



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

---

**File #:** 6695, **Version:** 1

---

### **Subject:**

West Malabar Properties, LLC requests a change of zoning classification from RP and AU to all BU-2 with a BDP. (24Z00004) (Tax Account 2806110, 2806111, 2806115, 2808112) (District 5)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and Development

### **Requested Action:**

It is requested that the Planning and Zoning Board conduct a public hearing to consider a change of zoning classification from RP (Residential Professional) and AU (Agricultural Residential) to all BU-2 (Retail, Warehousing and Wholesale Commercial) with a BDP (Binding Development Plan).

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

The applicant is requesting a change of zoning classification from RP (Residential Professional) and AU (Agricultural Residential) to BU-2 (Retail, Warehousing and Wholesale Commercial).

Properties within the County's jurisdiction along the westside of Minton Road can be characterized as residential and intermitted commercial with RP, BU-1, and RU-1-13 zoning within the County's jurisdiction. The closest BU-2 zoning classification is located approximately 1,830 feet northwest of the subject property, along the north side of Norfolk Pkwy. The subject property could be considered as transitional use with BU-1 zoning abutting to the south. Additional commercial uses are located south along Minton Road. The east side of Minton Road is in the jurisdiction of the City of West Melbourne with commercial and multi-family uses, and further south along Minton Road is in the jurisdiction of the City of Palm Bay with commercial uses.

There is a Small-Scale Comprehensive Plan Amendment (SSCPA) companion application, 24SS00001, to change the Future Land Use Map designation from NC (Neighborhood Commercial) and RES 2 (Residential 2) to all CC (Community Commercial).

The applicant has provided a Binding Development Plan which stipulates limiting the use of the property to climate-controlled mini-storage use as allowed in BU-2 zoning classification and other uses as allowed in the BU-1 zoning district. BU-1 allows for fast-food restaurants (with a drive-thru), day care facilities, and banks.

In addition, the applicant has provided a concept plan. This plan has not been reviewed for compliance with county code. It should be considered informative only and is not included in the Board approval.

The Board may wish to consider whether the proposed zoning request is consistent and compatible with the surrounding area and if the Binding Development Plan mitigates any off-site impacts.

On March 18, 2024, the Planning and Zoning Board heard the request and voted 7:2 to recommend approval. Public comments included existing traffic congestion at the intersection of Hield Rd. and Minton Rd.

**Clerk to the Board Instructions:**

Upon receipt of resolution, please execute and return a copy to Planning and Development.