhoods are made up of neighbors, not visitors. I want to know and interact with my neighbors. I live in a residential neighborhood and want to keep it that way, made up of residents."		Please do not make changes that allow short term or daily rentals in our neighborhoods.	Sue Holbert	2020-11-16 02:27:00
South Beach	No	I bought here for the peace and quiet, not willing to put up with renters for a day or two that don't really care about the neighborhood and will leave their trash on both private and public lands.	A two bedroom house that ended up with 12 cars for the night. Very loud drunken party until almost sunrise, when they left there was trash everywhere including public spaces.	Not what we want or need for our neighborhood. There are plenty of hotel or motels that are designed for over night or short term rentals.	Mark Havican	2020-11-16 02:17:07
Florida	No	We are a community of families, working people, elderly we don't want strangers coming and going. We have a safe neighborhood now and it wouldn't feel the same if we allowed short term rentals.		The majority of neighborhoods do not want short-term rentals	Elizabeth	2020-11-16 02:08:30
Melbourne Shores	No				Clayton Banks	2020-11-16 02:12:16
Aquarina	No	We are a residential area, not a tourist zone			Bruce Rosen	2020-11-16 01:34:11
Eau Gallie	No					2020-11-16 00:38:55
Indian Landing	No	I bought into a quite homeowner community. The appeal of South Beaches is that it does not have short-term rentals.		I am very concerned that South Beaches will become an weekend get away destination with 3 bedroom homes that are advertised to sleep 12.	Cindy Springer	2020-11-15 23:59:39
Woodlands	No	Short term rentals have a negative impact on our quite family neighborhoods in the south beaches. We have experienced a steady stream of renters from the short term rentals in our neighborhood. There are many young family's in our neighborhood and there is no vetting of who is coming through these rentals. We have experience speeding cars down the st. Parting, elicit behavior and general disregard for the homeowners in our neighborhood. We have worked so hard to be able to buy a home here and to raise our kids here. Unfortunately the county commissioners could care less about our rights and concerns.	Noise, trash, Elicit behavior and a general disregard for those of us that live here		Jason Hanson	2020-11-15 23:37:28

Flori-dana	No			When people rent for awhile. I feel safer.We dont have any control when they stay overnight.Thrte are plenty hotels for that	Teresa Blackmore	2020-11-15 23:11:48
South Beaches	No	This is why we chose to purchase in this area as there were few short term rentals here.		Please vote against changing the current zoning regulations.	James Matthews	2020-11-15 23:01:25
South Beaches	No	Residential areas should not have any commercial use allowed.		If our commissioners want live in a vacation area, they should no longer be our commissioners!!!	Hector Rivera	2020-11-15 22:56:05
Mel-bourne	No	Destroys the character of neighborhoods as the economics of STRs drive out long term residents.		Residential neighborhoods are no place to run a business. STRs belong in business districts like hotels. Enforce the zoning rules.	Mike Wills	2020-11-15 22:45:40
Indian Harbour	No	Brings too many party people to neighborhoods.				2020-11-15 22:38:25
The wood-lands	No	Keep our beaches and communities safe for all. Short term rentals do not vet the visitors and therefore we do not know what backgrounds are being allowed access to our communities and around our children. Continue to allow the Hospitality industry to remain in business by allowing visitors to stay in hotels/motels and use the restaurants locally. We have seen an increase in crime, inappropriate public behavior, trash, drug paraphernalia as well as destruction on our dunes/ beaches.	Not allowed based on current zoning and therefore breaking code. Also has a non compliance dwelling added to the property. Again breaking law.	Unincorporated is an option - we choose to be here and live in this environment. Allow the visitors and tourists to stay in town were they have access to public beaches, restaurants, public lodging and allow our private beaches/access to be private.	Melissa Hanson	2020-11-15 22:30:51

South Beaches	No	<p>"I do not want daily or short term vacation rentals in unincorporated Brevard county for several reasons.</p> <p>1.) Noise. Vacationers create a lot of noise pollution for residents who live quiet daily lives.</p> <p>2.) Beaches. Vacationers will ruin the natural beauty of the beaches and disturb turtles, which need to be protected above all costs. Just look at Cocoa beach; they have little to no turtles, and let's face it, their beaches are ugly compared to ours.</p> <p>3.) Traffic. Our road down here is not suited for the extreme traffic increase that vacationers will bring.</p> <p>4.) Decrease in property value for homesteaders. Nobody wants to live next to a rental. Nobody wants to live in a vacation town. Do we want our community to turn into nothing but renters?</p> <p>In summation, the people who live here chose this area because of its quaint natural charm, and daily rentals will ruin our nice quiet community. Punishing the citizens who homestead here for the benefit of investors is unfair and unjust."</p>	Yes. They have already ruined many turtle nests and littered all over the beach.	Please do not make these changes and ruin our community for selfish gain.	John Duncan (240) 204-1776	2020-11-15 22:07:02
Sunnyland Beach	No	I prefer to live in a safe and quiet residential neighborhood. I bought her 30 years ago because of this and I was willing to make the longer drive for it. I did not. I did not buy in a commercial neighborhood; short term rental would turn our community into a commercial area.				2020-11-15 21:55:29
South Beaches	No	Strangers, noise, damage to our beaches and dunes, disruption in our community	A group renting for a week got into an argument with a resident, they were very rude and left all their trash on the beach and we had to clean up after them.	The commissioners are failing to protect the public with allowing short term rentals.		2020-11-15 21:04:20
Florida	No					2020-11-15 20:55:39
Florida Beach	No	We bought our property because of the existing restrictions and expect them to remain in force.			Todd Harrison	2020-11-15 20:53:28

Flori-dana Beach	No	"Visitors are abusing the beaches. Cause noise pollution after hours. They are disturbing our nesting turtles. Leaving trash."	"Who will be responsible and accountable to enforcing laws and codes?"	1. I would ask if they have these rentals around them? 2. Would you and your family want to know who are renting these places?		2020-11-15 20:42:35
Grant River-front	No	transient tenant have no accountability and can be a danger. Take a toll on the infrastructure and deliver no value				2020-11-15 20:08:55
Wood-lands	No	This is a residential neighbor we do t want to have strangers having parties next door to our homes.			Carlos and Judith Padilla	2020-11-15 19:46:38
Nor-mandy PI Mel-bourne Beach	No	We don't want short term rentals because we live in a wonderful community and know most neighbors. We do not want strangers in our area and on our beaches. The more people that we don't know on a dailey basis, the more chance for crime.	Strangers on our private beach	I don't understand why anyone would want this		2020-11-15 19:41:19
Flori-dana	No		Beach side renters running up & down dunes. Throwing chairs , umbrellas toys down on the beach from house.			2020-11-15 19:27:46
South beaches	No	Short term renters are not invested in keeping the area clean and quiet		"This is a great place Where people Know each other and help Out it's a real neighborhood and transients don't do that our beaches and neighborhood stores are clean and well managed. Traffic will become a nightmare and there will Be many More pedestrian killings And traffic accidents. One Of my neighbors was run over and killed just a few months ago. We don't need short term rentals"	Iris	2020-11-15 19:18:59

Bounty Bay	No	I like the quiet and privacy down here...not sure who might rent next door. Mostly - I've been told that this is just the beginning of changes - and that next will be the \$\$ powers that be - to buy up our "protected lands" and develop them. I live backing up to bird sanctuary private, and certainly don't want that to be developed.		I suppose I would like to know if any of those commissioners live down here too! If they don't t- I don't think they should have a vote - as it won't directly affect them (Unless they stand to make \$\$ on the changes - and again, I don't think they should be the ones to vote)	Debbie Doswell	2020-11-15 19:19:22
Florida	No	There is no control over who rents and how they use the property.	Lots of people at a residence that should be one family			2020-11-15 18:57:07
Melbourne Beach	No					2020-11-15 18:48:12
Woodlands Estates	No					2020-11-15 18:23:59
Florida	No	Not controlled or monitored. renters do not abide by Archie Carr Reserve practices regarding wildlife. No concern for noise level and that they are in a neighborhood. Have more people in rental vs what is allowed according to rental agreement.	Disregard for noise level and number of people on the premises. Disregard for wildlife rules. Extra trash on the beaches. Disregard for others who live and work in the development.	DO NOT ALLOW IT!		2020-11-15 17:49:08
Melbourne shores	No					2020-11-15 17:53:11

Flori-dana	No	By definition, short-term vacation rentals creates a higher turnover of people and vehicular traffic. This results in an exponential increase in both the consumption of resources, such as water and power, and the creation of waste, such as sewage and trash. This places undue burden on the fragile balance that exists in our well-water and septic-system-based ecosystem. In addition, this increase in turnover throughout the year creates a measurable increase in both noise- and light-pollution, which has been to proven to adversely affect both humans and wildlife. The increase in the sheer number of unique people traversing the dunes over the course of a year, however well-intentioned, poses an ever-increasing burden on the naturally-occurring flora and fauna.		Reports published since the tremendous growth of web-based, short-term rental platforms highlight serious issues such as lodging taxation, personal safety and violence, noise and trash pollution, human exploitation, among others. What local government wants to grapple with these types of problems, (or more of these types of problems), if they don't have to? What additional resources will be required to address these problems should they arise?	Tom Groblewski	2020-11-15 16:21:28
Crystal Lakes	No	Renters typically do not care about the community or residents.		keep the peace by respecting the locals feelings about this.		2020-11-15 17:38:30
mel shores	No					2020-11-15 17:34:30
Flori-dana	No	Air B&B and other short term rentals change the dynamic of a quiet neighborhood. I was always under the impression that short term rentals etc. are not zoned in our area.		In the south beaches we have a handful of small mom and pop motels already. They are grandfathered in, and zoned for it. Any change to the existing zoning will drastically change the dynamic of what attracted most of us to this area.	Joe McAne-ney	2020-11-15 17:28:08
South Beaches	No	Quality of life is diminished. Wildlife Laws are constantly violated. This is a residential neighborhood, not a hostel or hotel area.	Noisy, trashy, and don't follow wildlife laws. Wrecks this place for those who choose to live here.	Get the dogs off the beaches as well, isn't there a law ?	Patrick Cope	2020-11-15 17:04:50
South Beaches	No	People disturb the dunes where the turtles lay eggs, loud parties are a nuisance, garbage left behind on the beach are just a few of the reasons.	See comments above	Don't allow short rentals in the South Beaches!	Susy Ramirez	2020-11-15 17:05:07
Mel-bourne Shores	No	I am against any changes to our comprehensive plan that would increase density or impact the lagoon and ocean. I am against short term rentals of less than 3 months. I do not trust our county commissioner - Tobia.		No change. No short term rentals for unincorporated south beaches.	Alice Rob-bins-Fox	2020-11-15 16:40:46
Flori-dana	No				Adriana	2020-11-15 16:46:38

