



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

---

**File #:** 2193, **Version:** 1

---

### **Subject:**

Lazy River Investments (Laura Young) requests a change of zoning classification from RU-1-13 to AU(L).  
(20Z00030) (Tax Account 3008729) (District 3)

### **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 RU-1-13 (Single-Family Residential) to AU(L) (Agricultural Residential, Low-Intensity).

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

The applicant is requesting to rezone the property from RU-1-13 to AU(L) to be consistent with the RES 1:2.5 FLU (Future Land Use) designation.

The property is located on the southwest corner of Fleming Grant Road and a private driveway, Seabird Lane, with dual frontage on Fleming Grant Road and the Sebastian River. The property is currently vacant and platted as two residential lots: Lot 10, a 10.75-acre lot and Lot 11, a 9.88-acre lot, which total 20.39 acres.

On May 30, 2019, the Board of County Commissioners conducted a public hearing to consider a request for a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation from RES 1:2.5 to RES 1, and a companion Zoning action request for a BDP (Binding Development Plan) for consistency with the Residential 1 FLU designation (18PZ00167). The result of that hearing was that the Large Scale Comprehensive Plan Amendment was denied, and the applicant withdrew the companion BDP request. On December 5, 2019, the Board conducted a public hearing to consider a request for a BDP limiting the development of the property to 8 lots, with other stipulations offered to help mitigate the proposed development. The Board also denied this request. (19PZ00093)

The property is currently designated RES 1:2.5 by the Future Land Use Map. The existing zoning of RU-1-13 is inconsistent with the Future Land Use. The proposed zoning of AU(L) would allow consistency.

All of the properties between Fleming Grant Road and the Sebastian River have the RES 1:2.5 Future Land Use designation. This segment of Fleming Grant Road is considered to be low density residential. The area contains a mixture of lot sizes and zoning classifications. Lots within ½ mile of the property range in size from 0.17 acres up to 4.5 acres with the majority being an acre or larger, and are zoned AG (Agricultural), GU (General Use), RR

-1 (Rural Residential) and RU-1-13 (Single-Family Residential).

The Board may consider whether the proposed rezoning to AU(L) is consistent and compatible with the surrounding area. The Board may also wish to consider whether the potential of agritourism activities adversely affect the surrounding area.

The Board of County Commissioners will consider the request on **Thursday, December 3, 2020**, 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