

From: [Bob Jones](#)
To: [Jones, Jennifer](#)
Subject: ID # 23Z00026
Date: Tuesday, May 30, 2023 6:55:23 PM

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

Please know I disagree with the requested zoning changes as higher density causes a multitude of other support problems. Sincerely : Robert D Jones - Jones family trust

Sent from my iPhone

From: [Stern, Danielle](#)
To: [Jones, Jennifer](#)
Subject: FW: Airbnb
Date: Wednesday, May 31, 2023 12:32:20 PM

Please add to record. A few more coming...

From: Robert Pope <rlpope1@gmail.com>
Sent: Friday, May 19, 2023 8:08 AM
To: Stern, Danielle <danielle.stern@brevardfl.gov>
Subject: Fwd: Airbnb

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

----- Forwarded message -----

From: **Robert Pope** <rlpope1@gmail.com>
Date: Thu, May 18, 2023 at 6:49 PM
Subject: Airbnb
To: <GreatMazings@gmail.com>

danielle.stern@brevardfl.gov

As a Resident Of S. Court Indialantic , I Crystal Perry
am **opposed** to Airbnb,-----Hearing currently scheduled for 6/12 P&Z
and 7/13 BCC (commissioners). It is application 23Z00026, Mina St LLC
(W. Nathan Meloon, Esq.). RU-1-13 to RU-2-10.

Regards **Crystal**

--

Regards, Robert

From: [Stern, Danielle](#)
To: [Jones, Jennifer](#)
Subject: FW: South Court Indialantic FL 32903
Date: Wednesday, May 31, 2023 12:33:20 PM

For the record

-----Original Message-----

From: leah <fordhamleah@gmail.com>
Sent: Monday, May 8, 2023 6:52 PM
To: Stern, Danielle <danielle.stern@brevardfl.gov>
Subject: South Court Indialantic FL 32903

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

Dear Ms. Stern,

I am writing to confirm that the business of Air BNB, is not in keeping with code enforcement laws for South Court, Indialantic FL 32903? We are Florida natives, and 25 year residents on this street, of what used to be very tight knit neighbors who had respect for each others' space, families and properties, (with one exception). It is obvious by the turn over of people living, renting, staying at 29/31 South Court that the owner is running and AirBnB, but more importantly, exhibits disrespect for other residents.

While the beautification of the structure is appreciated, the noise, and traffic is not.

We really don't care what a homeowner does with their property, no matter how tacky it may look to others, but having renters on this tiny, barely two-lane narrow street without sidewalks from East to West, is already undesirable, much less short-term vacationers.

They simply disregard, have no common sense, or chose not to learn, basic safety for themselves, or the street's residents, and eventually become a nuisance:

1. Speed limits and basic precautions are not followed by renters, even though it's posted at 20 mph. This is still too fast when there are children who walk from A1A from the bus stop to their homes, and elderly residents going to and from their mail boxes. A renter threw his car into reverse without looking behind him and hit me as a pedestrian while walking my dog in December of 2021. I fortunately suffered recoverable injuries, and that renter has moved on, though I still have visible laceration scars. He was not savvy enough nor understanding enough to understand how to drive on this little street.
2. Renters who stay for sometimes as little as 3 weeks, and come in numbers, with multiple cars, are forced to park on the street vs the driveways, forcing residents coming and going to and from jobs, into a head-on driving position in the street, and they impede waste removal trucks from backing down the street. Waste Management drivers already have to back down the street from A1A, because there is no where for them to turn such large trucks around.
3. Tourists in "resort" or "vacation" mode are impervious to the daunting turn required to enter and exit the street onto and off of A1A, and are often found walking (or on a bike, skateboard or the like), in the road. The view of South Court when turning onto the street from the North, is completely blocked by the fence at the Atlantic Inn. Residents understand how dangerous this spot is and we avoid stopping, parking, standing or walking in that space. Likewise, the renters are found standing in the middle turn lane on A1A thinking it's a safe place to be while waiting for opposing traffic to cross to the beach. I realize residents do the same, but it's an accident waiting to happen, and they are always in the cross walk, and in the way of rush hour residents trying to leave or return from jobs.
4. Most importantly, some of them exhibit a blatant disrespect of long-time residents who need to sleep at night, to wake early for work in the am, with late night parties and undesired noise. Granted, vacationers deserve to be in an

area where they can stay up all night if they like, but this little residential street is not it. The West end of South Court is owned by Holy Name of Jesus Catholic church, and houses the rectory for their priests, who recently erected a gate across their drive because of traffic cutting through their property to leave the street. This was a go to for residents for years, if there was a downed tree or power line, or no way to leave the street after a hurricane. The Air BnB traffic ended that.

5. Again, the activity that has taken place in the duplex at 29 and 31 South Court since it came under new ownership, has forced multiple residents from 10 to 28 South Court to call upon law enforcement, and is perceived as retaliation from the owner of that property, who is clearly mad that he got caught running an Air BnB on that property against code. He has targeted the next door neighbor as the reporter, though there is not a single long-term resident who hasn't called the Sheriff's Department about the riff raff going on at that end of the road. We contend with plenty of drug addicts and drunk drifters in this area day to day, not to put up with issues from our new neighbors.

Thank you for your time and for upholding coding rules.

Leah and Tifton Fordham

From: [Leah Fordham](#)
To: [Jones, Jennifer](#)
Subject: Re: Contesting rezoning South Court; Indialantic FL ID 23Z00026
Date: Sunday, June 4, 2023 6:10:07 AM

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

> On Jun 3, 2023, at 17:21, leah <fordhamleah@gmail.com> wrote:

>

>

> RE: Contesting rezoning South Court; Indialantic FL
> ID # 23Z00026

>

> Dear Jennifer,

>

> Correction: I am writing to contest rezoning 29 and 31 South Court; Indialantic, FL 32903.