Treetop Village	No	This area is a natural area with all sorts of wildlife and natural resources. We have over 7 species of turtles just to name a few. It is pristine and daily rentals will cause more traffic, crime, and destruction of our preserves.		Please do not allow this..it will ruin our beautiful area.	Mary Jane Patterson	2020-11-15 16:42:03
Sunny-land	No				william naber	2020-11-15 16:31:37
Florida Beach	No	Our beaches and ecosystems are fragile and renters do not know the rules and even if they do they have no incentive to follow them	Renters leave lights on during turtle season and walk on the dunes	This would drastically change the nature of our community and not in a good way!		2020-11-15 15:57:53
Indian Landing	No			Its not always about money. Preserving our beach environment and our quality of life isn't a priority to someone who wants to come in and party and let loose on vacation.	Kathy Thompson	2020-11-15 15:50:56
South Beaches... Florida area	No	Minimum 1 month rental on South Beaches			Tom & Jeanie Wilby	2020-11-15 15:28:59
Light House Cove	No			Have live in area that a abb next door many problems. Like the cooking odors made life unbearable in our Condos, not knowing who was living next to you (very big deal) and people not having any skin in the game so they don't help to take care of the neighborhood so anything goes.		2020-11-15 14:59:09
Unincorporated Melbourne Beach	No	This would create a transient zone for crime, parties, garbage, which would ruin our ecological work of sustainability.		This should not be a commission decision but a voter decision for those in the unincorporated district.	Kathleen O'Keefe	2020-11-15 15:07:21
Florida	No	Short term rentals are not acceptable for a family neighborhood. Children will be put at risk of injury. Traffic and noise will result. Tobia's offices comments that the sheriff will provide policing for unruly behavior should be considered against the reality of response times of 30 minutes or more. These are not commercial neighborhoods!!!		Property rights do not extend to destroying your neighborhood quality of life.	Rick Cash	2020-11-15 15:04:16
Crystal Lakes	No	For the safety of my children		It's the bad apples that will ruin the bunch. Don't open Pandora's box..	L.	2020-11-15 15:02:51

River-side Landing	No	Traffic, noise, environmental issues		No		2020-11-15 15:00:05
South Beaches	No	These are neighborhoods where we raise our children! NOT a resort area!	No respect for the unique environment and the wildlife. Brevard County is unique and vacation rentals do not need to be dotted here and there through our neighborhoods	Continue the way you are proceeding with unilateral changes will change Brevard County for the worse. Residential MEANS Residential. If I had wanted to buy a multi-zoned property I would have done so	Pamela Boardman	2020-11-15 14:52:10
South Beaches	No			can't wait to vote them out for even considering this; first commissioners should be fined or retired early when catering to others for profit when they should be working for US, the citizens and the environment; If commissioners are given a hefty fine, or retired, or sentenced for wrongdoing - that will help them focus on our rights, our safety and our communities - so let's ask how can we best motivate commissioners to work in our best interest and not for personal gain...time for the stupidity and reckless behaviors to stop.		2020-11-15 14:51:03
South Beaches	No	We bought for tranquility and privacy and don't want that to change. We have seen this happen where local daily and short-term rentals occur. The renters are loud and in party mode and invite and bring more people than what is allowed to the property.	It disrupts the quality of life to the people who live and own here. It does not disrupt the investor who owns the property.	Be responsible. What you do affects the lives of other people.		2020-11-15 14:50:31
Flori-dana	No	I fear that in this time of covid, people from infection rate areas will bring more of the virus here. I also don't want our semi-secluded neighborhoods turned into a resort community or party house rental community where people don't respect others around them, drive unsafely in our neighborhoods and put our children at risk, A1A is a highway with 45-55 MPH speed LIMITS which usually means people drive 55-70 where there are a lot of pedestrians young and old. Thank you		Please respect our wishes about this, how would you feel if a daily rental opened up near your home and disrupted your daily life and the overall feel of your neighborhood and community, which is most likely the reason you moved there?	Steve LaScola	2020-11-15 14:44:24

Sunny land Beach	No	Want people here who are friendly & care about our communities. Strangers don't care about our community!!		Would you or your family like a short-term rental next door to your home??!!		2020-11-15 14:39:06
Floridana Beach	No				Patricia Robbins	2020-11-15 14:39:41
Crystal Lakes	No	I'd rather pay more property taxes than have this become like other areas of coastal florida				2020-11-15 14:39:22
Indian Landing	No	I want to maintain the beauty, peace and neighborhood atmosphere				2020-11-15 13:24:49
Diana Shores	No	As a homeowner I've experienced living next to a short term rental. It was a bad experience - partying all hours of the night, drunks, loud music, cars left running and abandoned across the sidewalk, substantially more strangers.		This must be stopped.	The Otts	2020-11-15 12:45:41
South beaches	No	More people equal more destruction		Please consider the Archie Carr refuge which provides 90 % of the loggerheads nesting sites in the country. Allowing short rentals will destroy these sites. You should see the beach in front of these air B and B homes. They leave tents, trash, chairs, surf boards overnight. They just don't care about the turtle 🐢 nests		2020-11-15 12:19:58
South Beaches	No	Alot of traffic, strange people and loud music. along with garbage left on Beaches and animal feces left on sidewalks and properties.				2020-11-15 12:10:57
Melbourne beach	No	Neighborhoods will become nothing more than transient groups of people coming and going. There will be no sense of belonging to a community and lack of respect and caring for the area, environment and people will be the norm.				2020-11-15 05:29:08
Melbourne beach	No	"I've lived here or my family since 1978. I see what has happened to this Area. This was the hidden gem in florida. Now our public beaches are packed and I feel for all the people who are being exposed to nightly and daily renters. Don't ruin our paradise and make it turn into a Ft Lauderdale. It's the one area in fla that has been preserved over the years for its beauty Stop Air BNB. Now"	Floridana and south Melbourne beach	Stop it now	Caryl Mearsheimer	2020-11-15 02:45:06

Crystal Lakes	No	Visitors do not have the same vested interest in the well-being of our town and can be harmful to our family-oriented community and residential lifestyle.	A lot of speeding in the neighborhood, unfamiliar cars, and persons come through making it difficult to ensure the safety of the community by keeping tabs on things from a neighborhood watch perspective.	Just because officials like the idea of additional revenue, if they cared about the quality of the community they should consider other sources of revenue or cut back the budget before changing the entire character of where we live.	Lanie D'Alessandro	2020-11-15 02:08:30
South Shores	No	The quality of life in the South Beach area will change. More Covid cases will come to our area because short term renters will be coming in from around the country or even the world. There will be more traffic. Short term renters don't care about their behavior because it is not their own neighborhood and no one knows them. Frequently, more tenants stay at short term rentals than are listed on the rental agreement. This area is a highly sensitive environmental area that renters don't know about or care about. It is the primary nesting area for sea turtles. Vandalism and crime rates will increase as throngs of short term renters come to the area. The noise level increases in quiet neighborhoods when a houseful of short term renters come in. They don't care about others because, after all, they will never see these full time residents again! When these renters come to an area they are anonymous residents and have no loyalty to maintaining the quality life for all who live here.	No	Would you want your neighbors to list their homes on Airbnb or VRBO or other similar online rental properties business.	Peter and Kathleen Fleury	2020-11-15 01:02:26
South beach	No	Bought in area to enjoy the quiet and natural beauty		May loose current residents and taxpayers		2020-11-15 00:43:30
Crystal Lakes	No	I have to work for a living and I like my nice quiet area. The home across the street at 5170 Palmetto Drive is listed on a web site for daily rental.	The only thing I saw was before COV-19.	I do not think it is a healthy thing for our quiet neighborhood. I have paid my taxes at my home for 28 years and I should not have to put up with people trying to make a fast dollar at my expense.		2020-11-14 23:16:18

Mel-bourne Beach	No	I do not believe that local zoning or ordinances should be amended by any other jurisdiction. Allowing short term rentals in our community would have a tremendous negative affect on our quality of life and would create a negative transient vibe to our close knit community. Previous complaints about short term rentals may not have been received before because they are NOT ALLOWED			Mary Anne Minerva	2020-11-14 23:15:08
Crystal Lakes	No	This would be an invasion of quiet enjoyment, create transient traffic and reduce safety. Daily rentals commercializes our neighborhoods.	Excessive traffic and loud parties	Single family residential does not allow daily rentals. This is a violation of zoning laws. It's as if each home has become a bed and breakfast or motel. Property values could decrease.	Sam and Lisa Nasrallah	2020-11-14 23:06:07
Indian Landing	No	Short term renters are a totally different addition to our quiet community. They do not treat there rental like home. More trash on the beach and streets, more drinking and more lives lost on A1A		Please treat our community like your own. This will drop our property values and we will remember who listens to our concerns.	Judy Whitaker	2020-11-14 23:01:24
Merritt Island	No	I currently have a short term vacation rental next to my house with out of area owners and experience daily loud music, fowl language, lots of traffic, parties into the early hours of the night as well as parties many day time hours as well. Drinking, even possible drugs - possibly by underaged persons staying in the home as there is no supervision. Lewd and naked people in their backyard viewable from the windows of our home as well as our backyard. People coming onto our property, now requiring us to spend a couple thousand in surveillance cameras to protect ourselves and extra landscaping to plant trying to get more privacy. No more peaceful evenings or weekends sitting outside as it is not fun listening to all that next-door. This has destroyed our peaceful neighborhood.	Extremely disruptive to our neighborhood. Bringing several people of questionable quality right next door. No more peaceful evenings or week-ends spent outside in backyard.	Please vote NO to any changes to the current law. PLEASE. Save our current, residential family neighborhoods. We bought into our neighborhood and this county to live the residential family life. Please keep it that way.	Colleen Hausman, Merritt Island	2020-11-14 21:53:36
Mel-bourne Beach unincorporated	No	Transients are hard to monitor for crminal activity and crime us already on the upswing from nonresidents on tbe beach. Our HOA requies a minimum 1 year contract to rent.	Some of the motel, bed an breakfasts, and rentals in florida-nial beach.	Let short term problems go to other more tourists centered counties or use our motels. Don't bring those problems, drugs and drinking, to our family neighborhoods	Russell Motz	2020-11-14 19:15:40
Mel-bourne Beach	No	It will impact the business of legitimate Hotels and B&B's in the area.		What do the Commissioners propose regarding control of daily and short-term rentals?		2020-11-14 18:22:17

