

From: [Thorneatomicred](#)
To: [Jones, Jennifer](#); [Thorneatomicred](#)
Subject: issue with rezoning notice
Date: Wednesday, December 21, 2022 2:16:18 PM

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

Hello Jennifer, My husband and I are reaching out to you concerning the rezoning notice # 22Z00054. We do not agree with this property being allowed to be rezoned from AU to commercial. This property is located at the front entrance to the Quail Haven subdivision. With the increased population to the area we are already experiencing difficulty at times entering and exiting our neighborhood. We are concerned with the potential use as well of ER Smyth itself as an entrance/exit to that property for a business. There are many times we struggle to turn around in the median and try to get across the lanes to turn into our neighborhood with the US 1 traffic coming from the north and people trying to cross from and to Lionel Road. There would be a definite increase in potential accidents with us trying to turn into our neighborhood itself and then having to deal with vehicles entering and exiting into a potential business in that area. We appreciate your time and attention into this concern. We also realize this family has a kayak business and has a need to make a living, but at what cost to the rest of the neighborhood? They only recently built that home and we were told by Natural Resource Management that the Mahans/their builder were told they could only clear a certain amount and they went well beyond that. It is an eyesore at this time due to being "leveled" and so sad to see more and more wildlife be displaced as more and more people move into the area. Anyways, thanks again for your time, Van and Thea Thorne 3780 ER Smyth Drive, Mims FL 32754 (Quail Haven Subdivision)

From: [Thorneatomicred](#)
To: [Jones, Jennifer](#)
Subject: addendum to prior email sent
Date: Sunday, April 16, 2023 5:26:05 PM

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

Jennifer, This email is an addendum to our prior email dated 12-21-2022 for zoning # 22Z00054. The prior request was tabled per the Mahans' request and is now back on the agenda. We had said the land was an eyesore, but they have now placed an 8 foot fence around the .77 acre parcel that they split off from the original 1.77. Their house has been built on the one acre that was split from the original 1.77 acre parcel which the entire 1.77 parcel was designated as AU at the time of their purchase. The fence looks nice and once again we realize they have a kayak business and they should be able to use the land that belongs to them, but to change to commercial at the entrance to an established neighborhood is not acceptable. There are openings in the fence at this time for entering and exiting-one on the US 1 side and the other on the ER Smyth side which is the entrance road and only established road into the Quail Haven neighborhood. We feel there could be issues with a potential commercial use of our only established road into our neighborhood. The Mahans knew this land was AU when they purchased it and maybe they should have considered the potential effects on the Quail Haven community beforehand. We realize commercial property can be expensive, but to try to circumvent the system for their own personal benefit at the expense of an established community should not even be considered. Not to mention what if this land was allowed to be zoned commercial and then the Mahans chose to sell it? What could go in then? We do not want any type of business along our only established road into the neighborhood. Thank you once again for your time, Van and Thea Thorne

BOARD OF ADJUSTMENT

2825 JUDGE FRAN JAMIESON WAY

VIERA, FL 32940

RE APPLICATION # 5616

ATTENTION JENNIFER JONES

Dear Ms. Jones,

We would like to express our opposition to Future Land Use designation and zoning classification changes to the property at the entrance to Quail Haven, Mims, FL in the above referenced matter.

I am concerned that in the future a business could be established that could have a detrimental impact on our property values as well as the quality of life we now enjoy.

Thank you for your consideration.

Sincerely,



Coen Gilmore



Barbara Gilmore

3635 Wood Duck Dr.

Mims, FL 32754

From: [Thorneatomicred](#)
To: [Commissioner, D1: Jones, Jennifer](#)
Subject: Rezoning Notice 22Z00054 and the attached 22SS00013
Date: Tuesday, December 27, 2022 9:03:22 AM

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

Good Morning Commissioner Rita and Jennifer, We saw the aerial map photo on page 4 of the packet which is quite deceptive due to that being a picture after they already cleared the lot. You can see in the attachment below that the entire property was wooded prior to the sale. We had made a phone call to Planning and zoning when we saw the land being leveled and also called Natural Resources Management and spoke to Mackie. We were told at the time that they were not given permission to clear that amount of land and that the home would not receive a CO until the land was restored. Well that obviously did not happen and the house received the CO and the land remains leveled for the area that the Mahans have chosen to place their business on. I see they have split the parcel now from the 1.77 to the two separate parcels. Thank you for your time and attention into this matter. Van and Thea Thorne also, Jennifer, we did receive your response to the prior email sent on 12/21 and appreciate your time.

