



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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STAFF COMMENTS

21Z00035

Robert Griffith

RRMH-1 (Rural Residential Mobile Home) to TR-1 (Single-Family Mobile Home)

Tax Account Number: 2102136
Parcel I.D.: 21-35-06-00-780
Location: East side of Old Dixie Highway, approximately 100 feet north of Roosevelt Road (District 1)
Acreage: 1.0 acres

Planning & Zoning Board: 01/10/2022

Board of County Commissioners: 02/03/2022

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposed zoning 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	RRMH-1	TR-1
Potential*	1 unit	2 units
Can be Considered under the Future Land Use Map	YES, RES 4	Yes, RES 4

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

Background and Purpose of Request

The applicant is seeking a change of zoning classification from RRMH-1 (Rural Residential Mobile Home) to TR-1 (Single-Family Mobile Home) for the purpose of splitting the current lot back into its original configuration of two lots. To allow for a second manufactured home, the code requires separate lots for each home.

The existing lot was originally zoned RU-1-9 and TR-1. The property was rezoned to all TR-1 in April 1982 as part of zoning action **Z-5996**. The property was then rezoned from TR-1 to RRMH-1 on May 24, 2007, as part of zoning action **Z-11350** in order to allow the keeping of horses on the property.

Land Use

The subject property retains a FLU designation of Residential 4 (RES 4). Both the existing RRMH-1 and the proposed TR-1 zoning classifications are consistent with the RES 4 FLU designation.

Applicable Future Land Use Policies

FLUE Policy 1.7 – The Residential 4 land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four (4) units per acre, except as otherwise may be provided for within this element. The Residential 4 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan.

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

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

The subject parcel retains a FLU designation of Residential 4. Nearly all of the parcels on either side of Old Dixie Highway have been developed with either single-family residences, both site-built and manufactured, or commercial uses that include distribution and warehousing. All parcels to the east of Old Dixie Highway have a FLU designation of RES 4, while the parcels on the west side have FLU designations of CC and NC, with many also having frontage on Highway 1.

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

The site is located in a residential neighborhood east of commercial development along Highway 1. The proposal of two lots approximately a half-acre in size is consistent with the existing development in the area, which is characterized by single-family residences on lots a half-acre or smaller.

Surrounding Area

The parcels abutting the subject property to the east and south also retain a FLU designation of RES 4, with both lots currently occupied by manufactured homes. The property to the north likewise has a RES 4 FLU designation and contains a site-built single-family residence. The property is bordered by Old Dixie Highway on its western edge. Across Old Dixie Highway is a commercial property with a Community Commercial FLU designation. The site appears to be used as a place to store boats, RV's, and commercial vehicles.

The applicant is electing to go to TR-1 as it is adjacent to two parcels with that zoning, it is abundant in the area in general, and he wishes to build a manufactured home on the new parcel. The RU-1-9 zoning classification present on the properties to the north of the subject property only permits site-built homes, and are nonconforming to the RES 4 FLU designation, as RU-1-9 zoning requires a FLU designation of RES 6 or above.

The RRMH-1 classification permits single-family mobile homes and detached single-family residential land uses on minimum one acre lots, with a minimum width and depth of 125 feet. This classification

permits horses, barns and horticulture as accessory uses. The minimum house size is 600 square feet.

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

There have been no rezoning applications in the surrounding area in the past 3 years.

Environmental Constraints

No noteworthy land use issues were identified. 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 Highway 1, between Dairy and SR 46, which has a Maximum Acceptable Volume of 41,790 trips per day, a Level of Service (LOS) of E, and currently operates at 37.09% of capacity daily. The maximum development potential from the proposed rezoning does increase the level of MAV utilization by 0.4%. 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 Brevard County sewer. The closest sewer line to the parcel is approximately 1.9 miles to the south at the intersection of Highway 1 and Stanley Street. The existing one-acre parcel is served by water line supplied by Brevard County.

For Board Consideration

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

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

Item # 21Z00035

Applicant: Robert Griffith

Zoning Request: RRMH-1 to TR-1

Note: Applicant wants to split lot.

P&Z Hearing Date: 01/10/22; **BCC Hearing Date:** 02/03/22

Tax ID No: 2102136

- 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 Species
- Land Clearing and Landscape Requirements

No noteworthy land use issues were identified. 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 (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 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. 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.

Land Clearing and Landscape Requirements

Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), the purpose and intent of the ordinance is to encourage the protection of Specimen trees. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.