

**From:** [bartcher@cfl.rr.com](mailto:bartcher@cfl.rr.com)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Development in Mims  
**Date:** Thursday, January 28, 2021 9:20:07 AM  
**Attachments:** [image001.png](#)

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Jennifer,

I have had a limited contact with Brian Stephens, who is requesting a land use change and a zoning change at the February 8, 2021 P&Z Advisory Board meeting. This contact has been only one email, which I have included below. Would you please present this information to the County Attorney and let me know his advice.

Besides disclosing the fact to other Board members at the upcoming meeting that I had this contact, is there any thing else I need to do? Should I abstain from voting on the issue? Should I abstain from participating in the Board's discussion of this issue?

Regards,

Ron Bartcher

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**From:** bartcher@cfl.rr.com <bartcher@cfl.rr.com>  
**Sent:** Wednesday, November 18, 2020 12:30 PM  
**To:** 'Brian Stephens' <BStephens@deanmead.com>  
**Subject:** RE: Development in Mims

Brian,

I am on the Brevard County Planning & Zoning Advisory Board and I am covered by the Florida Sunshine Law. However, since I have no financial interest in this property and would have no benefit if your client were to purchase this property, I believe I can answer your questions.

I was President of the Mims Community Group. Our group is interested in keeping Mims a rural area. We also try to stay up to date on developments in Mims. We supported the Mims Small Area Study that was performed in 2006 by Brevard County Planning Department. We recognize that the US1 corridor is and will continue to be used for commercial purposes.

I do not believe that anyone would object to that property being used as you suggest. In my many years as President of this group, I have never heard anyone object to having that business there. Also, I am not aware of any other considerations that would affect your client's proposed use. As a tractor dealer located on US1, that business fits within our rural community.

As you probably know, there are 2 parcels currently being used for the tractor business. Parcel ID 21-35-17-00-533 on the corner of US1 and Cuyler and parcel ID 21-35-17-00-524 located immediately to the north. The zoning for these two parcels is different: part is BU-1 (business) and part is AU (agricultural). The Future Land Use designation for these two parcels is also different: CC (Community Commercial – higher intensity) and NC (Neighborhood Commercial – lower intensity). Because of these differences, you may have to request zoning and land use changes. You will need to talk to the County's Planning & Zoning department to know for sure (George Ritchie would be a good person to talk to).

If you do require zoning or land use changes, that request will come before the Planning & Zoning Advisory

Board and I will have to disclose that I have had some contact with you. I do not foresee that creating a problem for either of us. If the Board's attorney deems it necessary, I can abstain from voting on the matter.

Regards,  
Ron Bartcher

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**From:** Brian Stephens <[BStephens@deanmead.com](mailto:BStephens@deanmead.com)>

**Sent:** Wednesday, November 18, 2020 7:15 AM

**To:** [bartcher@cfl.rr.com](mailto:bartcher@cfl.rr.com)

**Subject:** Development in Mims

Mr. Bartcher,

Hope you are doing well. George Ritchie gave me your contact information. I hope that you don't mind my reaching out.

I am a land use lawyer. I work for a client who is trying to buy property in Mims off of US1 at Cuyler Road – the old Robinson tractor dealer site. The client wants to continue that same operation onsite – just under a different brand.

George Ritchie pointed us to the Mims Small Area Study from 2007. It seems to support the continued use of this site as a tractor dealer – or, at least, the continued use of this corridor as a commercial one.

Are you aware of any change in sentiment or any new small area studies about which we should be aware?

Are you aware of any other considerations which we should assess that would adversely impact my client's proposed use?

Please note that, in giving these questions, I am aware of the sensitivity regarding the Sunshine Laws. Please don't feel obligated to answer in any way that would violate the same.

I appreciate the time as I am not as familiar with Mims as I am other parts of the county.

Thanks,  
Brian



**Brian M. Stephens**

Attorney at Law

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