



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 6796, **Version:** 1

Subject:

Board Discussion of Citizen Request, Consideration of Legislative Intent and Permission to Advertise Amendments to Sec. 62-1334, "Agricultural Residential, AU and AU(L)" and the Creation of a section of Code entitled "Commercial Recreational Vehicle, Recreational Equipment, and Trailer Storage (Outdoor)," Brevard County Code of Ordinances

Fiscal Impact:

Cost of advertisement of associated ordinance amendments

Dept/Office:

District 5, on behalf of Citizen Tony Masone (Represented by Kelly Hyvonen)

Requested Action:

Board discussion of citizen request, and consideration of legislative intent and permission to advertise is sought in amending Chapter 62, Article VI, Division 4, Subdivision II, Section 62-1334, "Agricultural Residential, AU and AU(L)," Brevard County Code of Ordinances, to allow for the inclusion of "commercial recreational vehicle, recreational equipment, and trailer storage (outdoor)" as a conditional use in the AU and AU(L) zoning classifications, and the creation of a section of Code entitled "Commercial Recreational Vehicle, Recreational Equipment, and Trailer Storage (Outdoor)," Brevard County Code of Ordinances, to set the conditions thereto.

Summary Explanation and Background:

Currently, the commercial storage of recreational vehicles, recreational equipment, and trailer storage is not permissible within the AU and AU(L) zoning classifications. It is proposed to amend Section 62-1334, Brevard County Code of Ordinances, to allow for this use as a conditional use. In addition, a new section would be created to set the conditions for the use.

Such conditions may include, but are not limited to:

- Minimum property size of 5 acres
- Requiring the use to be taking place no closer than 25 feet from all property lines
- Instituting setbacks from rights-of-way
- Prohibition of storage of commercial vehicles or heavy equipment
- Requiring an opaque barrier on all sides of the use, with the screen being a minimum of 6 feet in height

- Limiting the use to no more than 50% of the property on which it is located

If approved, for the conditional use to be utilized within the AU or AU(L) zoning classifications, a conditional use permit (CUP) would be required. The procedure for obtaining a CUP is outlined in Section 62-1901 of the Brevard County Code of Ordinances. Among other requirements, the process includes review by the Planning and Zoning Board as well as approval by the Board of County Commissioners.

Should the Board approve legislative intent and permission to advertise, the resulting proposed ordinance would be reviewed by the Building Construction Advisory Committee and the Planning and Zoning Board/Local Planning Agency before consideration by the Board of County Commissioners. Should the Board adopt the ordinance after 2 public hearings (in accordance with Section 125.66(5)(b), Florida Statutes), it would be subject to approval by Florida Commerce prior to becoming effective within the Area of Critical State Concern in the South Beaches area.

Clerk to the Board Instructions:

Please send a copy of the Board Action Memo to the District 5 Commission Office and the Planning and Development Department.