[3716 Er Smyth Dr, Mims, FL 32754 | realtor.com®](#)

From: [Commissioner, D1](#)
To: [Bill Metzger](#)
Cc: [Pritchett, Rita](#); [Schmadeke, Adrienne](#)
Subject: RE: zone
Date: Tuesday, March 21, 2023 11:14:16 AM
Attachments: [Approved Plot Plan \(1\).pdf a.pdf](#)

Good morning Mr. Metzger,

On behalf of Commissioner Pritchett I want to acknowledge receipt of your email, it will be shared with her. I have attached the approved permit drawing you requested for the fence on the subject property. The zoning item for the property is schedule to come before the Planning and Zoning Board on April 17th at 3:00 PM and before the Board of County Commissioners on May 4th at 5:00 PM. I will let the commissioner know about you and your neighbors desire for the egress to be off of US1.

Thanks,

Keith Alward



Keith Alward
Brevard County Commission, District 1
Commissioner Rita Pritchett
321-621-4711 | Keith.Alward@Brevardfl.Gov
7101 S US Hwy 1
Titusville, FL 32780

From: Bill Metzger <f4phantomv10@yahoo.com>
Sent: Monday, March 20, 2023 4:16 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: zone

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

Hi my name is Bill Metzger at 3685 wood Duck DR Mims. In regard to the up coming meeting with Mr Mahanan his request zoning change' I will not be able to attend as I FINALLY got a meeting with the VA and it happens to be at the same time as your meeting. I do not know if you can deliver my message, if so then what I want to say is that I an other neighbors have concerns that the egress to an from his business

be done on US1 only, E R Smyth is not to be used. We want our sub division to remain absolutely separate from any commercial enterprise.

Thank You Bill Metzger

PS I see that a perimeter fence is being put up. Where do I find a permit drawing off that..

FENCE GOOD SIDE OUT
 Height of fence measured from the lowest grade on either side of the property line per Section 62-2109(E). It is the applicant's responsibility to verify site conditions.

Zoning Division
REVIEWED
 By M. Meyer

LEGAL DESCRIPTION:

Part of NE 1/4 of NW 1/4, according to the map or plat thereof, as recorded in Deed Book 433, Page(s) 447, of the Public Records of Brevard County, Florida.

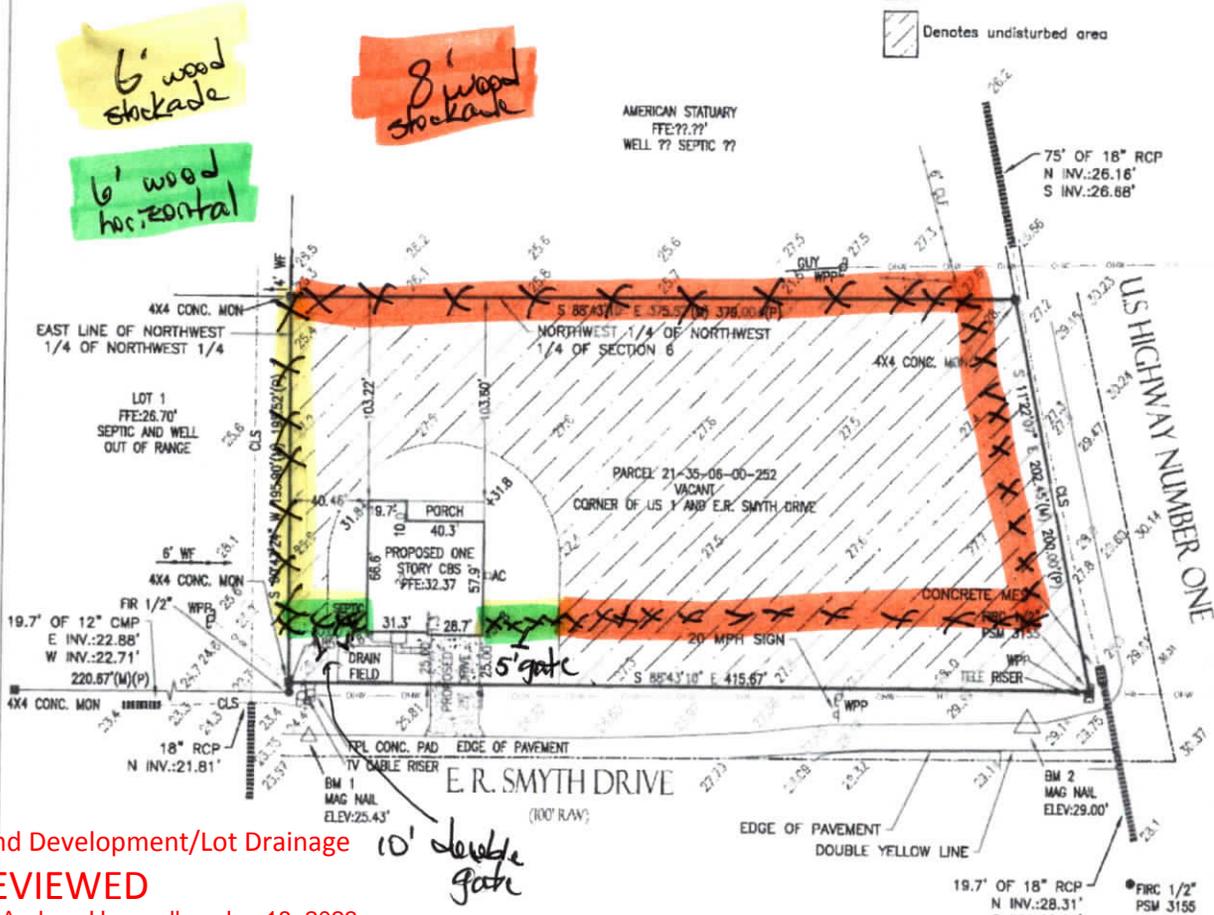
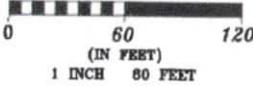
SURVEYOR'S NOTES:

1. Unless otherwise noted, only platted easements are shown hereon.
2. P.U.D.E. denotes Public Utilities and Drainage Easement. P.U.E. denotes Public Utilities Easement.
3. No underground utilities or improvements were located unless otherwise shown.
4. Bearings shown hereon are based on the RIGHT OF WAY LINE OF E. R. SMYTH DRIVE being N 88°43'10" W according to the plat described hereon, and may not be a True North Azimuth.
5. This site appears to lie within F.I.R.M. Zone "AE & X" per Community Panel Number 12009C 0105H, dated 1/29/21.
6. Elevations shown are based on NAVD 1988.

LEGEND:

- Found iron rebar, size and cap
- Set 1/2" iron rebar w/it cap # PSM 6545
- △ Set nail and disk # PS
- ▲ Found nail and disk, identification # as shown
- Found concrete monument
- Existing spot elevation
- Proposed spot elevation
- Denotes concrete area
- Denotes undisturbed area

MAP OF SURVEY
GRAPHIC SCALE



Land Development/Lot Drainage
REVIEWED

By Andrew Houssell on Jan 18, 2023

DAMAGE TO ROADWAY, ROW, & EASEMENTS MUST BE RESTORED AND ROW MUST BE RE-SODDED.

FENCING SHALL NOT BE INSTALLED OVER SEPTIC DRAIN FIELDS OR UNDERGROUND TANKS

Natural Resources Management

APPROVED

By Stefanie Jansson on Jan 24, 2023

APPROVED FOR CONSTRUCTION

Permit No. 23BC00831

Date: March 02, 2023



Section 6, Township 21S, Range 35E

Drawn by: DS	
Checked by: JZ	
Scale: 1" = 60'	
Date: 3/11/21	
Project#: 21-111	
DATE	REVISIONS

BOUNDARY & TOPOGRAPHIC SURVEY
 Certified to: COOP CONSTRUCTION

I hereby certify that the survey shown hereon is true and correct to the best of my knowledge and belief, based on actual measurements taken in the field. This survey meets the Standards of Practice as set forth by the Florida Board of Professional Land Surveyors in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

James Zimmerman
 Professional Land Surveyor No. 6545
 Certificate of Authorization No. 7540
 State of Florida

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

From: [Thorneatomicred](#)
To: [Commissioner, D1](#)
Cc: [Schmadeke, Adrienne](#); [Alward, Keith A](#); [Pritchett, Rita](#)
Subject: Re: Opinion on request for rezoning
Date: Tuesday, December 27, 2022 10:00:07 AM

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Thank you. Van and Thea Thorne

[Sent from the all new AOL app for iOS](#)

On Tuesday, December 27, 2022, 9:54 AM, Commissioner, D1 <D1.Commissioner@brevardfl.gov> wrote:

Good morning Mr. and Mrs. Thorne,

On behalf of Commissioner Pritchett, I want to acknowledge receipt of your email regarding zoning # 22Z00054.

