

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

The Brevard County Planning & Zoning Board met in regular session on **Monday, May 9, 2022**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were: Board members present were: Henry Minneboo (D1); Ron Bartcher (D1); Brian Hodgers (D2); Robert Sullivan (D2); Ben Glover (D3); Mark Wadsworth, Chair (D4); Liz Alward (D4); Logan Luse (Alt. D4); Bruce Moia (D5); and John Hopengarten (BPS).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Jane Hart, Planner III; Alex Esseeesse, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

### **Excerpt of Complete Agenda**

#### **PR Corporate Holdings, LLC; and AkBlue Holdings, LLC (Kim Fischer)**

A change of zoning classification from AU (Agricultural Residential) to RU-1-11 (Single-Family Residential). The property is 4.36 acres, located on the north side of Diamond Rd., approx. 0.25 miles west of Old Dixie Hwy., Titusville. (3080 Diamond Rd., Titusville) (Tax Account 2105549) (District 1)

Kim Fischer, 1614 White Dove Drive, Winter Springs, stated there is an old dilapidated building on the property that has a residential home that will be torn down along with a couple of garages. She stated the Future Land Use is RES 4 (Residential 4), and they would like to have a zoning that is consistent. She noted the City of Titusville Fire Department will be utilizing the land next year for training. She also noted there is City water available and the development will be on septic systems.

#### **Public Comment.**

Eva Goins, 3120 Diamond Road, Titusville, stated most of the homes on Diamond Road are one acre or more. She said she purchased her house in 2019, on .91 acres, and she purchased it because there was a lot of privacy and similar homes on the road. She said she called the engineering company because she received a letter from them that said there was going to be a meeting to change the zoning. She said it was explained to her that a subdivision is planned to on the 4.36-acre property, and because Titusville will only allow 75' x 75' lots, they will put a house on 75' x 75' lots, so up to 12 - 15 homes are going to be on 4.36 acres on an established country road. She said the development will create 12 houses at a minimum, and every house has 2 - 3 cars, so that's over 20 cars coming in and out of the L-shaped street that goes from Dairy Road onto Old Dixie Highway. She said the proposed development will greatly impact her quality of life, and it is not consistent with the current community.

Ms. Fischer stated she sent out letters to the neighbors and Ms. Goins contacted her along with a couple of others who contacted her wanting to sell their property. She said the Future Land Use is RES 4, which is 4 units per acre, and noted the County requires the lots to be 75' x 100', not 75' x 75'. She said they can get approximately 13 homes on the parcel, and they will be consistent in size with the subdivision to the north and west. She said to the east is commercial, so the only residential is across the street. Diamond Road has two access points, not one, and traffic should not be of any significant increase considering people can exit onto Dairy Road and Old Dixie Highway. She concluded by saying the request is consistent with the surrounding area and what is built will have to be consistent with the neighbors.

Ben Glover stated there is RU-1-11 all around the property, but it seems like they are on more major roads, and Diamond Road seems to be more like a country road.

Bruce Moia stated Diamond Road ties into Old Dixie to the east and into Dairy Road to the south. The development to the west is 80' x 100' lots for the most part, but all of the lots that front Diamond Road, except closer to Old Dixie, are large lots of an acre or more. He said he is surprised they are not annexing into the City of Titusville. It's almost transitional between the large lots and the small lots, so he wouldn't say it's inconsistent because it does match what is to the west, but there is not a transition from very large lots to very small lots, they abut each other.

Robert Sullivan asked if water and sewer will be brought to the development. Ms. Fischer replied water is directly in front of the property, so it's not a rural area. She said the City of Titusville's code is very specific that you must connect to their sewer system and their sewer system is what is not readily available. She said Titusville has agreed to allow them to utilize their water without annexation.

Mr. Sullivan stated the level of service for the road, from Dairy Road to S.R. 46 is Level D, which is not very good. Ms. Fischer stated with a level of service of D there is some capacity; with 13 homes there will be a peak trip of one per home, so there is still capacity, it just means wait times are a little longer.

John Hopengarten asked if the neighborhood to the west is also on septic. Ms. Fisher replied they are not septic, but their connection is in the opposite direction.

Mr. Glover stated based on the location of Diamond Road, it doesn't sit well with him.

Motion by Ben Glover, seconded by Liz Alward to recommend denial of the change of zoning classification from AU to RU-1-11.

Ms. Alward stated she doesn't think the board should be increasing densities if they aren't going to be able to connect to sewer.

Mark Wadsworth called for a vote on the motion and it passed 9:1, with Bruce Moia voting nay.