Flori-dana Beach	No	Unfortunately so many people who rent have complete disregard for those who live in the area. Maybe if people started to take personal responsibility for their actions and were just courteous and respectful in general we wouldn't need to go down this road. It's a representation of our larger societal problems.		Maybe we could also look at the approach of contacting the major rental agencies to see what their rules are to see if they even enforce them. Maybe we could ask to have some type of "welcome to the area, here's some things to keep in mind while visiting" type of pamphlet or something.		2020-11-14 17:02:50
Mel-bourne Shores	No	We are zoned residential & that is why we bought a home here. I do not want to live in a commercial zone & that is what allowing vacation rentals in our neighborhoods will do to our peaceful family homes.	Vacation rentals have become party places with crowds, privacy, noise, parking, drugs, & environmental concerns. These issues will not be regulated like a hotel/motel would be.	South Beaches includes the Archie Carr National Wildlife Refuge and should remain low density. Only citizens who are owners & live full time in this area have a vested interest in maintaining this beautiful protected area. Why would the county change this other than to make a profit? Perhaps we should appeal to Florida Fish & Wildlife and the federal government (EPA) to block the proposed zoning changes?		2020-11-14 16:22:35
South Beaches	No	If oversight remains local, and proper permitting, tax collection and management are addressed, with a maximum number per neighborhood based on total density, I believe a compromise could be reached. I myself have rented as a VRBO/Airbnb client in condos and single-family homes for small as well as very large family reunion gatherings. I understand the problems that arise. State governance of something like this is not the solution; local management must be in place if daily/weekly rentals become our reality.		Having been a guest at a daily rental, both single family and condominium, the potential issues people are concerned about are very real. Our family group, though respectful and clean, can get loud - it happens when 12+ people gather. LOCAL MANAGEMENT and LIMITS based on neighborhood size/density, enforcing QUIET HOURS like any hotel or condo rental would - must also be specific and enforced. These rentals are adjacent to homes with elderly, children, pets - and group rentals often interrupt one's RIGHT to PEACEFUL USE and ENJOYMENT of their R-1 zoned home. Irrefutably changing zoning is just plain wrong.	Connie Regan	2020-11-14 15:25:30
Woodlands	No	We moved here 30 years ago and have seen many changes. This is one change that will be detrimental to our communities!	Prefer not to comment	Daily and short term rentals are usually to people who have no concern in keeping this area pristine.	Mrs. Maria Hans	2020-11-14 15:35:20
South Shores Mel-bourne Beach	No	They bring people into the community that can be noisy and unaware of the rules concerning our beaches and turtles.				2020-11-14 14:07:49
Mel-bourne Shores	No	Potential to disrupt the peaceful, "residential" lifestyle, that we all worked so long for, to enjoy.		If you don't put a party house next to mine, I won't try to put an airport next to yours!		2020-11-14 12:55:32

Melb. shrs..	No				Vera Brown	2020-11-14 11:08:49
Sunnyland Beach	No	I have no desire to live next to a hotel/vacation rental.				2020-11-14 00:09:19
South Beaches	No	To protect the environment and the quality of life here	Many vehicles, loud parties and damage to the dunes	It will destroy the quality of life here		2020-11-13 23:16:08
Crystal Lakes	No	Party, Party need I say more		Not at this time		2020-11-13 21:40:26
South Beaches	No	We bought a house here thinking it would continue to be a quiet residential area. I'm sure most other people here feel the same way.	Noise, loud music, people coming and going in the middle of the night.	I don't understand why any government group can have the ability to arbitrarily change zoning and impact the lives of homeowners who have the right of quiet enjoyment of their properties.	Sandra Brinckerhoff	2020-11-13 20:38:16
Chrystal Lakes, Melbourne Beach	No	Such rentals bring drugs & crime, reducing safety for children & residents, and property values There are hotels & motels for such purposes.		Why do commissioners want to impose such rules? What will it take to remove such officials from positions of doing harm to our communities?		2020-11-13 20:21:05
Melbourne Shores	No	Noise, trash, crime, crowds - general lack of respect for anyone but their short-term enjoyment	partying was out of hand	this will simply destroy a way of life in the south beaches		2020-11-13 20:21:06
Florida	No				Jamie Brown	2020-11-13 19:28:08
South Beaches	No	I don't want our little slice of paradise to end up like south Florida		Don't fix what ain't broke.	Jim Rosasco	2020-11-13 19:19:25
crystal lakes	No	those type of rentals are better suited for hotels or in the area of cocoa beach		the house next door (which was recently sold) was being used for weekly rentals. the people stayed up all night partying bringing a lot of noise. this neighborhood is filled with kids that go to school and people that get up early to go to work. please don't allow this type of thing to happen in kid friendly neighborhoods. let those renters go party up in cocoa beach where there are plenty of rentals to be found.		2020-11-13 18:45:11

Flori-dana	No	Bought this home 8 months ago in a supposedly residential area w/o businesses and transient people		Don't want any rentals at all. Got one up the street and is a real shit hole and renter is on drug's	DONALD EASTMAN JR	2020-11-13 18:39:11
test	No					2020-11-13 13:42:13
Merritt Island	No					2020-11-12 23:22:15
Palm Bay	No	The beaches are busy enough, not to mention it would increase crime in much of the Brevard Co. areas.	The tenants have multiple autos while renting, & don't respect neighbor homeowners driveways & roadways! Always a problem with parking on private neighborhood homeowners driveways & property/lots!	Don't allow it at this time!!		2020-11-12 00:41:43
Mel-bourne shores	No	Moved to this community FOR this community – not a resort town	Fire Tobia!			2020-11-11 23:21:30
Island Oaks	No	Short term rentals do not belong in neighborhoods In addition to lowering property values, it disturbs the quality of life for day to day residents. Partying and larger than normal numbers of dwellers will disrupt homeowners lives. In addition, there is no way of knowing if the renters are former felons, child molesters, etc.		Vote NO! As a relatively new Brevard County resident (just under a year), it would make me consider leaving.	JoAnn Cra-vens	2020-11-11 02:38:44
Merritt Island	No	I live in a quiet residential area and do not want transient people who care little for our quality of life				2020-11-10 17:45:25
Flori-dana beach	No	You know why. Residents against the noise, litter, etc. Tobia is a greedy asshole who doesn't care about constituents, only his donations.				2020-11-10 14:26:00
South Tropical Trail	No	Noise			Cheryl Belkin	2020-11-10 14:10:12

South Merritt Island	No	Quiet family neighborhoods turn quickly into nightly or weekly vacation party places. Renters absolutely don't care about noise, music, speeding, parking or regard for other people while on short term vacations. It's awful living next door to one. Or more than one.	Late night parties, noise, non stop-one after another. Cars, noise... it's tiring and It's like living next to a frat house. It's one thing if you choose to buy and live next to an advertised hotel. It's another to have someone buy property just to turn into an air bnb.	Our local hotels are hurting enough... and there is no shortage of rooms.		2020-11-10 03:55:23
Merritt Island	No					2020-11-10 03:55:51
Merritt Island	No	Unfortunately many rentals have noisy people who will not respect the neighborhood and community.			Kim Englert	2020-11-09 22:53:41
Satellite Beach	No	Short term rentals would put more drivers on the roads that could put children and pedestrians in more danger in our neighborhoods			D Stewart	2020-11-09 21:45:09
New-found Harbor Drive	No			"Please don't allow the State of Florida to have control over short term rentals. Let's keep our neighborhoods residential and tourist areas for vacationers. We struggle keeping our IRL clean and the sides of 520 and 528 clean, so imagine how horrific it would be if tourists infiltrated our neighborhoods and brought their "I don't care, I'm on vacation" attitudes."		2020-11-09 20:25:34
Merritt Island	No	They are disruptive to the lifestyle we as residents enjoy.		We don't need this here in our community. How does this help us or improve our lives? It doesn't. End of story.	Dennis Dougherty	2020-11-09 20:25:36
Melbourne Beach-Unincorporated	No					2020-11-09 18:03:19

