



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3424, **Version:** 1

Subject:

Rodney F. McConkey requests a change of zoning classification from GU to AU. (21Z00023) (Tax Accounts 2312740, 2312741, 2312742, 2312743) (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 GU (General Use) to AU (Agricultural Residential).

Summary Explanation and Background:

The applicant is seeking a change of zoning classification from GU (General Use) to AU (Agricultural Residential) for the purposes of raising and grazing animals for both livestock and personal use, with agricultural uses to include a barn.

The property consists of four 2.09-acre nonconforming lots in terms of lot area and width under the current GU zoning. Currently, the lots are considered one lot. Rezoning to AU would allow up to three lots where such division would create lots consistent with all other provisions of the comprehensive plan and zoning regulations." The subject property does not have access to county owned and maintained roads, as required by Section 62-102 for the purposes of obtaining a single-family building permit. Such access issues must be resolved under separate processes prior to obtaining a building permit.

The subject property retains the RES 1:2.5 FLU (Future Land Use) designation. The existing zoning classification of GU and the proposed AU both are consistent with the FLU.

The surrounding area can be characterized as vacant large lots to the northwest, east, south, and west that is a mixture of public conservation, public recreation, and residentially zoned land with limited road access. The majority of these properties are zoned GU with some zoned AU. Across the drainage right-of-way and canal abutting the subject property to the north is the southwestern limits of the Port St. John community, which consists of Single-Family Residential lots.

The proposed AU classification permits single-family residences and agricultural pursuits on 2.5-acre lots, with a minimum lot width and depth of 150 feet, and a minimum house size of 750 square feet. The AU classification also permits commercial crops, packaging, processing, and sale of commodities raised on the

premises as provided in Chapter 86, Article IV, the raising/grazing of animals, including unlimited cattle and horses, up to four adult hogs, fowl, and beekeeping.

The parcel is not serviced by Brevard County sewer. The closest available sewer is approximately 3,000 feet northeast of the subject property. The parcel is not serviced by Brevard County or City of Cocoa water. The closest municipal water service is located approximately 200 feet north of the subject property.

The Board may wish to consider whether this request for AU zoning is consistent and compatible with the properties in the surrounding area. In addition, the Board may wish to consider the potential impacts of Agritourism, or any of the more intense agricultural uses permitted in AU, on surrounding properties.

On October 11, 2021, the Planning and Zoning Board heard the request and voted 6:1 to recommend approval with the stipulation that agritourism be prohibited.

Clerk to the Board Instructions:

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