



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3277, **Version:** 1

Subject:

William D. and Elizabeth Anne Elliott, Trustees (Joe Mayer) request a change of zoning classification from PIP to RR-1. (21Z00020) (Tax Accounts 2316601 & 2323951) (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 a change of zoning classification from PIP (Planned Industrial Park) to RR-1 (Rural Residential).

Summary Explanation and Background:

The applicant is seeking a change of zoning classification from PIP (Planned Industrial Park) to RR-1 (Rural Residential) for the purpose of creating two residential lots. The applicant also wishes to be able to build a single-family home on the east parcel. The parcels appear to be configured as flag lots. The PIP zoning does not permit a flag lot configuration; however residential parcels can be administratively approved per Section 62-102(B) to utilize them for frontages less than 125 feet of road frontage. If approved, the applicants will be required to have the two parcels administratively approved as Flag Lots.

The proposed RR-1 zoning permits single-family residential land uses on a minimum one acre lot, with a minimum lot width and depth of 125 feet, and a minimum house size of 1,200 square feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The keeping of horses and agricultural uses are accessory to a principle residence.

The applicants have also applied for a companion application to change the FLU (Future Land Use) designation from PI (Planned Industrial) to RES 1 (Residential 1) FLU. The Residential 1 designation permits low density residential development with a maximum density of up to one (1) dwelling unit per acre, except as otherwise may be provided for within the Future Land Use Element.

The existing development of the surrounding area along Dalbora Road is described as single-family homes on lots that meet the one dwelling unit per acre density allowed by the RES 1 Future Land Use. A FLU designation of RES 1 is necessary to be compatible with the propose RR-1 zoning. The closest developed industrial parcel (Air Liquide) is located approximately 575 feet to the northeast of the subject property, on the north side of North Courtenay Parkway. Air Liquide purchased the property in 1968. Staff is in the process of reviewing a Vested Rights determination. There has been numerous noise complaints regarding the activities performed

at the property.

The Board may wish to consider whether the request to RR-1 is consistent and compatible with the surrounding area.

On August 12, 2021, the North Merritt Island Dependent Special District Board heard the request and unanimously recommended approval.

On August 23, 2021, the Planning and Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

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