>

> We are Florida natives, and 25 year residents on South Court in Indialantic. It is obvious by the turn over of people living, renting, staying at 29/31 South Court that the owner is running an AirBnB, but more importantly, exhibits disrespect for other residents.

>

> While the beautification of the structure is appreciated, the noise and traffic are not.

>

> Having long-term renters on this tiny, barely two-lane narrow street without sidewalks from East to West, is already undesirable, much less short-term vacationers.

>

> They simply disregard, have no common sense, or chose not to learn basic safety for themselves, nor the street's residents, and eventually become a nuisance:

>

> 1. The speed limit and basic traffic precautions are not followed by renters. Even though it's posted at 20 mph, this is still too fast when there are children present, who walk from the bus stop to their homes, and elderly residents going to and from their mail boxes. A renter threw his car into reverse without looking behind him and hit me -as a pedestrian while walking my dog- in December of 2021. I fortunately suffered recoverable injuries, though I still have visible laceration scars. That renter has moved on. He was simply not savvy enough to drive on this narrow street.

>

> 2. Renters who stay for sometimes as little as 3 weeks, and come in numbers with multiple cars, are forced to park on the street vs driveways, forcing residents coming and going, to and from jobs, into a head-on driving position in the street, and they impede waste removal trucks from backing down the street. Waste Management drivers already have to back down the street from A1A, because there is no where for them to turn the large trucks around.

>

> 3. Tourists in "resort" or "vacation" mode are impervious to the daunting turn required to enter and exit the street onto and off of A1A, and are often found walking (or on a bike, skateboard or the like) in the road. The view of South Court when turning onto the street from the North, is completely blocked by the fence at the Atlantic Inn. Residents understand how dangerous this spot is and we avoid stopping, parking, standing or walking in that space.

>

> 4. Most importantly, some of them exhibit a blatant disrespect of long-time home owners and other, more permanent residents, who need to sleep at night, to wake early for work in the am, with late night parties and undesired noise. Vacationers deserve to be in an area where they can stay up all night if they like, but this little residential street is not it. The West end of South Court is owned by The Holy Name of Jesus Catholic Church, and serves as the rectory for their priests, who recently erected a gate across their drive because of traffic cutting through their property to leave the street. This had been an alternate way to exit the street for residents for years, in the event of a downed tree or power line after a hurricane that blocked access to A1A. Some of us work in health care

and have to show up at the hospital during and after a storm. The abuse of that western exit by Air BnB traffic has ended that.

>

> 5. Again, the activity that has taken place in the duplex at 29 and 31 South Court since it came under new ownership, has forced multiple residents from 10 to 28 South Court to call upon law enforcement, and is now perceived as retaliation from the owner of that property, who is clearly mad that he got caught running an Air BNB on the property against code. He has targeted the next door neighbor as the reporter, though there is not a single long-term resident who hasn't called the Sheriff's Department about the riff-raff going on at that end of the road. We contend with plenty of drifters in this area day to day, not to put up with issues from our new neighbors.

>

> Thank you for your time and for upholding coding rules.

>

> Leah Fordham 321-960-2486 19 South Court, Indialantic, FL 32903

>

From: [John Fordham](#)
To: [Jones, Jennifer](#)
Subject: Contesting the potential rezoning of 29/31 South Court in Indialantic, ID# 23Z00026
Date: Tuesday, June 6, 2023 2:02:09 PM

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

Dear Jennifer,

I am writing to contest rezoning 29 and 30 South Court in Indialantic, FL 32903.

My wife and I are Florida natives, and 25-year residents on South Court. It's obvious by the increased traffic of various people staying at 29/31 South Court that the owner is running an AirB&B or similar establishment. He's also previously verbalized when he bought the property that it's a short-term rental despite an understanding that this is illegal. Surprisingly he has become a troublemaker and continues to be disrespectful to neighborhood residents.

The renovated property is much improved over the last couple of years but the increased traffic zooming up and down the street, along with several loud late-night incidents, are not only disruptive, but dangerous to long-term residents of the street.

This is a narrow street without contiguous sidewalks making navigation tricky for those who live here, much less short-term vacationers who commonly disregard, or chose not to learn the traffic flow of the street, or the presence of numerous children playing in the area, and so they become dangerous in their actions and inactions.

1. The speed limit and basic traffic precautions are not followed by renters. Despite signs posted at 20 mph, it's still too fast for this narrow street. One example is a renter threw his car into reverse (to avoid a cyclist on the sidewalk) without looking behind him at the end of the street and hit my wife while walking our dog in 2021. She recovered from her injuries, but scars and some dysfunctions remain. That renter moved on but was quickly replaced with another ignorant short-term renter.
2. Renters who stay for a week or two, often arrive in multiple cars, forcing them to illegally park on the street vs driveways, forcing residents coming and going to work, into a head-on driving position on the street. Also, every Monday, Tuesday and Thursday, Waste Management drivers, must dangerously back down the street from A1A, (often early in the morning with kids walking to the bus stop) since there is nowhere to turn around the large truck.
3. These short-term renters are impervious to the dangerous turn required to enter and exit the street onto and off A1A and are often found walking in the road. The view of South Court when turning onto the street from the North, is completely blocked by the fence at the Atlantic Inn. Residents understand the perils of this spot and we avoid stopping, parking, standing or walking in what we call the "death zone".
4. Vacationers deserve an area where they can stay up all night if they like, but this tight residential street is not it. The West end of South Court is owned by Holy Name of Jesus Catholic Church, and recently they erected a gate across their drive because of the increased traffic cutting through their property to leave the street. This had been an alternate way to exit the street for years, usually after a hurricane when trees fall and block access to A1A. This was very convenient for my wife and I when working in the hospital since we had to show up during and after the storm. The actions and behaviors of 29/31 South Court ended that.
5. The activity at the 29/31 South Court duplex since it was sold, has forced multiple street residents to call upon law enforcement. The owner has had altercations with his next-door neighbors and has been heard making negative comments when walking past our property, and surveillance cameras, making me think some sort of altercation is in

our future. Any threatening behavior will not be tolerated.

