



BOARD OF COUNTY COMMISSIONERS

## Planning and Development Department

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<https://www.brevardfl.gov/PlanningDev>

### STAFF COMMENTS

20PZ00035

Ruth E. Friddle and David Eitel

GU to RRMH-1

Tax Account Number: 2406126  
Parcel I.D.: 24-35-17-01-21-1  
Location: Southeast corner of Dyson Avenue and Satellite Boulevard (District 1)  
Acreage: 1 acre

Planning and Zoning Board: 06/15/20

Board of County Commissioners: 07/09/20

### Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
<b>Zoning</b>	GU	RRMH-1
<b>Potential*</b>	One Single Family Unit	One Single Family Unit
<b>Can be Considered under the Future Land Use Map</b>	YES Residential 1	YES Residential 1

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

### Background and Purpose of Request

The applicant is seeking a change of zoning classification from General Use (GU) to Rural Residential Mobile Home (RRMH-1) for the purpose of building a mobile home on the property. Mobile homes are not permitted in the GU zoning classification. The parcel is currently vacant.

GU zoning is original to the lot adopted May 22, 1958; no previous zoning actions have been applied for. The lot is a non-conforming lot of record located in the Canaveral Groves area. The lot was recorded in ORB 1164, Page 0613 in August 1960.

### Land Use

The subject property retains the RES 1 (Residential 1) Future Land Use designation. The existing zoning classification GU is not consistent with the RES 1 Future Land Use designation. The proposed zoning classification RRMH-1 is consistent with the RES 1 Future Land Use designation.

## **Environmental Constraints**

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

## **Preliminary Concurrency**

The closest concurrency management segment to the subject property is State Road 520, between Orange County and State Road 524, which has a Maximum Acceptable Volume (MAV) of 40,300 trips per day, a Level of Service (LOS) of D, and currently operates at 30.37% of capacity daily. The maximum development potential from the proposed rezoning does increase the percentage of MAV utilization by 0.03%. The corridor is anticipated to continue to operate at 30.40% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

The parcel is not serviced by Brevard County sewer. The closest available Brevard County sewer line is approximately 2.96 miles southeast of the subject property at the intersection of SR 520 and SR 524.

The parcel is serviced by City of Cocoa water.

## **Applicable Land Use Policies**

**FLUE Policy 1.9** –The Residential 1 land use designation permits low density residential development with a maximum density of up to one (1) unit per acre, except as otherwise may be provided for within this element. The Residential 1 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan.

**Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.** The subject property is currently undeveloped and lies within the Residential 1 Future Land Use designation. The parcel abuts GU zoning along its eastern and southern boundaries and abuts the right-of-way along the western and northern boundaries of the parcel. There is another RRMH-1 parcel located approximately 225 feet north of the subject property on the other side of Satellite Boulevard. The proposed RRMH-1 zoning may be considered to be consistent with the Residential 1 Future Land Use designation.

**Analysis of Administrative Policy #4 - Character of a neighborhood or area.** The developed character of the surrounding area along Satellite Boulevard is developed with a mix of single family detached dwelling units, mobile homes, and undeveloped land on lots of one acre or more variously zoned GU, ARR, and RRMH-1. The subject parcel and the surrounding area along McIver Lane and Rockledge Drive have a Future Land Use (FLU) designation of RES 1, which may be considered to be consistent with the GU, ARR, and RRMH-1 zonings. The proposed RRMH-1 zoning may be considered to be consistent with the Future Land Use designation RES 1.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 3 - 5 of the Future Land Use Element.

## **Surrounding Area**

The abutting parcels to the east and south are undeveloped and zoned GU. The FLU classification in the entire surrounding area is RES 1. The surrounding area is a mix of single family detached dwelling units, mobile homes, and undeveloped land on lots of one acre or more variously zoned GU, ARR, and RRMH-1.

On October 13, 2016, **16PZ00072** rezoned a 1 acre parcel located approximately 2,230 feet southeast of the subject property from GU to AU(L).

## **For Board Consideration**

The applicant is seeking a change of zoning classification from General Use (GU) to Rural Residential Mobile Home (RRMH-1) for the purpose of building a mobile home on the property. Mobile homes are not permitted in the GU zoning classification. The parcel is currently vacant.

The Board should consider whether RRMH-1 zoning is compatible with the mixture of GU, ARR, and RR-1 zoning classifications of the surrounding area.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT  
Zoning Review & Summary**

**Item # 20PZ00035**

**Applicant:** Ruth Friddle & David Eitel

**Zoning Request:** GU to RRMH-1

**Note:** Applicant wants to put a mobile home on property

**P&Z Hearing Date:** 06/15/20; **BCC Hearing date:** 07/09/20

**Tax ID No:** 2406126

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management (NRM) Department and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

**Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Wetlands/Hydric Soils
- Protected Species
- Protected and Specimen Trees

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

**Land Use Comments:**

**Wetlands/Hydric Soils**

The subject parcel contains mapped NWI wetlands and hydric soils (Malabar sand, Anclothe sand-frequently ponded, and Eau Gallie sand) as shown on the NWI Wetlands and USDA Soil Conservation Service Soils Survey maps, respectively; indicators that wetlands may be present on the property. Per Section 62-3694(c)(2), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy would render a

legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. The preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts as described in Sec. 65-3694(c)(1)a above. Application of the one-unit-per-five-acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property as defined in Sec. 65-694(c)(6). Any permitted wetland impacts must meet wetland impact avoidance, minimization and mitigation requirements of Sections 62-3694(e) and 62-3696. The applicant is encouraged to contact NRM at 321-633-2016.

### **Protected Species**

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

### **Protected and Specimen Trees**

Aerials indicate that Protected and Specimen trees may reside on the property. Per Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. A landscape plan and mitigation requirements will be required at time of site plan permit application submittal. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.