Kind Regards,

Adrienne Schmadeke



Adrienne Schmadeke

Legislative Aide
Brevard County Commission, District 1
Commissioner Rita Pritchett
[321.607.6901](tel:321.607.6901) | Adrienne.Schmadeke@brevardfl.gov

7101 S. US Hwy 1
Titusville, FL 32780

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request.

Your email communications may, therefore, be subject to public disclosure.

From: Thorneatomicred <thorneatomicred@aol.com>

Sent: Monday, December 26, 2022 9:38 AM

To: Jones, Jennifer <jennifer.jones@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Thorneatomicred <thorneatomicred@aol.com>
Subject: Opinion on request for rezoning

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

Hello Commissioner Rita, I am sending the below email to you since it will eventually come to the board on February 2nd after planning and zoning vote on this on January 9th. I am also resending this to Jennifer since I am not sure she received it, for I have received no reply at this time. I did only send it on December 21st and with the holidays I can understand the potential delay for a response. Thank you both for your time and attention to this matter and hope you both had a Merry Christmas and a Happy New Year! Van and Thea Thorne:)

Hello Jennifer, My husband and I are reaching out to you concerning the rezoning notice # 22Z00054. We do not agree with this property being allowed to be rezoned from AU to commercial. This property is located at the front entrance to the Quail Haven subdivision. With the increased population to the area we are already experiencing difficulty at times entering and exiting our neighborhood. We are concerned with the potential use as well of ER Smyth itself as an entrance/exit to that property for a business. There are many times we struggle to turn around in the median and try to get across the lanes to turn into our neighborhood with the US 1 traffic coming from the north and people trying to cross from and to Lionel Road. There would be a definite increase in potential accidents with us trying to turn into our neighborhood itself and then having to deal with vehicles entering and exiting into a potential business in that area. We appreciate your time and attention into this concern. We also realize this family has a kayak business and has a need to make a living, but at what cost to the rest of the neighborhood? They only recently built that home and we were told by Natural Resource Management that the Mahans/their builder were told they could only clear a certain amount and they went well beyond that. It is an eyesore at this time due to being "leveled" and so sad to see more and more wildlife be displaced as more and more people move into the area. Anyways, thanks again for your time, Van and Thea Thorne 3780 ER Smyth Drive, Mims FL 32754 (Quail Haven Subdivision)

From: [The Beach](#)
To: [Schmadeke, Adrienne](#)
Subject: Phone Log - Bill Metzger - 3685 Wood Duck Dr...
Date: Wednesday, December 28, 2022 10:14:14 AM

 Bill Metzger - 3685 Wood Duck Dr... has been changed



Schmadeke, Adrienne

12/28/2022 10:13 AM

Name/Company Bill Metzger - 3685 Wood Duck Dr Mims

Phone Number 321-567-5060

Date/Time Call Received 12/27/2022 12:00 PM

Purpose ~~Voicemail left 12/22~~ Voicemail left 12/22 at 2:53 pm Edited

of Call: ~~at 2:53 pm-~~ Wants to talk with Commissioner or staff
~~Wants to talk with~~ about zoning change with home at entrance
~~Commissioner or~~ to development, NC to CC.
~~staff about zoning~~

~~change with home~~ 12/28/2022 10:00 am

~~at entrance to~~ His call was regarding the Mahan property
~~development, NC to~~ changes to zoning 22Z00054 and land use
~~CC-~~ 22SS00013. I returned his call. Gave him
information for when the property will be on
the P&Z Board Meeting Agenda, time &
location, and how to look up additional
information via BASS.

Follow Up Needed: ~~Keith Alward-~~ Edited

Date Received 12/27/2022

[Modify my alert settings](#) | [View Phone Log](#)

From: [Commissioner, D1](#)
To: [Bill Metzger](#)
Cc: [Pritchett, Rita](#); [Alward, Keith A](#); [Schmadeke, Adrienne](#); [Jones, Jennifer](#)
Subject: RE: zone request Mr Mahan
Date: Friday, January 27, 2023 9:55:00 AM

Good morning Mr. Metzger,

On behalf of Commissioner Pritchett, I want to acknowledge receipt of your email regarding Zoning request 22Z00054 and 22SS00013.