Thank you for your time and for upholding coding rules.

John Fordham 321-961-2486, 19 South Court, Indialantic, FL 32903

From: [Stern, Danielle](#)
To: [Jones, Jennifer](#)
Subject: FW:
Date: Wednesday, May 31, 2023 12:35:31 PM
Attachments: [Airbnb at 29 or 31 South Court Indialantic Fl. 32903 .mp4](#)

Please add to record..

The recording is revving motorcycle by Mr. Nash to upset the neighbors.

From: Michael Justice <michaeljustice3000@aol.com>
Sent: Monday, May 8, 2023 2:36 PM
To: Stern, Danielle <danielle.stern@brevardfl.gov>
Subject:

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

I Michael Justice currently a resident at 25 S. Court Indialantic ,
am **opposed** to Item currently scheduled for 6/12 P&Z and 7/13 BCC
(commissioners). It is application 23Z00026, Mina St LLC (W. Nathan
Meloan, Esq.). RU-1-13 to RU-2-10.
See Attached Video
Regards, M.Justice

Michael Justice
michaeljustice3000@aol.com

From: [Heather DeVries](#)
To: [Jones, Jennifer](#)
Subject: Contesting rezoning of 29/31 South Ct; Indialantic FL - Request ID # 23Z00026
Date: Wednesday, June 7, 2023 10:07:05 PM

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

RE: Contesting rezoning of 29/31 South Ct; Indialantic FL - Request ID # 23Z00026
In lieu of attending the June 12, 2023 meeting in person, please accept our letter:

Dear Brevard County Planning & Zoning Board

c/o Jennifer Jones,

Hello. We are writing to oppose the rezoning request of Mina St LLC for their property at 29/31 South Court; Indialantic, FL 32903 from single family RU-1-13 to multi-family RU-2-10; thus opening up the possibility of short term overnight/weekend/under 90-day rentals (aka AirBNB for example), which is against the current code. Residents of South Ct and our street, North Ct, both appreciate and abide by the current minimum of a 90-day stay for seasonal rentals, under the RU-1-13 code.

The scope of this neighborhood is truly a single family residential setup – not a vacation setup at all. There are many long term homeowners here because it is such a unique neighborhood. Both streets end in a dead end, so there is very limited traffic beyond the residents themselves. There is a lot of foot traffic being so close to the beach, so when a seasonal renter comes in (90-days or more) they have generally gotten to know some of the neighbors, and at minimum have shown respect for this community – some of them continue to come every year and we welcome their presence. The homeowners of the seasonal properties on our streets have also reached out to us occasionally and made it known that they care about this area; some even stay here in the off season. They indicate to their tenants some of the “rules” about late night disruptions and speeding/parking etiquette, blocking mailboxes, trash, etc...and we can appreciate that.

Some short term (overnight or weekend) rentals have operated here illegally in the past; and your office has a record of these (because it shut them down). The short term rental issues have included speeding, burnouts in the street, overflow parking blocking mail deliveries and trash pickup, safety in general, late night noise and parties, and a general disregard for the permanent residents... but again; your office already has a record of all of these complaints in the past, so we will speak about the present. We recently had to ask them at 29/31 South Ct to stop revving a motorcycle super loudly into the late hours of the night, way beyond any acceptable time to be “working” on one. It was near midnight. We did not know who were dealing with, so that only added to the level of concern that night. We have always shared a fence with the 29/31 property and have gotten to know all of the previous occupants to some degree. Not now, as it is a revolving door there.

We hope the current RU-1-13 zoning can continue to be enforced as it stands. We

have school age children living here, so their safety is always a concern. There are a number of other children who walk to the bus stop and play on the streets every day on South Ct and here on North Ct. Having "strangers" in and out constantly is not safe and was not an issue when we decided to build our home here. My husband built his first home at 27 North Ct in 1995, and in 2008 we built this one across the street from it at 28 North Ct to raise our family here. We have lived at this end of North Ct for over 27 years and love it.

Our main concern is: we do not want the comfort and peaceful presence of our little RU-1-13 neighborhood to be disrupted by the constant turnover of a short term rental and the issues listed above. The county already has a rule in place for this type of property use; we are NOT zoned for it here; and it seems odd that it is even being considered this far from A1A and this far from the other vacation zoned areas. Approving their request will not be good for this neighborhood and its current residents; it will only be good for one person's financial gains and his blatant disregard for us - a community which he "sells" to get people to come and stay at his property ~ in one of the most casual nice neighborhoods near the beach in Indialantic.

Please carefully consider how this will affect our small-town unique neighborhood and its families when you decide our future for this request from an LLC - not a resident - and their infinite supply of non-resident occupants.

Thank you.

Sincerely,

Heather & Chris DeVries
28 North Ct Indialantic FL 32903
321-626-0388 heatherdevries321@gmail.com

Heather DeVries
321-626-0388
heatherdevries321@gmail.com

From: [Stern, Danielle](#)
To: [Jones, Jennifer](#)
Subject: FW: South Court rezoning
Date: Wednesday, June 7, 2023 3:50:15 PM

From: Robert Pope <rlpope1@gmail.com>
Sent: Wednesday, June 7, 2023 3:43 PM
To: Stern, Danielle <danielle.stern@brevardfl.gov>
Subject: Fwd: South Court rezoning

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

Regards, Robert

----- Forwarded message -----

From: **Leah Fordham** <fordhamleah@gmail.com>
Date: Tue, Jun 6, 2023 at 11:15 AM
Subject: Fwd: South Court rezoning
To: <RLPope1@gmail.com>

Begin forwarded message:

From: Leah Fordham <fordhamleah@gmail.com>
Date: June 6, 2023 at 06:57:34 EDT
To: Ben Cabrera <bentcabrera@gmail.com>
Subject: Re: South Court rezoning

Hi Ben -

Would you mind if I shared your email with my neighbors (who 100% agree)? I shared mine with them so they have content references. Yours combines personal and business points that are easily championed. (Might help them draft their own well written version).