South Merritt Island	No	Too many parties out of control				2020-11-09 17:39:18
New Melbourne Beach/ South Beaches	No	<p>"This is our home, our neighborhood, our sanctuary. If we wanted to live in a resort area with an ever transient population, we would not have purchased a home here.</p> <p>I live off a dirt road shared with my next-door neighbor, our houses are very close. If either home were to become a nightly, daily, or even a weekly rental it would be a living nightmare. All sense of security, calm, and peace would be lost. Never mind the negative impact on our property value.</p> <p>How would you like to have a constant stream of unknown vacationers next-door, in your neighborhood, and throughout your town? Is that the type of place you would want to live in?"</p>		As our elected representatives you should have the best interests of the full-time resident homeowners in mind. The fact that this change is even up for consideration tells me you do not! I have been a resident of the south beaches for nearly 20 years, and am truly saddened that you have so little regard for our home.	Kelly Ahern Zaubere	2020-11-09 13:18:01
Merritt Island	No	Merritt Island is a residential family area with most businesses located on Rt 3 and 520. Allowing people to rent short term could increase crime since there will be so much turnover in a place, then property values will be lowered. There is a reason why some places don't allow it	I am not comfortable with having a different set of strangers every day next door to me, I won't feel safe. It is different than just having a new neighbor move in and getting to know them. There will be no sense of community or neighbors looking out for neighbors.	Please don't just think about short term gains, think about safety and sense of community	K. Calin	2020-11-09 02:50:28
Melbourne Beach	No	I do not want short term rentals in south Melbourne Beach. I like our community the way it is now. I would not choose to live in a "rental" area. This area is a compilation of single family dwellings with a liveable ambience.		Please vote to protect our communities.	Mikele Carter	2020-11-08 23:57:17
Cape Canaveral	No	Daily rentals have a negative effect on the quality of a neighborhood.		Short term rentals hurt residents who already suffer from lack of long term rental options.		2020-11-08 22:44:02

Surfside	No	We have one next door to us for two years and have called the police because of the all night parties.	Already reported to code enforcement	Let the rentals be next door to you or on your street. You won't be happy	Sue Kovras	2020-11-08 22:30:26
Merritt Island	No	I selected Merritt Island for my home because it's a family oriented area and not a tourist destination. Cape Canaveral and Cocoa Beach are for the tourist population.		Please don't let this area turn into the over crowded west coast. There are more than enough hotels and rentals in Cocoa Beach and Cape Canaveral.	Susan Thomas	2020-11-08 21:39:40
Melbourne Shores	No	They create a nuisance and ruin the peaceful neighborhoods we have here.		Let's preserve our neighborhoods for the residents who live here and not those who want to make a buck at the expense of the community.		2020-11-08 20:36:24
Melbourne Shores	No	I don't want a Motel 6 across the street.	Short term rentals will adversely affect my neighborhood. We we moved here to live in a quiet family type neighborhood, with a low rental ratio, and limits on future major development. This action will change all of that. Other areas of the country and in this state have suffered terribly when they switched to short term rentals, driving out homeowners, as the influx of tourists with no tie to the community, no care for the neighbors or environment became too much to deal with.	Please leave Brevard County with local control over our codes and zoning. The state cannot govern appropriately what is a local issue.	Frank Hernandez	2020-11-08 18:32:55
Surfside Es-	No	currently, AirB&B houses are causing NOISE, excess parking on the street, and large amounts of GARBAGE. No one wants this in their neighborhood	Parking problems and noise	NO SHORT TERM RENTALS.	Susan	2020-11-08 18:19:31

Mel-bourne Shores	No	Short term rentals will adversely affect my neighborhood. We we moved here to live in a quiet family type neighborhood, with a low rental ratio, and limits on future major development. This action will change all of that. Other areas of the country and in this state have suffered terribly when they switched to short term rentals, driving out homeowners, as the influx of tourists with no tie to the community, no care for the neighbors or environment became too much to deal with.	There have been large numbers of people and loud parties at these places, creating a nuisance. And when complaints are made, there is no recourse for enforcement.	Please leave Brevard County with local control over our codes and zoning. The state cannot govern appropriately what is a local issue.	Cheryl Hernandez	2020-11-08 18:12:06
Mel-bourne Shores	No	My neighborhood is not a resort community. Leave it in the current zoning . We do not want short term rentals!		Why would you consider ruining family neighborhoods by allowing this type of rental? I ask all of our County Commissioners if they would like to have short term rentals next to their homes?	Scott M. Rich	2020-11-08 18:03:11
South Beaches	No	We have a very sensitive environmental area that I don't think short- term rentals would understand or respect				2020-11-08 15:13:04
Merritt Island	No	We need more affordable housing for families that are here first. When the people aren't hurting, then we can re-look at this situation. The people living in our community now should be our priority		Please put your community first, not corporate pocketbooks		2020-11-08 13:50:37
Down-town Mel-bourne area	No	More opportunity for crime with outsiders invading our neighborhoods. don't want constant strangers in and out of my neighborhood.	There was an Airbnb across the street from me. There was constantly different people and vehicles in the home. I didn't feel safe as a single person not knowing who they were and where they came from. This nonsense will also bring down property values without a doubt.	This nonsense will bring down our property values, no doubt.		2020-11-08 13:32:19

Merritt Island	No	This would make our already congested traffic on SR 520 and 528 not to mention Courtney Parkway. We do t need residential vacation rentals in our community. I have seen first hand what tourists do to our beachside community and I will not support this. As a long time Brevard county resident, I strongly disagree with this proposal from our county commissioners. I don't feel it's right as we local residents don't even get to vote on this proposal that's being brought up by people that probably don't even live on this beautiful barrier island.		This is a terrible idea. If the people of Merritt Island voted on this plan I can safely assume this would not pass.	Sarah Peterman	2020-11-08 13:24:22
Treetop Village	No	Noise, disruption in the neighborhood, too much traffic, spoiling the beaches, and disturbing the turtle nesting. These problems occur when short-term or daily renters have little or no vested interest in the surrounding communities.		I am opposed to daily rentals. This change would negatively effect our peaceful, pristine, seaside community. The increase in traffic on our A1A roadway will cause severe congestion and continued accidents. Our wildlife will be at risk in the preserves, on the beaches and on the roadways. Gopher and sea turtles, bobcats, birds and other Florida native species are in danger of habitat loss and road deaths. This is an environmental-ly sensitive area that includes the Archie Carr Preserve and EEL's. The Indian River Lagoon is in constant threat of pollution.	Terry Bachmann	2020-11-08 12:35:19
North Merritt Island	No	NMI is a small semi-rural area where everyone knows everyone. Bringing people that are not stakeholders into our community will change our small town.				2020-11-08 12:58:06
South Beaches, 55 zone south of Coconut Cafe	No	Our community will just look like another Coco.		I would like to know if all this change has anything to do with Dan Winklers development of Harbor Club? Tobia has his political signs on Dans property. I would like to know if this is the county doing Dan a favor with his new Vaction rental club? The tax money and rezoning done to help the new development?		2020-11-08 12:29:01
Cape Canaveral	No	Noise, parties, lack of off street parking, trash	Not enough parking, noise levels up, extra police visits required, trash receptacles sit on the street for days	Please do not allow short term rentals. One month or longer brings in better tenants that nightly. Nightly brings in party people		2020-11-08 11:55:01
Merritt Island	No	People who don't regularly live in the neighborhood don't necessarily care if they speed, make noise, park in right of ways like a neighbor would		Keep neighborhoods family friendly. We don't need strangers coming and going. Who regulates if a pedophile rents one of these units?		2020-11-08 03:13:21

Merritt Island	No	Family neighborhoods with a lot of seniors who have lived here for years. A few rentals which are currently rented to families who contribute to the neighborhood. Daily rentals would significantly change the neighborhood atmosphere and would introduce a whole different type of occupants with no pride in our neighborhoods		This change would not benefit our community or neighborhoods in any way!		2020-11-08 00:50:43
South Beaches	No	I moved here based on the current regulations, should they be changed because others want to line their pockets? NO!!		If our commissioners allow these changes I will do everything in my power to make sure they do not get reelected!!		2020-11-07 23:48:17
Unincorporated Indianantic	No	We rented across from 2 Airbnb and it is horrible. Loud noise at all hours day and night, cars in the road, strangers walking our neighborhood.	I have already reported- they just received a violation. There may be two smaller off of Diane circle as well.	We have children and just purchased in this neighborhood because we feel they are safe. Opening it up to strangers diving on our street, partying doesn't make us comfortable leaving our kids out to play.	Kelly Paulson	2020-11-07 23:52:16
North Merritt Island	No					2020-11-07 21:03:00
Merritt Island	No	They are transients and you never know who or what you'll get or if they'll be a nuisance			Lynne Maurer	2020-11-07 20:39:02
Merritt Island	No	This is a residential area not a party till dawn place		I did not invest in my home to have vacation renters partying till dawn. We will sell if it passes and I am sure many others will follow	Jacqueline Fritz	2020-11-07 19:44:32
Merritt Island neighborhood	No	I worry that these rentals will encourage behaviors unacceptable for my young children. I moved to the Island to avoid the drugs and alcohol fueled parties of cities.		If you defy the wishes of your constituents, please at least allow for a trial period before allowing a law to be passed.		2020-11-07 19:20:24
Merritt Island	No	Family neighborhoods are in danger of being taken away. Quality of life for residents will be effected		Daily rentals are not good for family neighborhoods		2020-11-07 18:59:28
Merritt Island	No	No short term rentals!!!				2020-11-07 19:04:46
South beaches	No	The reason we live here is the peace, nature and small town feeling . It would all be gone			J Manns	2020-11-07 18:53:06