Although these items are scheduled for the Feb. 2, 2023 Board of County Commissioners Zoning meeting, their agenda items will have a notation that they are automatically being tabled to the April 17, 2023 Local Planning Agency meeting and May 4, 2023 Board of County Commissioners Zoning meeting, at the request of the applicant.

Kind Regards,

Adrienne Schmadeke



Adrienne Schmadeke

Legislative Aide
Brevard County Commission, District 1
Commissioner Rita Pritchett
[321.607.6901](tel:321.607.6901) | Adrienne.Schmadeke@brevardfl.gov

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Titusville, FL 32780

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From: Bill Metzger <f4phantomv10@yahoo.com>
Sent: Thursday, January 26, 2023 12:37 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Fw: zone request Mr Mahan

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

----- Forwarded Message -----

From: Bill Metzger <f4phantomv10@yahoo.com>

To: D1Commissioner@BrevardFL.gov <d1commissioner@brevardfl.gov>

Sent: Thursday, January 26, 2023 at 12:33:13 PM EST

Subject: Fw: zone request Mr Mahan

----- Forwarded Message -----

From: Bill Metzger <f4phantomv10@yahoo.com>

To: D1Commissioner@brevardfl.gov <d1commissioner@brevardfl.gov>

Sent: Thursday, January 26, 2023 at 11:51:29 AM EST

Subject: zone request Mr Mahan

Hi my IS Bill Metzger 3685 Wood Duck Dr in the Quail Haven development an I,m an interested party to the zoning request of Mr Mahan. The first thing I,d like to see happen is grass planted an kept as a green space. That 's not going to happen as Mr Mahan has the right to do what he wants to do so as he comply 's with all that is required . What I am looking at is that he has no egress on to Smythe, a divide along property line, no signage or other blockage to obstruct of view to exit Smythe on to US1. The divide I'd like to see is a 2 rail fence with a tall plantings between each segment the length of the property.

I do not want to see Quail Haven becoming a drive way for commercial endeavors,I don't want it to become a "flag lot" I want the entrance to be seen as entrance to the "Quail Haven" development not a entrance to their business.

I understand that there is some sort of issue with the natural resource people I don't know what it is, how would I find out. The next meeting is in April ? how do i find that out. The south side of Quail Haven will develop some day all things would apply to that endeavor. Thank You Bill Metzger

From: [Thorneatomicred](#)
To: [Pritchett, Rita; Commissioner, D1](#)
Subject: information for upcoming Commissioner meeting on May 4th,2023
Date: Friday, April 28, 2023 7:07:42 PM
Attachments: [addendum email for zoning 22Z00054.pdf](#)
[3716 ER Smyth Drive prior to clearing.pdf](#)
[Picture of neighborhood entrance as related to the parcel split from the original whole.pdf](#)
[page 1 of staff comments for 22Z00054.pdf](#)
[Page 2 of Staff Comments for 22Z00054.pdf](#)