Thanks again, Leah

On Jun 5, 2023, at 17:21, Ben Cabrera <bentcabrera@gmail.com> wrote:

Thanks Leah. I was around for the motorcycle incident. I was the second one to come out and yell out them to shut the fuck up. I wasn't sure what was going on there but it was pretty obnoxious. I saw they still have the listing up on VRBO but I couldn't find it on AirBNB. The code enforcement guy I dealt with a few years ago was great. His name was Steve Novak. He shut it down really quick. We had all kinds of issues for years but finally have some good people living in Ray's old house. Sure wish I would have bought it from him for the \$200k he offered it to me for.....Could a shoulda....

On Mon, Jun 5, 2023 at 5:03 PM Leah Fordham <fordhamleah@gmail.com> wrote:

I plan to expound on all of those points you list about that hotel. I spent two solid years calling Deputy Sherriff Kevin Roberts and Wayne Ivey about the bike chop shop, and I physically caught a woman (by her pony tail) who broke into 11 homes (she couldn't get into ours but rearranged my our door rugs and potted plants). She's finally off the streets and in jail for a while. She was the "gatherer" for the drug dealer "valuables pickup".

I believe your mom, or mother in law, saw the dealer in the dumpster as she walked one of your children, and wound up over here to talk with us about it.

We're on board to protect these children. Our son grew up here and stood at the bus stop 3 days a week. I'm a pediatric/adolescent trauma nurse.

So please reach out if you need our back up on any of this mess!

Thanks again for your thoughtful letter.

L

On Jun 5, 2023, at 16:49, Leah Fordham

<fordhamleah@gmail.com> wrote:

Hi Ben,

This is beautiful. Thanks. We appreciate you, Heather and Chris, and anyone willing to make a statement. I had no idea you were contending with the same on North Court. We would've come to your side on that as well. Heather filled us in this weekend.

What really makes me want to contest this one, is the owner (who's name is Nash), of that property has become a real jerk and has basically harassed, physically charged at, and threatened the next-door neighbor (right behind you.) They threw a big party a few weeks ago and had a motorcycle, revving the engine at high decibels down there, and then drove down to do the same in front of my house for whatever reason- it was late at night and I was here by myself. I don't appreciate the aggressiveness. This is his retaliation for being caught running an Airbnb against Code. The renters are actually quite pleasant. They just don't know not to speed and don't know how to drive, park nor walk up and down the street.

I'm going try my best to make it to the second hearing.

Thanks again. Leah

On Jun 5, 2023, at 12:21, Ben Cabrera

<bentcabrera@gmail.com> wrote:

Hey Leah,

This is Ben Cabrera from 24

North Court (big guy with all the kids).

Heather sent me your letter and the notice. I guess I missed it in the mail. Thank you for writing it and getting involved. Are you guys gonna go to the hearing? I'll try but not sure if work will allow for it. I wrote a letter as well and will be sending it to Jennifer today, see my letter below. Isn't the house to the west of the 2 story an AirBnB as well? What a mess but I am here to fight with you guys. We had to deal with it at 22 N. Ct for years but things have finally settled down. It is a complete waste of time that they are even allowing this person to try to rezone. The property appraiser website for Bob's house had a weird use as

multiple units converted
which I don't quite
understand so they may be
trying to use that to get
their foot in the door for
the revised zoning with
that. I didn't even realize
that Jeanine had sold the
rest of it.

RE: Contesting rezoning South
Court; Indialantic FL
ID # 23Z00026

Dear Jennifer,

Correction: I am writing to contest
rezoning 29 and [31 South Court;
Indialantic, FL 32903](#).

The proposal to rezone the property at
29 and 31 South Court to multi-family
is absurd and would set a precedent
that will destroy the fabric of our
community. North Court and South
Court are 2 very short and narrow
dead end streets made up of single
family homes. This neighborhood has
been here and functioning as homes
for working class families since the
1950's. Many of the families on both
streets have been living here for 20-
30 years. We have started our
families here and raised our children
here.

I started my family on North Court 12
years ago. I was born in Melbourne as
well as my wife and four children. We
love our street and we love our
neighbors. We do have to share our
area and beaches with a large
number of tourists and non-residence
due to our proximity to the large hotels

(Radisson, Hilton, Crown Plaza) This is difficult at times because of the lack of care some visitors show towards our streets and environment but we chose to live here and we have the buffer of A1A that keeps the tourism out at the beach and on the busy highway and away from our homes for the most part. This buffer is critical in raising my family in a safe environment.

The buffer begins at the properties along State Road A1A. Much of A1A has multi family zoning in the property that fronts A1A and then switches over to single family residential beyond the A1A front property. The development that spans from south court to Atlantic Avenue along A1A is an excellent example of how to develop this buffer zone. The developer built 5 single family townhomes on south court and 5 single family townhomes along Atlantic. Many of the residents are long term owners that live in the property all year and work in our community. This development creates a buffer to the tourism and traffic while still allowing for neighbors and community.

Unfortunately, we are not as lucky with the A1A front property that spans from North Court to South Court. We have the TU-1 General Tourist Commercial zoning for the buffer property. This property is home to The Atlantic Inn, aka "Heroin Hotel". This nightly/weekly/monthly motel is home to nightly vacationers and weekly/monthly drug dealers and users. The drug dealers draw in an unwanted community of thieves and addicts that have stolen from us and made my children fearful to wait at their bus stop and get off the bus. In addition to the safety of my children, the legitimate vacationers are constantly littering our beaches with trash and loud music. This is a great example of zoning that has gone wrong. Nevertheless, it is zoned for a motel so we live with it and protect our community every way we can. I apologize for the rant on the motel

since it is sort of conforming but the weekly price point to stay at the motel is not far off from some of the AirBNB's in the area and this zoning change would bypass our buffer zone.