Melbourne Beach wingate	No	Moved to this quite area for peace no partying with reckless people.		Please do not approve this.	Jo Sauve	2020-11-07 18:24:17
Sunnyland	No	After researching many years, we bought in Sunnyland. We have a young child and we are here for a low crime, peaceful community feel. We left a big city filled with rentals that only brought people who do not care about your neighborhood. Renters tend to leave trash, bring many other people and more undesirable traits. I do not want to wonder who is renting in my neighborhood- do they have a criminal background? Please do not allow short term rentals. It wi hurt our home values, destroy what we have saved and worked toward, add unsavory people - strangers- to our small neighborhood. Vote no!		Put yourself in our place. Would you want this near your children or elderly parents? Do not ruin our communities.	Amy Sulpazo	2020-11-07 18:15:13
South Beaches	No	Do not want stangers staying next to me for less than 1 Month. Not Safe	I lost the sale of my house because there are weekly rentals next door	South Beaches has a reputation for being quiet & peaceful. I've been here for 20 years & never a problem	Normand Nault	2020-11-07 17:14:06
South Beaches	No	The rentals will bring in high volumes of people who may or may not take care of the beaches and surrounding areas. One of the best things about the Melbourne Beach area is the small town, quaint feel. You know your neighbors and everyone lends a hand in helping to maintain that quaint feeling and preserve the quiet, serene area we live in. Rentals will add more traffic to a peaceful area. Please do not let this pass as it will ruin the paradise feeling that we all, as residents, sought when we bought here and wish to remain here.			Kristine Pearson	2020-11-07 15:22:01
Melbourne Shores	No	This is a beautiful, safe, quiet area where nature thrives and communities live and work together in a harmonious way. Bringing in daily and other short term type rentals would ruin the nature that is carefully preserved, the safety we all enjoy, and downgrade the overall quality of our great community in the entire Melbourne Beach area.		Please listen to your constituents and not the developers putting money in your pockets. Do the right thing and the people here will revere and respect you greatly. These developers could care less about the area, this is our home, not theirs.	Alan Stewart	2020-11-07 14:44:59
Melbourne Shores	No	Short term renters seem to be inconsiderate and do not respect our every day rules or laws. Speed limits, noise, etc.			Richard Hohenberger	2020-11-07 13:54:55

Melbourne Beach	No	Short term rentals will only run down our beaches and damage our beautiful conservation areas. Not to mention it will endanger our sea turtle population and nesting. We need to preserve our beautiful beaches by keeping them clean, which is something renters will not take into consideration.		Please do not allow short term rentals only to make money. Many of us live here to enjoy the nature, peaceful and clean environment and will certainly not have this if short term rentals are allowed. These renters will have a no concern for preserving our areas. Do not make this mistake, and make it all about money.	J. Stewart	2020-11-07 12:41:42
South Beaches	No	I work shift work and my area is quiet. Already lived near a BNB in Cape Canaveral and the visitors have no respect when arriving in the middle of the night next door,	Again, arrival times are are a problem. Especially with children that want to run down the street to the ocean at 3:00 am in the morning, because they are land locked visitors from Tennessee or other areas not near the ocean. I understand the attraction, that's why live beachside. Go stay in a hotel and make your noise there, please not in my quiet retired neighborhood.	Something must be done soon or we are not going to be able to reverse it. A good idea would be to have a BNB next door to Tobia's house and all other commissioners that are voting for this very annoying new invasion on our coast. Maybe they would like to hear children screaming at 7 am in the pool next door.	Scott Taylor Buthker	2020-11-07 11:42:04
Canova Beach	No	Allowing hourly and daily rentals would ruin the residential nature of Brevard County. Too many neighborhoods have seen homes purchased by investors for the sole purpose of nightly rental. That's not what I want (or deserve) as a Brevard County resident.		No.	Kyle Schmackpfeffer	2020-11-07 04:00:12
Sunnyland Beach	No	We do not want nightly strangers in our neighborhoods. Partying and being loud. Some of us still have to work.	Our property values going down. Upkeep on the properties decline.		Marian Aquinas-Frye	2020-11-07 03:28:01

Flori-dana	No	We want to keep our small beach town		No		2020-11-07 03:14:58
Highway A1A, south of Publix	No	It creates enticement for out of area or foreign investors and developers to buy up properties, making prices unattainable for locals and no interest in improving local communities.	I have seen firsthand short term renters pack more people into a dwelling than there are rooms to accommodate them, with overflowing cars parking on the side of the road and people bringing dogs on the beach during turtle nesting season.	Is the push for short term rentals the result of a quid pro quo between John Tobia and Dan Winkler (CBC & Phoenix Park Development)? Seems suspicious....		2020-11-07 02:54:25
South Beaches	No	Traffic		Don't let this happen!	Gail Routsong	2020-11-07 01:56:48
Merritt island	No	Higher crime, lower property values, terrible idea		Yea, don't allow it, can see no benefit		2020-11-07 01:42:39
South Brevard County	No	More tourists in areas that successfully closed beaches to Brevard residents because of Covid earlier this year makes zero sense and is rather hypocritical				2020-11-07 01:25:23
Indialantic	No	Not nightly! Maybe monthly				2020-11-07 01:07:01
Crystal Lakes	No	Approximately four-five years ago a neighbor directly next-door rented her home through Airbnb. I did not realize at the time it was illegal. Every Wednesday through Sunday and sometimes Monday there was a party going on until wee hours of the morning. The renters were on vacation, we had to go to work. Parking was an issue as well as trash being left behind.		We moved into this neighborhood based on it's location and being a residential community. You will virtually make a business out of our quiet community. Airbnb and VRBO are a business!	Peter & Sally Goltzman	2020-11-07 00:01:37

South beaches	No	We do not want the transient visitors this would bring nor the additional congestion in the area.	The house next door to us was an illegal AirBnb/ Vrbo that has since been stopped. Loud music and new people every few days/weeks was very disruptive to our quiet neighborhood. Those with young children are especially concerned.	DO NOT LOOSEN THE CODE TO ALLOW FOR SHORT TERM RENTALS!!! I don't have any sympathy for those that bought houses as an investment and want to generate more income. They knew (or should have known) the rules/code when they bought!		2020-11-06 23:40:16
South beaches	No	Will wreck the family neighborhoods.		This should be a definite no!	Natalie graham	2020-11-06 23:18:31
A subdivision. Crystal Lakes	No		Neighbors have said guests are often loud and disruptive.			2020-11-06 22:09:15
Lighthouse Cove	No					2020-11-06 21:53:12
Melbourne Beach proper	No	The Melbourne beach area is not designed for short term rentals. It is a family based community		I do not see any good coming from allowing short term rentals into our family community		2020-11-06 21:39:37
Melbourne Shores	No					2020-11-06 21:37:02
South Beaches	No	We do not want to destroy the peace and tranquility that we have always enjoyed. Don't try to fix what ain't broke.		We are grandfathered in under state law now, once our current ordinance is changed we will no longer have that protection. Please do not mess with this.	James E. Rosasco	2020-11-06 21:24:53
Melbourne Beach proper	No	Bad experience	Negatively impacts our sense of community and safety of our children.	I would like to know why they think allowing these rentals benefits our community (i.e., their constituents)?		2020-11-06 21:05:22

Flori-dana	No	Yes, we are an old fashioned American neighborhood that has worked together to maintain our beach access, raise our children, help our elderly. We know our neighbors and work as a community through hurricanes and their recovery. Transients throughout the neighborhoods will rob us of the traditional neighborhood that we have invested our lives in. I have been in neighborhoods that have short term rentals in Orlando and the owners just live in their houses without interaction. Please don't do this to us.	No	I want to know if a person has a home in the neighborhood that is homesteaded. Can they do short term for 5 months and still take advantage of the homestead tax breaks?	Linda Lawton	2020-11-06 14:15:09
Indigo Cove	No	Moved to this part of Brevard to avoid tourist.				2020-11-05 17:06:36
South Beaches	No					2020-11-05 11:35:35
Flori-dana	No	Have experienced the effect short term rentals effect a town: share & party houses, beaches get crowded, more garbage, noise & security issues		The commissioner said he protects property owner rights for a few who want to profit on our wonderful neighborhoods & beaches, at the expense of the rest of us - what about our property owner rights? The disruption of our comfort, & the safety & enjoyment of the rest of us is threatened - I've witnessed it happen first hand.		2020-11-04 23:29:27
Cres-cent beach	No		They bring Excess noise and trash			2020-11-03 23:50:48
Mel-bourne Shores	No	High risk of short term renters abusing our neighborhood rules and lowers property values	Noise distur-bance, trash in our local beach and river access parks			2020-11-03 18:02:33
Mel-bourne Shores	No	Our areas are largely full-time residential and short term renters are potentially disruptive and not respectful of the communities they are staying in with regard to noise, driving, etc.	No	Nine new hotels have been constructed in Brevard County - let them have the business!		2020-11-03 15:41:12

South Beaches	No				Jose, Betty Gonzalez. We own oceanfront home and a townhouse in South Melbourne Beach.	2020-11-03 15:21:30
Melbourne Shores	No	I w		We purchased our home because of the quiet and friendly neighborhood and low traffic footprint. We are concerned that short-term rentals would destroy this peaceful ambiance.	Roland and Bonnie Pechulis	2020-11-03 14:38:34
Melbourne Shores	No	Short term rentals will negatively impact the quality of life in the South Beaches. This is not a resort community, it is a residential community. There are plenty of short-term rental properties available in other parts of Brevard County.		Don't enable the decline of quality of life in the beach communities of Brevard County. People live here because this is NOT Fort Lauderdale. Don't destroy our quality of life.		2020-11-03 14:11:36
Melbourne Shores	No	I don't want the residential nature of our community to change		Do not change our community. Owners who rent usually don't reside here and won't be affected by the increased traffic, noise and crime.	Mitchell Roffer	2020-11-03 13:30:07
S. Cocoa beach	No	Their tourism dollars don't make up for the trash they leave on our beaches and streets				2020-11-03 10:14:35
Paradise beach	No	Owners have no respect for excessive lightong. Numerous parking invaders streets with all types old vehicles. Nose all day and night. No regard for our property hanging clothing all over fence etc	Underage drinking and filthy language all times all day and night irregular parking on lawns and streets. Trash.	Very very bright Security lighting activated on motion sensors That turn on with any breeze. Security cameras pointed at my house and property	Steve sSullins 714-600-0392	2020-11-03 02:19:33

