



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3427, **Version:** 1

Subject:

Robert F. Erario and Jeremy Sothea Sun request a change of zoning classification from BU-1 and AU to all AU. (21Z00027) (Tax Account 2001826) (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 BU-1 (General Retail Commercial) and AU (Agricultural Residential) to all AU.

Summary Explanation and Background:

The applicant is seeking a change of zoning classification from AU (Agricultural Residential) and BU-1 (General Retail Commercial) to all AU. The BU-1-zoned portion occupies one acre of the entire 7.24-acre property along Highway 1. The AU zoning classification permits single-family residences and agricultural uses 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 the raising/grazing of animals and plants nurseries.

The BU-1 portion of subject property is currently designated as CC (Community Commercial) Future Land Use which can be considered with the proposed AU zoning classification. The remaining portion of the property has a Future Land use designation of Residential 1:2.5, which is also consistent with the AU zoning classification.

On September 22, 2021, the Board of Adjustment approved the following variances as part of zoning action 21PZ00050: A variance of 27 feet to lot width for AU in lieu the required 150 ft; Variances to allow two accessory structures in front of the principal structure in AU; A variance of 9 feet to the side setback in lieu of the required 15 ft. in AU for an accessory structure.

In general, lots fronting Highway 1 have a mix of residential and commercial zoning classifications, including AU, RRMH-1, BU-1, and SR. There is BU-1 zoning adjacent to Highway 1 directly south of the subject property. There is AU zoning directly across the highway to the east, approximately 388 feet to the south, and approximately 550 feet to the north on the same side of the road as the subject property.

The parcel is not serviced by Brevard County sewer or water. The closest water line to the parcel is approximately 2.06 miles to the south on Highway 1, while the closest sewer line is approximately 4.6 miles

south on Highway 1.

The Board may wish to consider whether the request to AU is consistent and compatible with the surrounding area. The Board may also wish to consider the potential impacts of agritourism activities in the area.

On October 11, 2021, the Planning & Zoning Board heard the request and voted 5:2 to recommend approval.

Clerk to the Board Instructions:

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