(This is another rant but I would like it on the record as well.) The only component to this property that could bring value to our community is the restaurant. It was the former home to Papa Gallo's for years and has since become Cuban Island Restaurant. The restaurant provides for a more walkable community and in theory would provide "eyes on the street" for some of the seedy characters from the motel. However, it too has become a burden on our streets due to the dumpster that is set in the public right of way on north court that always smells awful and the lid is always open despite our constant requests to close the lid and relocate the dumpster elsewhere on the site (maybe over the swimming pool that was filled in with dirt a few years ago. In addition to the dumpster, the motel paved over a convenience swale that is in the right of way on North Court and blocked off the pipe that should bring the storm water to a green area. They now use this area within the right of way for employee parking. Now there is a cesspool of stagnant water over the pavement that is filled with trash. The hood from their commercial kitchen drips grease down the roof, into a gutter and down a downspout which then runs directly into the ponding water. We have contacted the county about all of these issues and nothing has been done.

Over the years I have watched the Florida Real Estate crash and boom begin to tear away at our community. The homes on our street that have been sold over the past several years have all been purchased on speculation by corporations that are renting them out as long term rentals and in some cases illegal short term vacation rentals.

This hit way too close to home for us when the house next door to us at 22

north court sold to an LLC in 2018. The owner's renovated it and told us they were flipping it. I had concerns that they were converting it into a vacation rental and informed them a short term rental would be a non-conforming use. They assured me that would not be the case. The day after the yearlong renovation was complete, 4 cars with out of state plates showed up and were partying until 4am directly adjacent to my 2 year old twin boys bedroom window. I went on Air BNB and sure enough, it was listed and booked for months. After 2 weeks of random strangers showing up and partying into the early hours of the morning, I notified Brevard County Code Enforcement and Officer Novak showed up and shut it down. The owner's complied for the most part with a few exceptions during tourist season. They began renting it out for the 90 day minimum requirement that is allowed in the RU-1-13 Single Family Zoning. This made things much better for our family. It wasn't perfect by any means. Some of the people were cool and some of them sucked horribly but we had to live with it because that was what the zoning in our neighborhood allowed. Since then, the owner has had her house trashed so many times by the 90 day renters that she has switched over to 1 year lease tenants. This is much better. Sometimes the tenants will actually engage with our community and become neighbors instead of treating us no different than the asphalt bringing them to their tenement.

We want neighbors in our community. We want friends and people that become family. We don't want short term rentals on our street. They do not care about our neighborhood or the people that live here. They are here to party and get loaded and have a sense of entitlement to do so based on the exorbitant amount of money they paid to stay on our street for a few days. This zoning change would create a terrifying precedent that could completely destroy our community.

In addition, Per Sec. 62-1372.5.c.1, the existing structure does not appear to meet the Principal Structure 25' front setback required for RU-2-10 Medium Density Zoning.

29/31 South Court is at the end of the street. All of the structures between it and the buffer zone fronting A1A are all Single Family Homes, Zoned RU1-13 and our being used as such. This zoning change would allow a private corporation to operate a business that would otherwise be a non-confirming use to all of their surrounding neighbors on North Court, South Court, and beyond. This is our home and our community. We don't have a gate but we do have zoning laws that were established to protect us from this crap. Please protect our little pocket neighborhood and the people that call it home.

Ben Cabrera
24 North Court

--

Ben Cabrera, Architect, NCARB

Principal

bENT studio inc

FL reg. #AR98788

President



270 East Drive, Suite B

Melbourne, FL 32904

c(321)684-8222 f(321)952-9600

--

Ben Cabrera, Architect, NCARB

Principal

bENT studio inc

FL reg. #AR98788

President



270 East Drive, Suite B

Melbourne, FL 32904

c(321)684-8222 f(321)952-9600

From: [Stern, Danielle](#)
To: [Jones, Jennifer](#)
Subject: FW: Contesting the potential rezoning of 29/31 South Court in Indialantic, ID# 23Z00026
Date: Wednesday, June 7, 2023 3:52:20 PM

This is the other one that you may have already received.

From: Robert Pope <rlpope1@gmail.com>
Sent: Wednesday, June 7, 2023 3:44 PM
To: Stern, Danielle <danielle.stern@brevardfl.gov>
Subject: Fwd: Contesting the potential rezoning of 29/31 South Court in Indialantic, ID# 23Z00026

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

Regards, Robert

----- Forwarded message -----

From: Leah Fordham <fordhamleah@gmail.com>
Date: Wed, Jun 7, 2023 at 7:15 AM
Subject: Fwd: Contesting the potential rezoning of 29/31 South Court in Indialantic, ID# 23Z00026
To: <RLPope1@gmail.com>

Tifton's email to county code. He expounded upon mine.

Begin forwarded message:

From: John Fordham <tiftonfordham@gmail.com>
Date: June 6, 2023 at 14:02:05 EDT
To: jennifer.jones@brevardfl.gov
Subject: Contesting the potential rezoning of 29/31 South Court in Indialantic, ID# 23Z00026

Dear Jennifer,

I am writing to contest rezoning 29 and 30 South Court in Indialantic, FL 32903.

My wife and I are Florida natives, and 25-year residents on South Court. It's obvious by the increased traffic of various people staying at 29/31 South Court that the owner is running an AirB&B or similar establishment. He's also previously verbalized when he bought the property that it's a short-term rental despite an understanding that this is illegal. Surprisingly he has become an troublemaker and continues to be disrespectful to neighborhood residents.

The renovated property is much improved over the last couple of years but the increased traffic zooming up and down the street, along with several loud late-night incidents, are not only disruptive, but dangerous to long-term residents of the street.