Indialantic	No	We are tired of the extreme traffic and noise. We are tired of the trash being left on our beaches.	An Airbnb down the street from our house continually lets more than the 10 people(maximum according to the Airbnb add) stay. We constantly see at least 20 people staying in one house and cars overflowing onto the street. Trash is left everywhere and the noise is disgusting. The house is a two story house on Poinsettia St., two houses from A1A.			2020-11-03 00:29:24
North Indialantic (uninc Brevard)	No	"1. safety 2. Traffic 3. Safety for our kids who walk to bus stops along A1A and will encounter non-residents on a regular basis - so again, safety. Lots of other good reasons too, but it would change the dynamics of so many communities and most of us have time to get to know our seasonal neighbors/ in and out hotel style traffic is not why I live where I live. Thank you for asking :)"		Mostly think about how it will change the scope of the neighborhoods and make families not want to live here.		2020-11-02 23:11:47
South Beaches	No	Because they do not respect our beaches. Too much trash left on the beach, chairs, items left overnight on the beach. Lights left on over night during sea turtle nesting.	I have pictures of trash and items left on our beach.	It also takes away homes for people to live here year round.	Betty G Gonzalez	2020-11-02 19:33:38
Unincorporated Melbourne Beach	No	This is our retirement home. We selected this home because there are laws to prohibiting rentals. We love the peaceful, clean beach and do not want commercialized beach traffic , damage.		I expect the commissioner's to represent homeowners protect our beaches and properties. They should not be supporting or promoting vacation rental investors .	Linda Craig	2020-11-02 16:32:09
Waterford Bay	No	Opposed to commercialization of pristine beaches		totally opposed to nightly and short-term rentals in our communities	DR C W Vance	2020-11-02 16:20:36

Unincorporated	No	Illegal with the current zoning laws, current zoning laws should not change	Police, fights, parking issues, noise after 11PM, crime.			2020-11-02 15:57:02
Satellite Beach	No	Short termers don't care one bit about your neighborhood. They come, they mess, they go. They are on vacation - don't care about those who live and work here. Don't care about the noise, the trash they leave on the beach, the dunes they tear up walking over. They JUST DON'T CARE because it's not theirs.	not at this time	Please respect those of us who live and deal with this every day		2020-11-02 15:36:02
Indian Landing in south beaches	No	More people = more destruction. It really is that simple.	I clean up their beach trash everyday	In North America, sea turtles primarily nest from North Carolina through Florida, with over 90% occurring in Florida. Within that range is the Archie Carr National Wildlife Refuge, a 20.5-mile section of shoreline between Melbourne Beach and Wabasso, along Florida's east central coast. Since its establishment by Congress in 1989, the Carr Refuge, named after STC's founding scientific director, has been a major success. The stretch of beach within the Refuge boundary is home to the most important sea turtle nesting habitat in the United States. More loggerheads nest within the Carr Refuge than anywhere else in the Western Hemisphere. In addition, over the past several years there has been a significant increase in both green turtle and leatherback nesting. Protection of these beaches is essential to the survival and recovery of these three species.	Marsha Fisher	2020-11-02 15:03:40
South Shores Riverside	No				Jacqueline Buck	2020-11-02 14:44:53
south beaches	No	We live in an environmentally sensitive area		do not allow	Peter Aydelotte	2020-11-02 14:25:28
South Beaches	No	Rising property taxes, changing renters from involved citizens to uncaring, short term tourists		It's already difficult to afford housing with a local career with South Floridians, out of state engineers and retirees out pricing long term citizens of the area.	Jeffrey Margaritondo	2020-11-02 12:07:35

Aquarina	No	I volunteer at the Barrier Island Center and with Friends of Archie Carr and want the best protection for the sea turtles and our dunes. If our area offers short term rentals the information to protect the Dunes, lighting issues and sea turtle nesting habits would be difficult to constantly educate an ever changing clientele group.	I have seen children using paddle boards to slide down the Dunes. I have observed beach front homes leaving lights on during the night . I took a boy to Town Star Aug. 2020 so he could wait for his mom to come from Boca to pick him up. He left a rental house that the people were doing things he didn't want to be involved with.	We live in paradise and I want to keep it that way!		2020-11-02 00:50:23
Sunnyland Beach	No	I feel it will drastically change the neighborhood in ways no one can predict with certainty. Traffic, noise, garbage on our beaches, disturbance of our natural wildlife are just a few of my many concerns. When I purchased my home in 2014, I bought a home in a wonderful neighborhood. I did not purchase a home in a commercial area for this reason. There are plenty of places for vacationers to rent, including many homes already available in the South Beaches of Brevard.		Please don't make any changes to our current ordinances- we could potentially lose our current control if these ordinances are amended.	Dana Nasypa-ny	2020-11-02 01:14:43
Brevard	No	It is very disruptive to a neighborhood		Please do not allow short term rentals in Sunnyland, it will disrupt the feel of our neighborhood and affect our quality of life and the value of our homes.	Mary Lou Church	2020-11-02 00:52:54
Crystal Lakes, South Beaches	No					2020-11-01 23:58:24

Crystal lakes	No	It will be too crowded , increase crimes and lower our housing market. Our towns can not afford this change , we do not have the traffic availability nor beach room!		As a native this area is getting to its capacity with the roads as they are. A1A can not handle more traffic, the beach has suffered enough and re-nourishment is turned in to a financial nightmare. Turning these in to rentals would be a mistake for all involved, sheriff can not handle the county as it is, if there is a problem odds are good it will take a long time for response and crime will surely increase. Please consider saving our paradise as it is, 3 month rentals are great but nightly brings in transient traffic and that is not something I can support	Victoria smith	2020-11-01 22:38:38
Sunnyland Beach	No	"It would ruin our quiet safe neighborhoods. Most of us chose to live here even though we are far from amenities and businesses, due to the fact that it is so pristine and quiet and safe. Allowing this would mean an area full of transients instead of a community."	No, not specifically	Not really, I just can't believe this could happen to all of us who own property here and chose to live here.	Lynn Gronosky	2020-10-31 17:07:22
Sunnyland	No	Moved here bc of natural beauty and environment. Tourists do not value what they do not own. They are harmful to the dunes and turtles.		Respect the South Beach residents. More important, RESPECT the natural environment bc once it's gone, it's gone forever.		2020-10-31 16:00:11
South Beaches	No	Rentals should be a minimum of 7 days	Very short renters have no respect for neighbors or the beach	No	Jerry Giacominno	2020-10-31 15:12:32
"SOFA"	No	This is a quiet residential community . The nature of the proposed rentals would lead to an increase in noise, traffic, petty crime, etc. This would all lead to a reduction in the quality of life, the ambience of the region and a increase in taxes to deal with these issues. We have kept the high rises out because we did not want to deal with those issues. As a long time resident (50 yrs +) I would like to see the quality of life maintained rather than line the pockets of a limited few.		Leave it alone ! There are far to few areas left with the unique qualities of this area.	Bob Heins	2020-10-31 14:41:34

Flori-dana Beach	No	Our communities in Brevard County are not "vacation" destinations. These are year-round, economically thriving cities and towns populated with folks who live and WORK here. We could not abide the increase in traffic, late-night noise and environmental deterioration that permitting short-term rentals would surely bring. Nor do we relish the thought of having to incur the cost of extra public services that would be required to handle an increase in tourism to our neighborhoods. Short-term rentals would also encourage remote ownership by investors in real property. Such owners have no stake in protecting our communities' integrity and our local values.		We insist that you DO NOT change the zoning codes to permit short-term rentals in our beach communities!!!		2020-10-30 14:30:45
Flori-dana	No	Floridana Beach is a real community with people who have shared life together for years. It is like no other I have seen or ever been a part of. If vacation rentals are allowed, instead of neighbors, there will be strangers; everyday. Families will have to deal with cars speeding and parties next door constantly. I saw this happen in Singer Island, Florida and in Briney Breezes, Florida. Don't allow investors to do this to our communities. The investors don't live here, but they will exploit our beautiful beaches and close community. An exploiter is a user, someone who takes advantage of other people or things for their own gain. Being an exploiter is selfish and unethical. To exploit someone is to use them in a way that's wrong, like an employer who pays low wages but demands long hours, or an investor who buys property in a family community that he doesn't live in, and rents it daily or weekly just to make a buck more than renting it long term.	It is very uncomfortable and lonely have different people in the house next door. I miss our friendly neighbor that rented the house for years.	Vote No to Vacation Rentals in the South Beaches	Lisa Anderson	2020-10-30 00:18:59
mel-bourne shores	No	i don't want a bunch strangers walking around the place, making noise and disrupting our perfect neighborhood		Go away, we don't need any changes.		2020-10-29 23:27:49
Flori-dana beach	No	Noise. Litter. Dunes and turtle being damaged. Asshole touristS who don't care about our beaches, wildlife and property. We are NOT a resort town.	See previous answer	Put interests of constituents and full time residents over those of special interests and out-of-town investment property owners.	Sid Kirchheimer, 6735 Angeles Road 32951	2020-10-29 21:47:41

SOUTH MEL-	No	THIS IS A COMMERCIAL OPERATION IN A RESIDENTIAL NEIGHBORHOOD. IN THE PAST CODE ENFORCEMENT DOES NOT CARE - THEY SAY THEY CAN'T ENFORCE THE CURRENT RULES. IS IT LEGAL TO IMPOSE UPON MY QUIET ENJOYMENT OF MY PROPERTY TO FINANCIALLY BENEFIT THE GOVERNMENT AND A SMALL FRACTION OF OWNERS.	DUMPING TRASH ON THE BEACH AND IN OUR INDIAN RIVER LAGOON. TRESPASSING ONTO OTHER NEIGHBORS PROPERTY. TONS OF LIGHTS ON THE BEACH DURING TURTLE SEASON - I CAN GO ON AND ON. IT'S FRIGHTENING TO HAVE PEOPLE YOU DON'T KNOW ARE NOT DANGEROUS STAYING NEXT DOOR.	I THINK ALL RESIDENTS IN UNINCORPORATED AREAS SHOULD HAVE THE RIGHT TO VOTE ON SUCH A PROPOSAL THAT HAS AN ENORMOUS IMPACT ON RESIDENTS THAT HAVE CHOSEN TO LIVE HERE LONG BEFORE AIR BNB OR VRBO EXISTED.	TERESA (TRACY) WARREN	2020-10-29 20:22:35
south patrick shores	No	We already have a gang bums that are roaming our neighborhood to steal, use drugs (needles found everywhere), and beg from hard-working residents!!		Commissioners, ask yourselves!! What would you want for your own neighborhood? What is truly best for Brevard county??? NO to short term and nightly rentals!!!!	doreen everett	2020-10-29 20:16:34
Mel-bourne Shores	No	This is a residential, quiet, private community where families raise their kids and work hard. The beaches are protected turtle nesting areas and the eco system is delicate. There are very few commercial businesses. We want to keep the residential quite to continue raising families and keep party houses out so we can sleep at night and not worry about who our neighbors are. There has been nothing but complaints of these type of rentals up and down the coast. It ruins neighborhoods. We are invested into keep our small community safe and quiet and these type of rentals are not conducive to the type of community we live in and work to maintain.		We read the evidence of what bringing these type of rentals into communities does. It is destructive and creates disharmony. The towns along the coast that have them have locals moving away to get away from them. Is that fair? The hotels and motels are for these renters, they don't need to be thrust into private communities. Evidence has been shown locally of what they do to the protected dunes and delicate ecosystem. These people have trashed turtle nesting areas with their parties, ignore regulations and no light orders for nesting season, park in undesignated places, leave trash, keep neighbors up all night, infringe upon the rights of home owners, break noise ordinances and more. Again, this is a small, quiet residential area with government protected turtle nesting areas all along our beach (we can't even take our pets on this protected beach but can allow these people?) and we don't want this here!	Jim and Marilyn Howe	2020-10-29 17:57:01

