



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 2388, **Version:** 1

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### **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 Board of County Commissioners 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 totals 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) (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)

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.

On November 9, 2020, the Planning and Zoning Board heard the request and unanimously recommended approval.

On December 3, 2020, the Board tabled the item to the February 4, 2021, meeting at the request of the applicant.

**Clerk to the Board Instructions:**

Once resolution is received, please execute and return to Planning and Development.