This is a narrow street without contiguous sidewalks making navigation tricky for those who live here, much less short-term vacationers who commonly disregard, or chose not to learn the traffic flow of the street, or the presence of numerous children playing in the area, and so they become dangerous in their actions and inactions.

1. The speed limit and basic traffic precautions are not followed by renters. Despite signs posted at 20 mph, it's still too fast for this narrow street. One example is a renter threw his car into reverse (to avoid a cyclist on the sidewalk) without looking behind him at the end of the street and hit my wife while walking our dog in 2021. She recovered from her injuries, but scars and some dysfunctions remain. That renter moved on but was quickly replaced with another ignorant short-term renter.
2. Renters who stay for a week or two, often arrive in multiple cars, forcing them to illegally park on the street vs driveways, forcing residents coming and going to work, into a head-on driving position on the street. Also, every Monday, Tuesday and Thursday, Waste Management drivers, must dangerously back down the street from A1A, (often early in the morning with kids walking to the bus stop) since there is nowhere to turn around the large truck.
3. These short-term renters are impervious to the dangerous turn required to enter and exit the street onto and off A1A and are often found walking in the road. The view of South Court when turning onto the street from the North, is completely blocked by the fence at the Atlantic Inn. Residents understand the perils of this spot and we avoid stopping, parking, standing or walking in what we call the "death zone".
4. Vacationers deserve an area where they can stay up all night if they like, but this tight residential street is not it. The West end of South Court is owned by Holy Name of Jesus Catholic Church, and recently they erected a gate across their drive because of the increased traffic cutting through their property to leave the street. This had been an alternate way to exit the street for years, usually after a hurricane when trees fall and block access to A1A. This was very convenient for my wife and I when working in the hospital since we had to show up during and after the storm. The actions and behaviors of 29/31 South Court ended that.
5. The activity at the 29/31 South Court duplex since it was sold, has forced multiple street residents to call upon law enforcement. The owner has had altercations with his next-door neighbors and has been heard making negative comments when walking past our property, and surveillance cameras, making me think some sort of altercation is in our future. Any threatening behavior will not be tolerated.

Thank you for your time and for upholding coding rules.

John Fordham 321-961-2486, 19 South Court, Indialantic, FL 32903

RE: Contesting rezoning South Court; Indialantic FL
ID # 23Z00026

Dear Jennifer,

Correction: I am writing to contest rezoning 29 and [31 South Court; Indialantic, FL 32903](#).

The proposal to rezone the property at 29 and 31 South Court to multi-family is absurd and would set a precedent that will destroy the fabric of our community. The sole purpose of rezoning the property is to allow the owner to legally operate the single family home as a short term vacation rental. This is evidenced by the current VRBO posting attached to this email that makes no mention of a minimum stay for guests. North Court and South Court are 2 very short and narrow dead end streets made up of single family homes. This neighborhood has been here and functioning as homes for working class families since the 1950's. Many of the families on both streets have been living here for 20-30 years. We have started our families here and raised our children here.

I started my family on North Court 12 years ago. I was born in Melbourne as well as my wife and four children. We love our street and we love our neighbors. We do have to share our area and beaches with a large number of tourists and non-residence due to our proximity to the large hotels (Radisson, Hilton, Crown Plaza) This is difficult at times because of the lack of care some visitors show towards our streets and environment but we chose to live here and we have the buffer of A1A that keeps the tourism out at the beach and on the busy highway and away from our homes for the most part. This buffer is critical in raising my family in a safe environment.

The buffer begins at the properties along State Road A1A. Much of A1A has multi family zoning in the property that fronts A1A and then switches over to single family residential beyond the A1A front property. The development that spans from south court to Atlantic Avenue along A1A is an excellent example of how to develop this buffer zone. The developer built 5 single family townhomes on south court and 5 single family townhomes along Atlantic. Many of the residents are long term owners that live in the property all year and work in our community. This development creates a buffer to the tourism and traffic while still allowing for neighbors and community.

Unfortunately, we are not as lucky with the A1A front property that spans from North Court to South Court. We have the TU-1 General Tourist Commercial zoning for the buffer property. This property is home to The Atlantic Inn, aka "Heroin Hotel". This nightly/weekly/monthly motel is home to nightly vacationers and weekly/monthly drug dealers and users. The drug dealers draw in an unwanted community of thieves and addicts that have stolen from us and made my children fearful to wait at their bus stop and get off the bus. In addition to the safety of my children, the legitimate vacationers are constantly littering our beaches with trash and loud music. This is a great example

of zoning that has gone wrong. Nevertheless, it is zoned for a motel so we live with it and protect our community every way we can. I apologize for the rant on the motel since it is sort of conforming but the weekly price point to stay at the motel is not far off from some of the AirBNB's in the area and this zoning change would bypass our buffer zone.

(This is another rant but I would like it on the record as well.) The only component to this property that could bring value to our community is the restaurant. It was the former home to Papa Gallo's for years and has since become Cuban Island Restaurant. The restaurant provides for a more walkable community and in theory would provide "eyes on the street" for some of the seedy characters from the motel. However, it too has become a burden on our streets due to the dumpster that is set in the public right of way on north court that always smells awful and the lid is always open despite our constant requests to close the lid and relocate the dumpster elsewhere on the site (maybe over the swimming pool that was filled in with dirt a few years ago. In addition to the dumpster, the motel paved over a convenience swale that is in the right of way on North Court and blocked off the pipe that should bring the storm water to a green area. They now use this area within the right of way for employee parking. Now there is a cesspool of stagnant water over the pavement that is filled with trash. The hood from their commercial kitchen drips grease down the roof, into a gutter and down a downspout which then runs directly into the ponding water. We have contacted the county about all of these issues and nothing has been done.

Over the years I have watched the Florida Real Estate crash and boom begin to tear away at our community. The homes on our street that have been sold over the past several years have all been purchased on speculation by corporations that are renting them out as long term rentals and in some cases illegal short term vacation rentals.