At1a near Sea Park	No	Want quiet & family focused environment				2020-10-29 15:43:43
South Patrick Shores	No	No	Drug trade people are constantly in and out of the overnight, airbnb or what ever it is called. The owner lives in the area and does not care.	LEO are limited in what they are allowed do. Making these places flop houses for undesirables seems like a bad idea.	Jim Yancy	2020-10-29 11:28:42
Florida Beach	No	After moving from Lauderdale by the Sea in Broward county we have lived through the negative impacts of short term rental, absentee owners. Property values decreased due to the undesirable changes in the "neighborhood". Covid 19 quarantine has made these rentals more desirable due to unavailable social venues and the problem will only get worse. Noise, pollution, underage drinking, coastal dune damage are just a few of the horrors we have encountered. We purchased residential property and hope to keep it that way!!!!	Noise, parties, underage drinking, drug use, parking issues, confrontations with renters not abiding to coastal dune regulations, pollution, large gatherings, dogs not on leashes on the beach.	Please vote no!!! Nothing good comes out of this. Brevard should learn lessons from Dade and Broward countries, their beach front communities are a disaster!!!!	Natalie Reiss	2020-10-29 05:37:55
Florida	No	I lived in are area where everything became short term rental investments. Few long term residents remained and the school had to bus in students and the businesses found it difficult to get employees because nobody could find/afford housing near the work place-Anna Maria Island Florida		Should be a minimum of 3 months	Noreen Williams	2020-10-29 00:49:53
S Patrick Shores	No	Nervous		No		2020-10-28 22:33:51
S. Patrick Shores	No	These are single family dwellings, not overnight vacation destinations. Just reeks of transient trouble to me.		We need to protect the safety of our tax paying residents.	Jill Barton Phelps	2020-10-28 21:28:42
Marks' Landing	No	Transient folks do not have the same "owner care" of area or neighbors as long term people do.		Tobia should listen to all his constituents, not just favored donors.		2020-10-28 18:27:06
Indian Landing	No	Besides more traffic, crowded beaches, lack of respect for property and neighborhoods... We live in our Neighborhood, not a resort area.		How will short term rentals effect property values?	K. Joos	2020-10-28 17:53:37

Unincorporated Indianantic	No	Because I live in a neighborhood zoned for residential use, running by the night or short term rentals is commercial. I don't want the stress on our infrastructure, I don't want non vetted people staying next door to my home and my children,		Because I live in a residential neighborhood and it's not a place for businesses. I don't want the stress on our community infrastructure, I don't want non vetted people staying next door to my children's home, I don't want the noise and disruption of vacationers next door, I don't want more parking issues than we already have on our small street, I don't want my family to have the inability to have real neighbors, I don't want people who don't even live in town running rentals they aren't overseeing next to my house... and I have TWO short term rentals next door to me already. I say all of this from a place of my experience the last three years.	Kristen Smith-Cabrera	2020-10-28 17:08:08
South Patrick shores	No	Allowing short term rentals drives up prices for rent in what used to be affordable neighborhoods. Owners who do not live in the county or sometimes even state, do not want to rent to long term county residents at a reasonable rate when they can rent out nightly for 5x the price. When local families cannot afford to live in the neighborhood, they will not want to commute to work. So you will see an influx of temporary, seasonal, visa holding students come to the area to support and live in these short term rentals sometimes with double the normal occupancy to afford the rent. This is happening all over the country already. You can ask any local resident in these small, vacation towns and they will give you a list of the deferments that short term rentals bring. And what about the safety of the children who still play in the streets of this small neighborhoods? Constant speeding drivers and strangers staying in the neighborhood is a massive risk to the safety of families.	I have an entire list of the addresses of these rentals that are so far breaking codes. Owners are nowhere to be found.	If you allow these rentals, you will lose my vote and I will actively work to spread the word of the damages you plan to allow to happen on the neighborhoods.	Rachel Fraser	2020-10-28 16:56:56
Crystal lakes	No	It would change from a nice quiet neighborhood to a vacation place and increase traffic.			Owner crystal lakes	2020-10-28 15:20:11
South Patrick Shores	No	We are a neighborhood, NOT a resort or tourist location. Think Mayberry RFD		Don't even think about allowing it. Grandfather would be very upset	Charlie Graham	2020-10-28 15:23:29

PO Satellite Beach, not in city, in unincorporated Brevard	No	We have a family-friendly neighborhood, emphasis on NEIGHBORHOOD. We know each other, watch out for each other, respect each other. Short-term rentals destroys this.		Perseve our neighborhoods and property values. No short-term rentals.	Donna Morris	2020-10-28 14:49:07
Satellite Beach	No	We are a family community, maintaining a family theme		We are not a commercial / rental / transient community and have NO desire to become one		2020-10-28 14:35:43
Melbourne Shores	No					2020-10-28 13:13:40
Satellite Beach	No					2020-10-28 12:53:18
Satellite Beach	No	Takes away from the families in the neighborhood and decreases the security	Constant flow of different people every couple of days. Don't take the care of the house they would if they lived in it	Ruining my neighborhood. Two right across the street from me. Another one converting because it is "so lucrative"		2020-10-28 12:19:37
Satellite Beach	No					2020-10-28 12:20:22
The Moorings in South Patrick Shores	No	We like the non-tourist, family and residential atmosphere. I moved here for this reason. Please keep the tourist in the condos and hotels.				2020-10-28 11:14:05
South Patrick shores	No	Parking always becomes an issue, loud parties, danger to our kids as possible sex offenders not screened. Our neighborhood is a quiet family friendly place. We don't need commercial activity in our residential area. Our neighbors that ran an Airbnb had a wedding at the house during peak covid with over 100 cars on our street.	Constant parking issues, parties nuisance.	Not in our neighborhood! We will vote out any political candidates that support Airbnb.		2020-10-28 10:51:29
South Oatrick Park	No					2020-10-28 10:32:39

Sunnyland Beach	No	In and out renters do not become a part of the community. I live here because I like the small town feel and caring we have for one another and for our community and natural areas.		Please do not allow short-term rentals to ruin our communities. The small town feel and caring for one another we have, often compared to Mayberry, is special. When we drive down the street we stop and talk to our neighbors, we take care of each other in good and bad times. When my husband was killed in an accident in 2006, my new neighbors in Sunnyland Beach came forward as a community and saved me. Please allow us to keep our little slice of paradise a friendly and caring place. Thank you.	Theresa Hannon	2020-10-28 07:31:34
South Patrick Shores	No	A short term vacation rental in our neighborhood was very noisy with parties all the time. You could hear them across the canal. I'm also concerned that it will lead to a lack of long term rentals for our local military families.	A short term rental in our neighborhood was very noisy with parties all the time. You could hear them across the canal.	Please don't allow this, it leads to problems in the neighborhood with noise etc, Short term rentals also can also lead to a shortage of affordable long term rentals for young families and military families.	Lisa Saplin	2020-10-28 05:22:13
South Patrick Shores	No	Having lived next to a short term rental property, I can tell you that they caused many problems: the amount of trash generated and left on the property and the beach was obscene, the nightly parties were so disruptive, the police were on site multiple times a week, my 4 year old saw a drunken fistfight on the shared side yard, the short term renters left uncapped syringes on the ground outside the property. The change from an actual family neighborhood to a spring break nightmare with nobody directly responsible for the damage done would destroy possibly the only hometown beachside left in Florida. We're better off a small town than a party and ditch spot.	Seeing new beach chairs and umbrellas in the trash every week, hearing the loud partying into the morning hours even on weeknights, watching the 50 or so young people pour out of the house parties, vomiting on the street and the drunken violent behavior has made me never want to live in the same neighborhood as a short term rental again. It would destroy our small town.	I know you'll do the right thing and preserve our family-oriented towns, and unincorporated areas that are woven into them, by not giving short term rentals an opportunity to make this an embarrassing, unfortunate place to be instead of the paradise it is.	Joshua and Cara Sexton and Family	2020-10-28 04:48:05

