

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 18, 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); Bruce Moia (D5); Peter Filiberto (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 Tonya Parker, Administrative Secretary.

Excerpt of Complete Agenda

Andrea Bedard and Nicholas Boardman (Ronald Treharne)

A Small Scale Comprehensive Plan Amendment (22S.07), to change the Future Land Use designation from RES 4 (Residential 4) and NC (Neighborhood Commercial) to CC (Community Commercial). The property is 1.02 acres, located on the north side of Coquina Rd., approx. 214 ft. east of U.S. Highway 1. (23 Coquina Rd., Rockledge) (22SS00004) (Tax Account 2511124) (District 2)

Andrea Bedard and Nicholas Boardman (Ronald Treharne)

A change of zoning classification from AU (Agricultural Residential) to BU-1 (General Retail Commercial). The property is 1.02 acres, located on the north side of Coquina Rd., approx. 214 ft. east of U.S. Highway 1. (23 Coquina Rd., Rockledge) (22Z00015) (Tax Account 2511124) (District 2)

Nick Boardman, 26 Park Avenue, Rockledge, stated his intent is to request a Future Land Use change from RES 4 and NC to CC in order to be able to request a change of zoning to BU-1. He said he and his wife own the small motel to the west of the subject property, and they have identified a need for contract workers to have a place to stay when they are in the area and they would like to build a complementary business on the property.

Public comment:

Curt Myers, 1981 Rockledge Drive, stated he spearheaded the project to get Coquina Road paved 30 years ago. There is a total of 20 feet of right-of-way on Coquina Road with no drainage on either side. Drainage boxes were put in the middle of the road and they get overwhelmed at times because they do not get cleaned out often. He noted a variance was granted to a pet daycare center on the north side of Coquina Road with a driveway onto Coquina, which drains a good portion of its parking lot. No trucks are allowed on Coquina Road, and it's a very limited use. Other than the properties directly on U.S. 1, it is a residential neighborhood, with houses on the river of substantial value. He stated he objects to any commercial classification at all for that property and neighborhood. He noted the board already ruled on a property to the north with 20 acres of storage.

Jerilyn Bird, 1983 Rockledge Drive, and 1971 Rockledge Drive, stated she can see the subject property from both of her properties. She said she is against the requests for a land use change and zoning change. It is a small piece of property and she would like to keep it residential, as the road is extremely small and she cannot see big trailers or RV's easily accessing the property.

Susan Mills, 21 Coquina Road, stated she is the direct neighbor of the subject property and she is opposed to the requests. She said she lives by herself and she has worked hard on her property, she doesn't want people coming and going, tractor trailers, and people by themselves coming into the area.

Eileen Szuchy, 2035 Rockledge Drive, stated recently and consistently there are people coming from the motel and going to the river to fish because there is a small piece of public land they can get to, but unfortunately the fish move into private property and the fishermen are going up and down trying to catch fish, trespassing on private property. She said with Hound Town there are people using the parking lot for more than the daycare, and that adds to the congestion on Coquina Road. She said she objects because she believes it will ruin the character of the road, and it will spill over into the residential homes close to Coquina and further up and down Rockledge Drive.

Nick Boardman stated he also lives in the area, and he agrees that it is a lovely residential road and area. He said he only intends to do something residential with the property, whether it be an extension of the motel, some efficiencies, or a bed & breakfast. He said he wants it to be tasteful and fit in with the surrounding properties. He clarified there will not be any type of storage on the property.

Henry Minneboo stated the motel has been there almost as long as Harvey's Groves, and at one time it was a thriving location. It is a difficult situation in that area, and he cannot support anything on that road more than what is there today. The neighborhood doesn't deserve any more impact.

Bruce Moia stated the applicant is asking for a rezoning and land use change, and the board really doesn't know what could happen; he could sell it or do something completely different; and there is no proposed BDP. He stated the area is an area where there should be a plan and conditions, but there is really nothing. He said he doesn't feel comfortable changing the land use and rezoning the property when there is not a plan and the applicant can't be held to anything.

Robert Sullivan stated Rockledge Drive is a designated scenic highway, and that seemed to be the basis for not allowing trucks on Coquina Road. The history in the area is extensive and the residences along Rockledge Drive and their accesses have allowed for waivers to the roadway width to ensure the trees and other things, and he concurs with the sentiments of the other board members.

Peter Filiberto asked the difference between a motor court, a storage facility, and a parking garage.

Jeffrey Ball replied a motor court is not defined in the Code, but his understanding is that a motor court is an old motel. As far as parking and storage, BU-1 allows for indoor storage only, whether it's vehicles or materials.

Mr. Filiberto stated there are already no trucks allowed on Coquina Road. Mr. Ball stated he cannot confirm that. It is a site plan issue and if there is insufficient right-of-way they will have to design their site to accommodate additional right-of-way.

Mr. Filiberto stated he has concerns about the close proximity to the Indian River Lagoon. He also feels it will affect the character of the community and it is inconsistent. The staff report states the request may be considered an encroachment of commercial land use into a residential area. He agrees with that statement and he will be dissenting as well.

Mr. Hopengarten asked if Mr. Boardman considered getting access from the motel rather than encroaching onto Coquina Road. Mr. Boardman replied he did, and his understanding is that he would need to get development permissions to do something with the land before he gets to the stage where he would be doing a full site plan, but it is an option he would consider. He said he would gladly gain access from the north, but he would have to speak to his neighbor, and he could give away some land on the north side, but he is only interested in residential.

Motion by Peter Filiberto, seconded by Liz Alward, to recommend denial of the Small Scale Comprehensive Plan Amendment, to change the Future Land Use designation from RES 4 and NC to CC. The motion passed unanimously.

Liz Alward stated the surrounding residents bought their properties with the understanding that the only thing that could be built there was one single-family unit, and what is being proposed is 43,996 square feet of commercial.

Mr. Ball clarified that for concurrency purposes, staff has to identify the floor area ratio for any given land use. There is no way the applicant can do that and make sure he has stormwater and parking, but for concurrency purposes, staff does that.

Ms. Alward stated it is still a proposed commercial use. The uses in BU-1 are extensive, and without a BDP it can be sold tomorrow and be opened up to any of the BU-1 uses. She said she doesn't think the board has enough information to move forward.

Mr. Glover stated if the property could be accessed from U.S. 1 and the applicant came to the board with a plan of the number of units planned for the property it could be something he could be in favor of, but he is not in favor today.

Mr. Boardman stated he does have some plans.

Mark Wadsworth asked if the board can table the request, and noted there is a motion on the floor to deny.

Alex Esseeesse noted there is a motion and a second.

Mr. Moia stated he is in support of the motion because there isn't enough information.

Mr. Minneboo stated people came to speak against the requests today and there is no reason to table.

Motion by Liz Alward, seconded by Henry Minneboo, to recommend denial of the change of zoning classification from AU to BU-1. The motion passed unanimously.