



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 1491, **Version:** 1

Subject:

River Fly-In Condominium, Inc. (Kim Rezanka) requests an amendment to an existing BDP in a PUD zoning classification. (20PZ00019) (Tax Account 2501008) (District 2).

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider an amendment to an existing BDP (Binding Development Plan) in a PUD (Planned Unit Development) zoning classification.

Summary Explanation and Background:

The applicant is seeking to amend the current BDP to allow for short-term rentals of a proposed 112-unit condominium, located at 735 & 741 Pilot Lane, Merritt Island. The current BDP in effect is the second iteration of the document. The applicant wishes to replace this BDP with a proposed third version to clarify the uses within the PUD and include conditions consistent with Section 62-1841.5.5 of Brevard County Code regarding Resort Dwellings. While this proposed change to the BDP doesn't alter the underlying residential zoning, it will allow the condominium owners the potential to offer short-term rentals.

The original approval in May 2006 included a BDP limiting ownership within the Project to persons who hold non-revoked pilot certifications issued by the FAA, their spouses, or their surviving relatives. This was amended in August 2014 with stipulations that the condominium association shall approve conveyance of a unit and resale of a unit; any conveyance made without the condominium/homeowners' associations' approval shall be voidable; and removed the requirement to be a pilot. The BDP's amendment did not identify whether units were to be owner-occupied or rented/leased. This request is to clarify that short-term rentals under the permitted with conditions use of Resort Dwellings are allowed within the project.

The character of the area is a mixture of developed single-family residential, warehouse and industrial uses, and a public airport in the immediate vicinity. The proposed development of a 112-unit condominium is consistent with the Residential 15 FLUM as the proposed residential development potential is 8.6 units per acre.

The subject property is served with potable water provided by the City of Cocoa. The subject property is under agreement to be served by Brevard County sewer.

The Board should determine whether the proposed BDP changing occupancy from long-term to short-term rentals is appropriate for the area. If the Board approves this change, a minor amendment to the PDP will be required to reflect this change of use.

On April 6, 2020, the Planning and Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

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