This hit way too close to home for us when the house next door to us at 22 north court sold to an LLC in 2018. The owner's renovated it and told us they were flipping it. I had concerns that they were converting it into a vacation rental and informed them a short term rental would be a non-conforming use. They assured me that would not be the case. The day after the yearlong renovation was complete, 4 cars with out of state plates showed up and were partying until 4am directly adjacent to my 2 year old twin boys bedroom window. I went on Air BNB and sure enough, it was listed and booked for months. After 2 weeks of random strangers showing up and partying into the early hours of the morning, I notified Brevard County Code Enforcement and Officer Novak showed up and shut it down. The owner's complied for the most part with a few exceptions during tourist season. They began renting it out for the 90 day minimum requirement that is allowed in the RU-1-13 Single Family Zoning. This made things much better for our family. It wasn't perfect by any means. Some of the people were cool and some of them sucked horribly but we had to live with it because that was what the zoning in our neighborhood allowed. Since then, the owner has had her house trashed so many times by the 90 day renters that she has switched over to 1 year lease tenants. This is much better. Sometimes the tenants will actually engage with our

community and become neighbors instead of treating us no different than the asphalt bringing them to their tenement.

We want neighbors in our community. We want friends and people that become family. We don't want short term rentals on our street. They do not care about our neighborhood or the people that live here. They are here to party and get loaded and have a sense of entitlement to do so based on the exorbitant amount of money they paid to stay on our street for a few days. This zoning change would create a terrifying precedent that could completely destroy our community.

In addition, Per **Sec. 62-1372.5.c.1**, the existing structure does not appear to meet the Principal Structure 25' front setback required for RU-2-10 Medium Density Zoning.

29/31 South Court is at the end of the street. All of the structures between it and the buffer zone fronting A1A are all Single Family Homes, Zoned RU1-13 and are being used as such. This zoning change would allow a private corporation to operate a business that would otherwise be a non-confirming use to all of their surrounding neighbors on North Court, South Court, and beyond. This is our home and our community. We don't have a gate but we do have zoning laws that were established to protect us from this crap. Please protect our little pocket neighborhood and the people that call it home.

Ben Cabrera

24 North Court

Melbourne Beach, Brevard County, Florida, United States of America

Check-in

Check-out

Guests

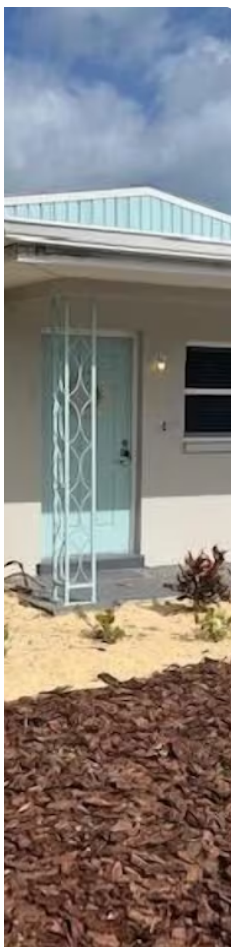
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Beautiful 2 Br. Duplex_triplex L- (431180) by Houzlet

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\$193 avg/night

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Free cancellation up to 30 days before check-in

Houzlet

Contact host

Property # 3305940

Report this property



Know before you go

Check Covid restrictions

here

(<https://apply.joinsherpa.com/travel-restrictions?affiliateId=vrbo>)

About this rental

Apartment

950 sq. ft

2 bedrooms

2 beds · Sleeps 4

1 bathroom

1 full bath

ABSOLUTEY GORGEOUS 2 bedroom, 1 bath, FULLY REMODELED, Fully furnished, one car garage, washer and dryer plus much more... SPACIOUS LIVING AREA AND ROOMS. 5 minute WALK TO BEACH, with beach toys and boogie boards. Walking distance to RESTARANTS, ENTERTAINMENT, and SHOPPING. 45 minutes to Port Canaveral and Orlando Theme Parks. All utilities, PLUS, HULU and DISNEY INCLUDED. State tax includes a 12% surcharge that will be added to the rent. This Duplex is a one of a kind in the honeypot area of beachside. Please come check it out. DOESNT GET ANY BETTER

THEN THIS!!!! Please call Jessie Caulfield for appts . Houzlet publishes listings on Vrbo; which in turn, allows tenants to instantly rent seasonal rentals. Houzlet's properties are managed by licensed real estate agents. Although the property is an instant rental, it's possible there can be another pending application. If the home is not available, we can offer you another suitable option or you can cancel for free.

House Rules.

The refundable policy is as follows:

1. 100% refundable if you cancel 30 days prior to arrival.
2. 100% refundable if the property is not available or you're not approved to rent.
3. Not refundable if you are within 30 days from arrival or if you signed the leased with the Agent (whichever comes first).

Please note this property may require a tenant screening at an extra cost to you. You will be required to sign a lease with the landlord. Security deposit vary and range from USD 500 up to one full month rent that is payable directly to the landlord.


View less

Hosted by Houzlet

Policies

Cancellation policy

100% refund of amount payable if you cancel at least 30 days before check-in.

 *If you have upcoming trips, you can manage or cancel your booking in your traveler account.*

50% refund of amount payable (minus the service fee) if you cancel at least 14 days before check-in.

[View upcoming trip \(/traveler/th/bookings\).](#)

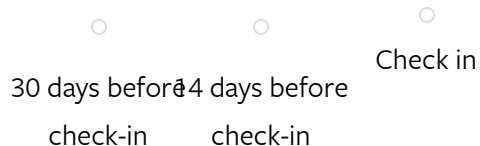
No refund if you cancel less than 14 days before check-in.

Free cancellation deadlines are in the property's timezone. Learn more about [cancellation policies](https://help.vrbo.com/articles/What-is-the-cancellation-policy). (<https://help.vrbo.com/articles/What-is-the-cancellation-policy>).

