

## **PLANNING AND ZONING BOARD MINUTES**

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 12, 2021**, at **3:00 p.m.**, in the Florida 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 (D1); Brian Hodgers (D2); Mark Wadsworth, Chair (D4); Joe Buchanan (D4 Alt); Peter Filiberto (D5); and David Bassford (D5 Alt).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; George Ritchie, Planner III; Paul Body, Planner II; Kyle Harris, Planner I; Abigail Jorandby, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

At the outset of the meeting, David Bassford announced he had a conflict of interest on Items H.1., H.7., and H.8., and would need to abstain from voting.

### **Excerpt of Complete Minutes**

#### **Timothy and Diane Lystlund**

A Small Scale Comprehensive Plan Amendment (21S.03) to change the Future Land Use designation from RES 1 (Residential 1) to RES 2 (Residential 2). The property is 0.55 acres, located on the west side of Hibiscus Ave., approx. 240 ft. south of Jonquil Lane. (9555 Hibiscus Ave., Micco) (21PZ00026) (Tax Account 3009665) (District 3)

#### **Timothy and Diane Lystlund**

A change of zoning classification from RU-1-7 (Single-Family Residential) to SR (Suburban Residential). The property is 0.55 acres, located on the west side of Hibiscus Ave., approx. 240 ft. south of Jonquil Lane. (9555 Hibiscus Ave., Micco) (21Z00014) (Tax Account 3009665) (District 3)

Timothy Lystlund, 1501 East Lake Lane, Sebastian, stated when they purchased the property they found out the zoning was incorrect for the size of the lot, and so they would like to change the zoning.

Mark Wadsworth asked the approximate square footage of the house they want to build. Mr. Lystlund replied the house would be a little under 2,300 square feet.

No public comment.

Mr. Lystlund stated he is familiar with one letter in opposition to our request.

Brian Hodgers asked if the board should consider the letter if the person is not present to speak. Abby Jorandby replied that the board can consider it.

Mr. Hodgers pointed out there are several RU-1-7-zoned properties in the area with houses on them that were built before the zoning changed.

Paul Body explained the problem is that the subject property was subdivided in 1996; the abutting properties were subdivided around the same time, so the Future Land Use is the problem, at Residential 1. When it was subdivided, it did not meet the requirements for Residential 1. The abutting properties should have also rezoned. The subject property is a little over a half-acre and the SR zoning seemed to be the better fit because it requires a half-acre and cannot be re-subdivided.

Mr. Wadsworth asked if the neighbor who wrote the letter of objection lives in the neighborhood. Mr. Lystlund replied the neighbor who wrote the letter lives on Honeysuckle, behind the subject property, four lots down, on a quarter-acre lot.

Mr. Wadsworth stated in looking at the neighborhood, there are three streets. There are approximately five or six lots that are roughly the same size as the subject property and the rest of the lots in the area are smaller.

Mr. Body replied most of the lots in the area were subdivided before Comprehensive Plan was adopted, mostly to the west. The lots to the east and abutting the subject property were all subdivided at the same time and did not meet the Comprehensive Plan.

Peter Filiberto stated it seems like this is the last lot to be built out in the three-street area, so he doesn't see a domino effect happening if the board approves the request.

Motion by Peter Filiberto, seconded by Joe Buchanan, to approve the requested Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from RES 1 to RES 2. The motion passed unanimously.

Motion by Peter Filiberto, seconded by Joe Buchanan, to approve the requested change of zoning classification from RU-1-7 to SR. The motion passed unanimously.