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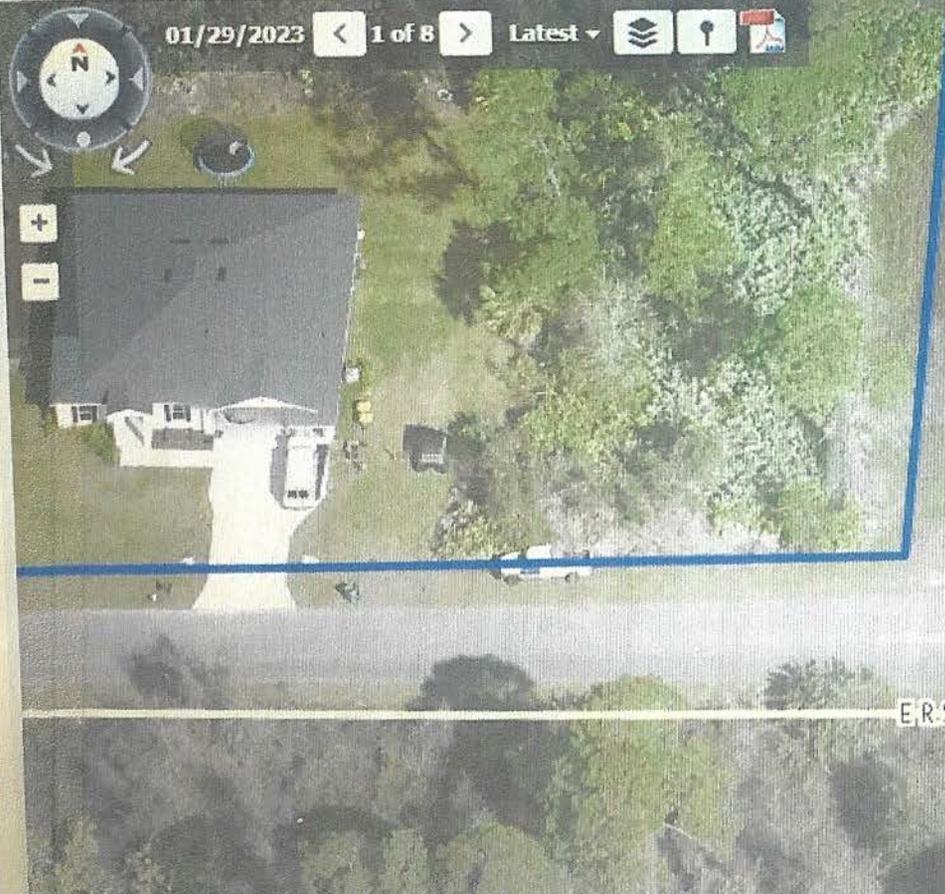
Dear Commissioner Rita Pritchett, My husband and I were unable to attend the Planning and Zoning meeting on 4/17 for zoning request 22Z00054 and the companion request of 22SS00013 due to the recent passing of our disabled adult son and we did not feel we could present at this time due to our grief and healing process. We had put in a second email to be under public comments, but it was not listed on the agenda for the 4/17 meeting and I spoke to Jennifer and she said it would be handed out to the planning and zoning board members prior to the meeting on 4/17. Neither emails were read and only briefly mentioned at the 4/17 meeting. As of today, Friday, April 28th the agenda for the 5/4 meeting has not been posted therefore I am emailing you to make sure there is an awareness to our concerns. I have attached above the second email we put in after reading the Mahan requests for the 4/17 meeting(they had tabled their prior request from January). I will note that Austin Mahan did not state one time before the board that he intended to do retail sales and only said he needed the BU-2 for storage, because he did not know AU would not allow for the storage. We have no issue with storage, but we do have an issue with retail sales. As you can see on the last two attachments of the page1 and page 2 of staff comments, the Mahans have requested for more than just storage. I included on the second and third attachments aerial photos of the property at 3716 ER Smyth Drive. It was purchased as 1.77 and then split to one acre in which they built their house and split off the .77 for this current request they have made. They have installed an 8 foot fence on the .77 parcel which has two openings in the fence- one on the US1 side and the other on the ER Smyth side. We have a concern with the potential use of ER Smyth Drive being the only access for this potential future business. Planning and zoning recommended all of BU-1 and storage of BU-2 and they also are allowing the use of ER Smyth Drive up to the southwest corner of their property. They also said the Mahans could only use the US-1 side of the fence opening for entering and exiting and the ER Smyth side fence opening for exiting only "in case of an emergency" as Austin Mahan stated at the meeting. The fence has been placed far enough back from the actual property line to allow for possible parking spaces and to allow for entering at the ER Smyth side solely and driving around to the front of their property and then entering the US-1 fence opening and avoiding an actual entrance and exit on US-1 itself. We hope we are wrong about their intentions for the use of the only entrance into our neighborhood. We do not want retail of any kind at the front of our already established neighborhood. Thanks so much for your time and attention into this matter, Van and Thea Thorne

From: thorneatomicred@aol.com,
To: jennifer.jones@brevardfl.gov,
Subject: addendum to prior email sent
Date: Sun, Apr 16, 2023 5:25 pm

