

PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, January 13, 2020**, at **3:00 p.m.**, in the Commission 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: Ron Bartcher; Brian Woltz; Brian Hodgers; Ben Glover; Mark Wadsworth; Joe Buchanan; Bruce Moia; Peter Filiberto; and Dane Theodore.

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Eden Bentley, County Attorney; George Ritchie, Planner III; Paul Body, Planner II; Jeanne Allen, Environmental Specialist I; and Jennifer Jones, Special Projects Coordinator.

Mark Wadsworth introduced new members Joe Buchanan, District 4; and Brian Woltz, District 1. Mr. Wadsworth also recognized the resignation Rochelle Lawandales and thanked her for her service to the Planning and Zoning Board. Bruce Moia stated Ms. Lawandales had a wealth of knowledge as a planner and she will be missed on the board.

Excerpt from Complete Agenda

4. Charles and Lindsey Michell

A change of zoning classification from GU (General Use) to AU (Agricultural Residential). The property is 2.38 acres, located at 5430 Florida Palm Avenue, Cocoa. (19PZ00132) (Tax Account 2314035)

Charles Michell, 5430 Florida Palm Avenue, Cocoa, stated he would like to rezone so his kids can have cows and horses.

Bruce Moia stated the property is 2.38 acres, and asked if that will be an issue because the Future Land Use designation is Residential 1:2.5. Jeffrey Ball replied no, because it is a nonconforming lot of record.

Ron Bartcher asked if Mr. Michell understands what a nonconforming lot is. Mr. Michell asked for clarification on nonconforming lots of record.

Jeffrey Ball explained a nonconforming lot of record means the lot has a configuration that preceded the current regulation for the zoning classification. The code allows for a property owner to rezone properties that are under that configuration.

Paul Body further explained that the property is in Canaveral Groves, and at one time the GU zoning classification required one acre, but in 1975 it changed from one acre to five acres. So, it's nonconforming to the size requirements. The code allows someone to rezone property as long as it's a nonconforming lot and consistent with the Comprehensive Plan, and AU is consistent. He noted the applicant still has to meet the requirements of setbacks for all structures in the AU zoning.

Motion by Bruce Moia, seconded by Ben Glover, to approve the change of zoning classification from GU to AU. The vote was unanimous.