Flori-dana	No	"The environmental impact of short term rentals is not acceptable for our small stretch of critical nesting habitat for Sea turtles. The Archie Carr National Wildlife Refuge is currently the #1 nesting site in the world for Loggerhead sea turtles and allowing short term rentals can negatively harm hatching and nesting turtles. Floridana beach has one of the densest zones for these turtles within this small refuge. Lighting ordinances are not being adhered to by many vacation rentals on the ocean as well as proper stewardship of the delicate dine system here. Many local homeowners, including myself, have watched many renters spend their weekends sliding down their dunes and making makeshift nesting cages around turtle nests. Our area cannot withstand any additional environmental pressure. Please please do not allow this in this area. -Ashley Marine scientist and local homeowner"	Many lights are left on and disorient hatchling sea turtles during sea turtle nesting season. We are disoriented baby turtles and are currently conducting research on this issue in Floridana. Excessive beach trash and furniture is left after weekends of visitors.	Please email me: stellamarisresearch@gmail.com	Ashley Chelberg	2020-10-28 03:58:41
Flori-dana Beach	No					2020-10-28 03:27:02
South Patrick Shores	No	Our community is family oriented with children. Resort dwellings are incompatible with a family oriented community. Lots of cars parking, parties, excessive garbage left out; and lack of caring about community. Absent owners not invested in environment and community needs.	Owners not aware of large amounts of trash roadside because they don't live in county or state. Lots of vehicles parked in yard.	Have they considered this is one way pediphiles can gain access to a family community with kids? What we have is working - why change it now? Has Sheriff weighed in on how much more staff he will need to manage the complaints?		2020-10-28 02:55:57
Flori-dana Beach	No	"Disregard and Destruction of our dunes. Noise after 10pm. Trash left on beaches."	How do we know that these rentals are meeting occupancy rates, health regulations, fire safety, etc.	I guess I would ask how the commissioners would feel if these zoning changes were proposed for the communities they live in and how many of these short term vacation rentals they have. Also how and who would be monitoring these places to ensure regs are being followed?	George Muth Elizabeth Lyons	2020-10-28 02:22:41
Mark's landing	No	Destroy the character of the single family neighborhood; could degrade the values of the properties. It would have a negative impact on the environment.		Approval of this short term rental proposal could have significant consequences on the makeup of the comission.		2020-10-28 01:34:52
Sunny-land	No	The short term renters in our neighborhood often speed up and down the streets, do not abide by beach / conservation rules, overfill the homes with partygoers who park in neighbors yards, and have little to no regard for the neighbors / peace in the neighborhood				2020-10-28 00:50:59

Floridan	No	The possibility of those coming with no regard to the full time residents lifestyle with traffic noise and disregard of our quiet neighborhood.	Extra cars parked in lot and loud parties	These neighborhoods are not set up for investment purposes. Long term residents or rentals are acceptable. overnight or short term rentals belong at resorts,motels, and hotels.		2020-10-27 23:58:15
Flori-dana	No					2020-10-27 23:01:23
Win-dover Farms	No			The proposed changes would change the face of our communities...for the worse. Although many would treat a rental as their own, many, many more would treat it as a party place...leave the property in less than acceptable condition.		2020-10-27 22:42:34
Flori-dana Beach (Mel-bourne Beach) 32951	No	Short term renters have urinated in front of my children at our beach access, landed fireworks on my roof and have destroyed the dune in front of a short term rental In our neighborhood.		Ban short term rentals. Let them go to a motel.	Dan Sorgenfrei	2020-10-27 22:14:13

Flori-dana	Yes		no	please allow short term Rentals		2020-11-18 20:29:12
South beaches	Yes			Neighbors have family and out of town guests over all the time. Cars, people and kids screaming up and down the street. It's their property, can't tell them to limit /stop the people and noise. If it was your property and your guests would you want code enforcement or the law knocking on your door? Demanding people to suit what you want is not democracy. You say this isn't about politics but I see folks trying to take our freedoms away and that is political. It's my property, I pay the taxes so don't dictate to me how I can legally use it.		2020-11-18 17:41:13
Flori-dana	Yes					2020-11-17 18:31:56
South Beaches	Yes			There should be strict regulations on any renter in the South Beaches. People have a right to rent their homes but I do believe there should be strict rules regarding parking , beach rules and no large parties. Absolutely NO to having our preserves disturbed in any way and NO to having developers purchase land for short term rentals.		2020-11-16 14:59:08
Mel-bourne	Yes		No effect in general, once had too many cars due to the rental being for a wedding.	I think maybe allow weekly rentals. Seems like a reasonable compromise between property rights and neighborhood rights.	Robert Knazik	2020-11-16 14:03:52

Yes	Yes		<p>Yes , it would be irresponsible to block other people's income especially after the coved19 . I have no problem with short-term rentals, I think it allows people to have little extra income or income. !!! Whoever started that movement is probably just jealous!!! Supposed to be free country , we do have too many wrong freedoms, and not the right kind of freedoms that help people! Leave things alone, let people have freedom with the property as they wish. As long as they keep it clean and tidy nobody's suffering!!!!</p>	<p>I a lot of other people agree on short-term rental, not every person can take week off or three months off to vacation, so that would be discrimination against the ones who actually have to work full time and can only maybe spend a weekend away!!! Denying short-term rentals would be like saying hey if you're not filthy rich or senior who can spend three months out of your own home then we don't really care about you!!!</p>	Ingrid	2020-11-16 12:16:15
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South	Yes		The upset seems to just be people complaining! Not about the rentals but that they are doing it?! No problem w the rentals themselves. I bet most people who own here now rented themselves before they decided to buy	I am ok with its		2020-11-16 03:14:04
South Beaches	Yes			"I think they should be allowed with maybe a 1 week minimum. We recently renovated our home and stayed in a local home through airBNB. It was a great experience as we were able to stay in biking distance of our sons school. I would have hated staying in a hotel or somewhere in Melbourne or further during that time."		2020-11-16 02:32:36
Florida	Yes		Home stays empty most of the year but is very well maintained. Visitors 2-3 times annually. It is fine.	No. It is a tricky question. I believe most home owners in the area are respectful and would not allow crazy renters, to the best of their ability.		2020-11-15 19:09:51
Unincorporated Brevard	Yes					2020-11-15 19:02:02
Barefoot Bay	Yes		Yep I love short-term rentals	Keep short-term rentals coming let those free-loaders actually work for their money and stop bashing hard-working citizens	Evelyn	2020-11-15 18:54:51
Florida	Yes		No. Mind your own business.	No		2020-11-15 16:39:40
Florida	Yes					2020-11-15 15:41:21

Flori-dana	Yes		never a problem	no		2020-11-15 15:17:16
Grant-Valkaria	Yes		There are many responsible vacation rental hosts.	A homeowner should have the right to do short term vacation rental..	Judy Pozgar	2020-11-15 14:44:26
South Melbourne Beach	Yes			<p>"It's none of my business or yours if someone has their home on the AirBnB or VRBO system. We have personally used vacation rentals to escape hurricanes, see family, get away for long weekends, and several other reasons.</p> <p>Everyone situation is different and everyone's life is different. I've seen Vacation rentals used by large employers to house employees from Harris, Boeing, Space X, Lockheed, and many other companies.</p> <p>Everyone seems to think of the loud obnoxious spring break kind of set ups and just not the case.</p> <p>Home sales in Brevard are on a record pace and the avg cost of a home beachside has risen a significant amount in the last 4 years. We currently cannot build or sell enough homes to cover the influx of new tech workers and the current rental market is even worst with availability and cost. No one is buying up a home just to list it on a vacation rental site, many vacation rentals are private homes that belong to an owner who has been temporarily transferred to a new site and they don't wish to sell their current home.</p> <p>Short term rentals bring in tax money which goes to help fund projects that I don't have to pay for and I like that so rent away!"</p>	Tommy Bowling	2020-11-15 11:04:09
South Beaches	Yes					2020-11-14 23:36:48
Flora Beach Estates	Yes			Property rights are more important than zoning laws. Allow owners to exercise those rights to the full extent.	Peter denDulk	2020-11-14 15:12:20

Flori-dana	Yes			Property rights		2020-11-10 16:57:39
Merritt Island	Yes					2020-11-07 20:33:21
Cape Canav-eral	Yes					2020-11-07 13:47:35
Unincor-porated Brevard	Yes			The lesser the restrictions on what someone can do with their property the better.	Jeffrey S.	2020-11-05 10:51:09
South Patrick Shores	Yes		There are 5 that I know of on my street and we have had no issues with any of them.	Owners seem to respect the fact that it is a neighborhood and they are careful to whom they rent and the renter seem to be respectful too.		2020-10-29 03:50:02
South Beaches	Yes			I would like the ability to do what I'd like with my property without anyone dictating to me what I can and cannot do.		2020-10-28 20:24:14
So Patrick Shores	Yes		No issues. Own-ers and renters have been very respectful of our neighborhood. In fact, 2 I know of have bought in the area.			2020-10-28 13:42:42
Sea Park	Yes			Short term rental homes are better maintained property. Thank you for your consideration of this zoning allowance	David Fox	2020-10-28 12:59:48
South Patrick Shores	Yes		The short-term rental I know of is as-well, if not better main-tained, than other owner-occupied properties in our neighborhood.	Property rights are very important and I don't think it's appropriate to tell people what they can or cannot do with their property unless it involves illegal activity of course (drugs, prostitution, etc.)	K.M.	2020-10-28 12:40:31

South Patrick shores	Yes		I have never seen any issues with the current short term rentals in the neighborhood.		Mindy Fox	2020-10-28 12:34:47
South Patrick Shores	Yes					2020-10-28 12:11:43
Central Beaches	Yes		We have had no issues and a pleasant experience from all renters. It is important to not squander an opportunity for people to make some money in these trying times.	I would like to see it approved.		2020-10-28 11:59:10
South Patrick shores	Yes		I'm never bothered by noise or problems			2020-10-28 09:36:20
South Patrick shores	Yes			We need to allow business to grow we have people in this community that are trying to ruin businesses	Joe Hasto	2020-10-28 09:18:06
Melbourne Beach	Yes		They should be allowed as outlined in noted the constitution we should have the right to rent our property as we please.	Allow them!	Bryan	2020-10-27 14:46:53
Florida	Yes			Allow short term rentals! Some people need the money!		2020-10-26 19:57:13
Florida	Yes		No	Short term rentals when run right bring a lot of tax money and business to are restaurants		2020-10-26 18:49:44

Unincorporated Brevard/Melbourne Beach	Yes			I have already contacted the commissioners and explained the reasoning to support this measure should be based on the rights of the home owners to use their property to produce income consistent with the State laws, including allowing short-term rentals.		2020-10-26 18:09:58
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