Jennifer, This email is an addendum to our prior email dated 12-21-2022 for zoning # 22Z00054. The prior request was tabled per the Mahans' request and is now back on the agenda. We had said the land was an eyesore, but they have now placed an 8 foot fence around the .77 acre parcel that they split off from the original 1.77. Their house has been built on the one acre that was split from the original 1.77 acre parcel which the entire 1.77 parcel was designated as AU at the time of their purchase. The fence looks nice and once again we realize they have a kayak business and they should be able to use the land that belongs to them, but to change to commercial at the entrance to an established neighborhood is not acceptable. There are openings in the fence at this time for entering and exiting-one on the US 1 side and the other on the ER Smyth side which is the entrance road and only established road into the Quail Haven neighborhood. We feel there could be issues with a potential commercial use of our only established road into our neighborhood. The Mahans knew this land was AU when they purchased it and maybe they should have considered the potential effects on the Quail Haven community beforehand. We realize commercial property can be expensive, but to try to circumvent the system for their own personal benefit at the expense of an established community should not even be considered. Not to mention what if this land was allowed to be zoned commercial and then the Mahans chose to sell it? What could go in then? We do not want any type of business along our only established road into the neighborhood. Thank you once again for your time, Van and Thea Thorne

MapView

EagleView



01/29/2023 1 of 8 Latest

E.R. SMYTH DR

HIGHWAY 1

↑ Entrance sign to neighborhood

The AU (Agricultural Residential) zoning classification allows for the sales of commodities raised on the premises in line with all agricultural pursuits. BU-2 (Retail, Warehousing & Wholesale Commercial) zoning classification would allow for both outdoor storage.

Land Use

The subject property is currently designated as Neighborhood Commercial (NC) FLU. The proposed BU-2 zoning is not consistent with the existing NC FLU designation. A companion application, **22SS00013**, if approved, would change the Future Land Use designation on the parcel to Community Commercial (CC) FLU.

Residential development or the integration of residential development with commercial development can be permitted in the Community Commercial (CC) land use designation, provided that the scale and intensity of the residential/mixed use development is compatible with abutting residential development and area designated for residential use on the Future Land Use Map.

Activities permitted in Community Commercial (CC) Future Land Use designations Policy 2.7 are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Residential, Institutional and Transient commercial uses are just a few of permitted development activities that are permitted.

Applicable Land Use Policies

FLU Policy 2.2 – Role of Zoning Regulations in the Designation of Commercial Lands

The zoning process regulates the types and intensities of uses for a parcel of land. Criteria which aid in assessing zoning compatibility, shall include consideration of the following standards:

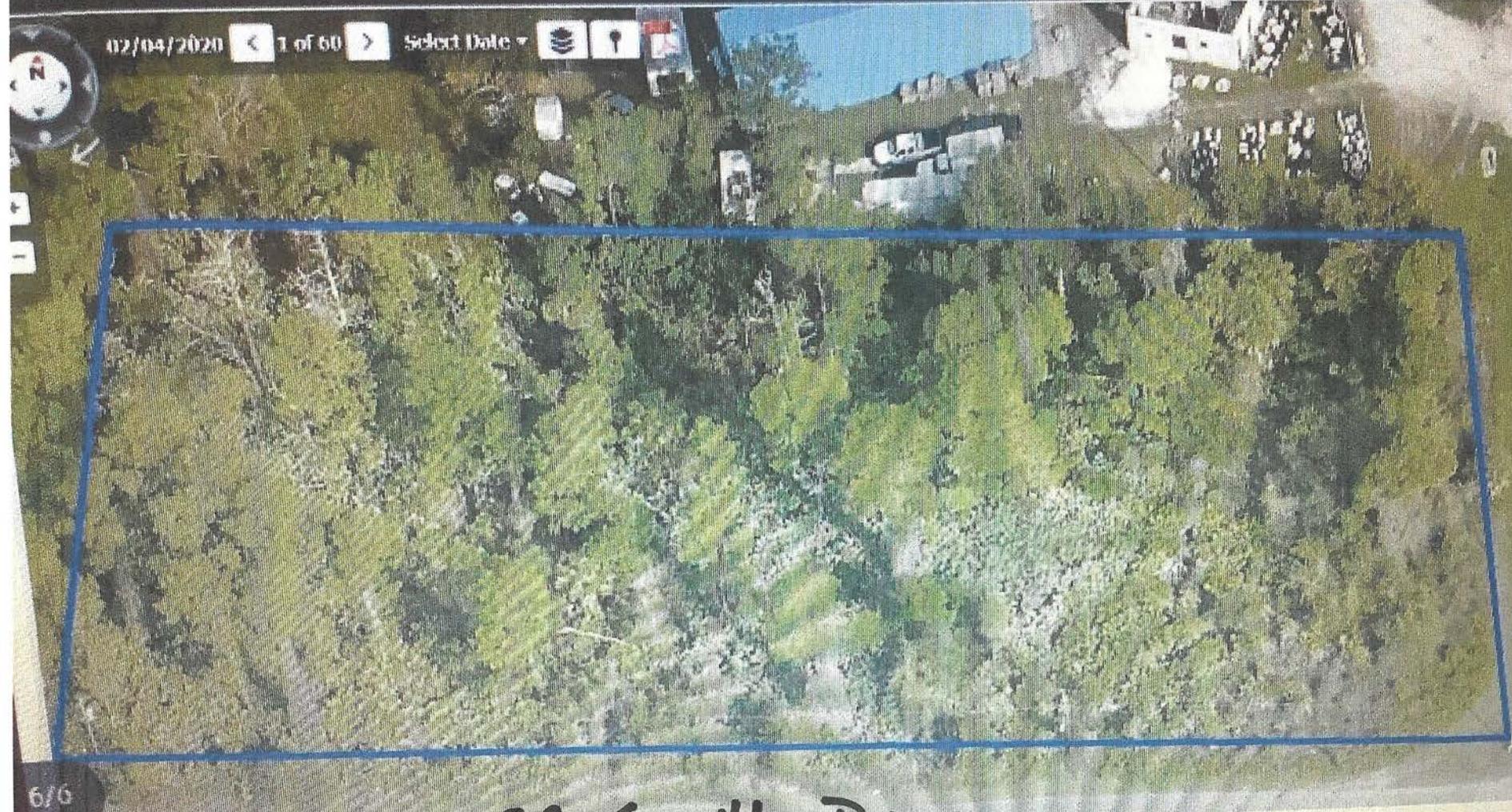
Criteria:

