



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 2637, **Version:** 1

Subject:

5971 Cedar Lake Drive Revocable Land Trust and U.S. Highway No. 1 Commercial Land Trust (Kim Rezanka) requests a change of classification from RU-1-11, TR-2, and BU-1, with a BDP, to TR-1 with a BDP limited to 150 units. (20Z00036) (Tax Accounts 2310971, 2310861, and 2316173) (District 1)

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-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial), with a BDP (Binding Development Plan), to TR-1 (Single-Family Mobile Home) with a BDP limited to 150 units.

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from RU-1-11 (Single-Family Residential) with a BDP (Binding Development Plan, BU-1 (General Retail Commercial) and TR-2 (Single-family Mobile Home) to all TR-1 (Single-Family Residential) with removal of the existing BDP and the creation of a new BDP for the purpose of creating a 150-unit manufactured home subdivision. This request may be considered to be consistent with the Residential 8 Directive and the Community Commercial Future Land Use designations.

The subject property abuts the Port St. John development to its north which is developed to a residential density of 3.4 units per acre. To the south is the Cedar Lake mobile home community developed at a density of 2.0 units per acre. To the east is the FPL electric utility provider and the Clearview Terrace mobile home community developed at a density of 3.7 units per acre. To the west lies the FEC railroad right-of-way. High-tension FPL power lines bisect this central region of the property.

The proposed replacement BDP conditions identify the following limitations/criteria:

- Developer/owner shall provide a 6-foot high opaque buffer on the southern boundary of the Property.
- The Developer/owner shall limit density to a total of 150 units.
- Vehicular access to Vineland Street from the Property is prohibited.

The concept plan shows a full access point to both Clearview Drive and Cedar Lake Drive. The existing BDP stipulates emergency vehicle access only to Cedar Lake Drive, however proposed BDP does not retain the condition. County code requires residential projects of 201-plus units to provide a second access.

Please note: The concept plan does not meet the minimum requirements of the County's Site Plan Code or Subdivision Regulations and cannot be used to satisfy those requirements. Also, interdepartmental reviews have not been conducted and the feasibility of layout cannot be confirmed without a formal site plan or subdivision review.

The change in zoning from TR-2 to TR-1 will amend the required minimum side yard setbacks of the primary/accessory structure from 10-feet to 7.5-feet.

The Board may wish to consider whether the request is consistent and compatible with the surrounding area. The Board may also wish to consider whether the proposed BDP conditions mitigate potential impacts to the surrounding area.

On March 3, 2021, the Port St. John Dependent Special District Board heard the request and unanimously recommended denial.

On March 8, 2021, the Planning and Zoning Board heard the request and unanimously recommended approval, with an additional BDP condition that the development be required to connect to sewer.

Clerk to the Board Instructions:

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