



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.2.

8/23/2021

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### **Subject:**

William D. and Elizabeth Anne Elliott, Trustees (Joe Mayer) request a change of zoning classification from PIP to RR-1. (21Z00020) (Tax Accounts 2616601 & 2323951) (District 2)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and Development

### **Requested Action:**

It is requested that the Planning & Zoning Board conduct a public hearing to consider a change of zoning classification from PIP (Planned Industrial Park) to RR-1 (Rural Residential).

### **Summary Explanation and Background:**

The applicant is seeking a change of zoning classification from PIP (Planned Industrial Park) to RR-1 (Rural Residential) for the purpose of creating two residential lots. The applicant also wishes to be able to build a single-family home on the east parcel. The parcels appear to be configured as flag lots. The PIP zoning does not permit a flag lot configuration; however residential parcels can be administratively approved per Section 62-102(B) to utilize them for frontages less than 125 feet of road frontage. If approved, the applicants will be required to have the two parcels administratively approved as Flag Lots.

The proposed RR-1 zoning permits single-family residential land uses on a minimum one acre lot, with a minimum lot width and depth of 125 feet, and a minimum house size of 1,200 square feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The keeping of horses and agricultural uses are accessory to a principle residence.

The applicants have also applied for a companion application to change the FLU (Future Land Use) designation from PI (Planned Industrial) to RES 1 (Residential 1) FLU. The Residential 1 designation permits low density residential development with a maximum density of up to one (1) dwelling unit per acre, except as otherwise may be provided for within the Future Land Use Element.

The existing development of the surrounding area along Dalbora Road is described as single-family homes on lots that meet the one dwelling unit per acre density allowed by the RES 1 Future Land Use. A FLU designation of RES 1 is necessary to be compatible with the propose RR-1 zoning. The closest developed industrial parcel (Air Liquide) is located approximately 575 feet to the northeast of the subject property, on the north side of North Courtenay Parkway. Air Liquide purchased the property in 1968. Staff is in the process of reviewing a Vested Rights determination. There has been numerous noise complaints regarding the activities performed

at the property.

The Board may wish to consider whether the request to RR-1 is consistent and compatible with the surrounding area.

The North Merritt Island Dependent Special District Board will hear the request on Thursday, August 12, 2021. Staff will update P&Z of the special district board's recommendation.

The Brevard County Board of County Commissioners will hear the request on **Thursday, November 4, 2021**, at **5:00 p.m.** at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, 1st Floor, Viera, Florida.

### **Clerk to the Board Instructions:**

None