- A. Permitted/prohibited uses;
The applicant proposes to use the subject parcel to house his company's kayaks and conduct warehouse/retail business. Section 62-1483 provides that retail sales, warehousing and wholesale commercial may be permitted in BU-2 zoning in areas designated as Community Commercial on the Future Land Use Map.
- B. Existing commercial zoning trends in the area;
There have been two (2) zoning actions within 0.5-mile over the past 3 years. 20Z00003 took place August 5, 2020 to rezone a parcel from AU (Agricultural Residential) to BU-1 (General Retail Commercial). 19PZ00127 was to rezone from AU (Agricultural Residential) to RR-1 (Rural Residential) with a BDP (Binding Development Plan) to restrict density to one single-family residence on April 8, 2020.
- C. Compatibility of the proposed use with the area, pursuant to Administrative Policy 3;
This zoning classification change could be considered to be consistent with the immediate surrounding area zonings.

02/04/2020

1 of 60

Select Date



HIGHWAY 1
PSD
HIGHWAY 1

6/6

ER Smyth Drive



your Equity Today
Market

Interested in selling your home?
in March 28, 2022 for
\$55,000

DUNLAP ACRES
FOWL HORSE HAVEN
QUAIL HAVEN
PINWOOD





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
22Z00054

Austin & Kailey R. Mahan

AU (Agricultural Residential) to BU-2 (Retail, Warehousing & Wholesale Commercial)

Tax Account Number: 3030132
Parcel I.D.: 21-35-06-00-289
Location: West of US Highway 1 and north of E R Smyth Drive (District 1)
Acreage: 0.77 acres

Planning & Zoning Board: 4/17/2023
Board of County Commissioners: 5/04/2023

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)

Table with 3 columns: Zoning, CURRENT, PROPOSED. Rows include Zoning (AU to BU-2), Potential* (1 SF unit to 33,541 sq. ft.), and Can be Considered under the Future Land Use Map (YES/NC to YES**/CC).

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

**Approval is pending approval of companion request 22SS00013 which proposes to change the Future Land Use Designation from Residential Neighborhood Commercial (NC) to Community Commercial (CC).

Background and Purpose of Request

The applicants are seeking a change of zoning classification from AU (Agricultural Residential) to BU-2 (Retail, Warehousing & Wholesale Commercial) for the purpose of allowing outdoor equipment storage as well as sell wholesale/retail items for his kayak business. The subject parcel is currently undeveloped.

The subject parcel was recorded into the current configuration per Official Records Book 9456, Page 2390, on March 28, 2022. The subject parcel has frontage on E R Smyth Drive and US Highway 1. The parcel is zoned AU (Agricultural Residential) since its formation.