

From: [Martin, Peter](#)
To: [Jones, Jennifer](#)
Cc: [Ragain, Rebecca](#); [Ball, Jeffrey](#); [Gerena, Rachel](#); [Ritchie, George C](#); [Craven, Tim](#)
Subject: FW: 19PZ00140 Rezoning with Conditional Use Permit for a Bed and Breakfast
Date: Monday, December 2, 2019 4:50:56 PM

Jennifer,

Please scan these comments into the 19PZ00140 file.

Thank you,

Peter J. Martin

Peter J. "Pete" Martin, AICP
Board of County Commissioners
Planning & Development Department
Planning & Zoning Division
2725 Judge Fran Jamieson Way
Building A-114
Viera, Florida 32940
321-350-8268

This office can only provide zoning and comprehensive plan information. You may wish to contact other County agencies to fully determine the development potential of this property. This letter does not establish a right to develop or redevelop the property and does not constitute a waiver to any other applicable land development regulations. At the time of development, this property will be subject to all such regulations. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Gerena, Rachel
Sent: Monday, December 2, 2019 4:05 PM
To: Martin, Peter <Peter.Martin@brevardfl.gov>; Craven, Tim <Tim.Craven@brevardfl.gov>
Cc: Ritchie, George C <George.Ritchie@brevardfl.gov>
Subject: RE: 19PZ00140 Rezoning with Conditional Use Permit for a Bed and Breakfast

Peter,

The Conditional Use Permit Application Worksheet requires the applicant to address how the requested CUP will meet the code standards listed. I have the following staff responses to some of the sections:

Section 62-1901(c)(2)(a) Requirement 2 "Built to applicable county standards"

Staff Response: Willowbrook is currently a County maintained dirt road not built to current

County roadway standards.

Section 62-1901(c)(2)(j)

Staff Response: Hard packed earth around the existing single family home does not meet the code requirements for the required parking. Per Section 62-3206 below parking areas must be paved. ADA parking will also be required.

Sec. 62-3206. - Parking and loading requirements.

1. Parking and loading areas shall be provided, maintained and continued as part of the primary use of new and existing developments. Existing buildings or changes of the occupational uses shall provide the necessary parking required by this section subject to the following:

c. Where the occupational use of a building or structure is changed to a new use that requires more parking spaces or loading zones than exist on the site, then the necessary parking and loading area shall be provided for the new use.

(5) Except for single-family residences and duplexes, all off-street parking, loading areas and maneuvering space and associated driveway aisles, shall be paved (i.e., asphalt, concrete, or paver blocks).

Lastly, I am unsure as to why this is not requiring a site plan. While I understand that this is an accessory use under zoning, a 12 bed B&B is no longer a Detached Single Family house as exempt under the site plan code. In addition, ADA regulations under Title III would identify this facility as a Place of Lodging as it has more than five rooms for rent, meaning that it will have to comply with all 2010 ADA regulations inside and outside that would apply to any other transient lodging. Therefore I would ask that planning reconsider the need for a site plan.

Thanks,

Rachel A. Gerena, P.E.

Public Works Engineering Manager
Brevard County, Florida
2725 Judge Fran Jamieson Way
Building A, Room 204
Viera, Florida 32940
321-637-5437

From: Martin, Peter
Sent: Monday, November 25, 2019 2:31 PM
To: Gerena, Rachel
Cc: Ritchie, George C; Holman, Lauren
Subject: RE: 19PZ00140 Rezoning with Conditional Use Permit for a Bed and Breakfast

Rachel,

Will you please assign someone to respond to email below while Lauren is out?

Thank you,

Peter J. Martin

Peter J. "Pete" Martin, AICP
Board of County Commissioners
Planning & Development Department
Planning & Zoning Division
2725 Judge Fran Jamieson Way
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From: Martin, Peter

Sent: Monday, November 25, 2019 2:29 PM

To: Holman, Lauren <Lauren.Holman@brevardfl.gov>

Cc: Ritchie, George C <George.Ritchie@brevardfl.gov>

Subject: 19PZ00140 Rezoning with Conditional Use Permit for a Bed and Breakfast

Lauren,

Will you please write comments on parking area for proposed 12-bed (potential 24 customers at a time) bed and breakfast. Code requires 2 parking spaces for managers/operators and one space per bed/room for a total of 14 spaces. They want to just use grass as parking. Please see applicant's response below and provide engineering comments for parking.

Thank you,
Pete

Section 62-1901(c)(2)(j): Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial

evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

Note: for existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

Applicant's Response: Parking area around building is all hardpacked for a 50 foot area around building from 30 years of use.

Staff's Observation:

Peter J. Martin

Peter J. "Pete" Martin, AICP
Board of County Commissioners
Planning & Development Department
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