



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2214, **Version:** 1

Subject:

4725 Fay Blvd Land Trust (Carmine Ferraro) requests a change of zoning classification from BU-1-A with a BDP, to BU-1 and an amendment to existing BDP. (20Z00031) (Tax Account 2309941) (District 1)

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 BU-1-A (Restricted Neighborhood Commercial) with a Binding Development Plan, to BU-1 (General Retail Commercial) and an amendment to existing BDP.

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from BU-1-A to BU-1 and to amend an existing BDP for the purpose of developing a hardware store with an outdoor garden center. BU-1 zoning classification is considered to be consistent with CC (Community Commercial) FLU (Future Land Use) designation. There is a companion SSCPA application to change the FLU designation from NC to CC.

The applicant is also seeking to amend the existing BDP. The existing BDP, which includes the Family Dollar property, prohibits the following uses: adult entertainment, package liquor stores, gaming rooms, adult arcade, internet cafe, billiard hall, single family residence, group homes, foster homes, resort dwellings, coin laundromat. These uses will remain prohibited in the amended BDP. The existing BDP also limits ingress and egress as follows: A.) Close existing Adams Place driveway permanently, which is located on the southwest corner of property; and B.) Construct full access driveway on Adams Place to line up with the driveway on the adjacent property to the west (Gas Station/ Convenience Store). The Family Dollar drive aligns with the gas station / convenience store. The amended BDP will allow the Adams Place driveway to be re-opened on the SW corner of the property.

The closing of the existing driveway on the southwest corner of Adams Place as stated in the existing BDP was to limit traffic on Adams Place because of children and pedestrians accessing the public school on Balfern Street just south of the parcel.

BU-1-A zoning allows for limited retail shops and personal services to serve the needs of nearby low-density residential neighborhoods, and does not permit retail items to be displayed outdoors. The BU-1 zoning classification encompasses land devoted to general retail shopping, offices and personal services, and allows

for more intensive retail uses than BU-1-A. BU-1 also allows retail items of substantial size to be displayed outdoors. Such retail items include, but are not limited to motor vehicles, utility sheds, nursery items such as plants and trees, and boats.

The developed character of the area is a mixture of residential, residential professional, neighborhood commercial, and institutional.

The Board may wish to consider whether this request to BU-1 is consistent and compatible with the surrounding area and whether the proposed BDP mitigates the potential impacts of the request. The Board may also wish to consider the 2018 Port St. John SAS recommendations.

On November 18, 2020, the Port St. John Dependent Special District Board will hear the request and staff will update the LPA at the November 23rd meeting.

The Board of County Commissioners will hear the request on **Thursday, December 3, 2020, at 5:00 p.m.**, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

Clerk to the Board Instructions:

None