100% refund

50% refund

No refund


30 days before check-in 14 days before check-in Check in

Damage and incidentals

You will be responsible for any damage to the rental property caused by you or your party during your stay.

House rules

 **Check in after:** 3:00 PM 

Check out before: 11:00 AM

- Children allowed
- No pets
- No events
- No smoking
- Max guests: **4**
(sleeps up to 4 adults)

Still have questions?

Get a fast response about property amenities, check-in times, and general questions.

[Chat now](#)

Amenities

Internet



Air conditioning



Washer & dryer



Parking



No smoking




[View all 14 amenities](#)

Rooms & beds

Bedrooms: 2 (Sleeps: 4)

Bedroom 2
Queen



Bathrooms: 1

Map

**Brevard County, Florida,
United States of America**
Detailed location provided
after booking

What’s nearby

1. Paradise Beach

0.6 mi
2. Eau Gallie Beach

0.1 mi
3. Indian Harbor Beach Bea...

0.9 mi
4. Satellite Beach Beach

1.4 mi
5. Historic Rossetter House...

2.7 mi
6. Brevard Art Museum

2.8 mi

Hosted by Houzlet

Member since 2022

Languages: English

Contact host



[Home \(https://www.vrbo.com/vacation-rentals\)](https://www.vrbo.com/vacation-rentals). >

[United States \(https://www.vrbo.com/vacation-rentals/usa\)](https://www.vrbo.com/vacation-rentals/usa). >

[Florida \(https://www.vrbo.com/vacation-rentals/usa/florida\)](https://www.vrbo.com/vacation-rentals/usa/florida). >

[Brevard County \(https://www.vrbo.com/vacation-rentals/usa/florida/brevard-county\)](https://www.vrbo.com/vacation-rentals/usa/florida/brevard-county).

From: [Gail](#)
To: [Jones, Jennifer](#)
Subject: ID # 23Z00026
Date: Friday, June 9, 2023 3:14:07 PM

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

Dear Jennifer,

I am writing to contest rezoning 29 and 30 South Court in Indialantic, FL 32903.

My husband and I moved here to retire, and live in peace! We live next to 29 and 30. And as you can see the other e-mail, it has not been pleasant at

at all. And the neighborhood has come together to oppose this zoning.

Thank you in Advance.

Gail Pope

27 South Court

Indiatlantic, Fla

From: [Suzanne Dunphy](#)
To: [Jones, Jennifer](#)
Subject: Opposed to Rezoning South Court in Indialantic, ID# 23Z00026
Date: Sunday, June 11, 2023 2:58:15 PM

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

Dear Brevard County Planning and Zoning Board
c/o Jennifer Jones,

We have been residents of the area for about 14 years and love the little community that exists between North and South Ct. These 2 short dead-end streets still have the community vibe where we know our neighbors, watch out for kids playing in the street, have informal street gatherings randomly, and we help each other out with things such as removing debris after storm damage.

We are opposed to the proposed rezoning of 29 & 31 South Court *if* it would allow short term rentals to exist there.

Short term vacationers don't have the same concerns as residents. As residents we must be concerned about things such as getting to work and school on time, getting good sleep, and being able to safely wander along our streets. All the residents know to be quiet at night and to drive super slowly on the streets to allow kids, adults, and pets the freedom to walk safely.

Short term vacationers have different goals and have proven to be a problem in the area. They are too often wanting to party, bring more cars than fit in the small driveways, be loud, and drive too fast on our little narrow streets.

Vacationers came to have a beach party.
We stay to have beach life.

To be clear, we are not opposed to duplexes or other such medium density residential zones. Nor are we particularly opposed to long term rentals.
We are opposed to any rezoning changes that make short term rentals possible.

Thank you for hearing our concerns,

Suzanne Dunphy & Will Moore
27 North Ct, Indialantic, FL 32903
sailingsuz@gmail.com

From: [Gail](#)
To: [Jones, Jennifer](#)
Subject: ID # 23Z00026
Date: Friday, June 9, 2023 3:14:07 PM

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Indiatlantic, Fla

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Suzanne Dunphy & Will Moore
27 North Ct, Indialantic, FL 32903
sailingsuz@gmail.com

From: [Tom Johnson](#)
To: [Jones, Jennifer](#); [Yvette Winia](#)
Subject: FW: Zoning request denial letter
Date: Monday, June 12, 2023 9:18:46 AM

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

To whom it may concern:

This letter is to describe our total opposition to the changes in our proposed zoning on the end of our quiet small street.

This street is South Court in Brevard County, Indialantic, Florida.

We are, Yvette Winia and Tom Johnson, owners of the property at 28 South Court in Indialantic, Florida.

We note that South Court is a short dead-end street with virtually all single-family homes.

We wish to specifically object to the rezoning of the property at 29 and 31 South Court here in Indialantic, FL.

There is no good reason to potentially raise the number of people that could live here on our quiet dead-end street here in Brevard.

The consequences are real and serious.

For example, this past April at this same location an “unruly gathering” next to the church property and diagonally from our property resulted in:

Construction of party tents and speakers

An unruly party including:

- **increased vehicle and pedestrian traffic**
- **guest parking congestion (on public and private property);**
- **late night noise from guests, vehicles, music, fireworks, outdoor tent and loudspeakers**
- **public intoxication and smoking**
- **Motorcycle demonstration and noise contest**
- **trespassing (including unwanted visits from party guests)**
- **in some reported cases, indecent exposure.**

We can barely support the traffic which comes down our tiny dead end street now with turn arounds occurring virtually every day.

We wanted to send this letter to let you know that we are totally opposed to this rezoning endeavor.

It scares us the idea of so many more newly located people might be at the end of our quiet street.

Thank you very much,
Yvette L. Winia & Tom Johnson
28 South Court
Indialantic, FL 32903.