



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 4882, **Version:** 1

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### **Subject:**

Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni) request a change of zoning classification from AU, SR, RU-1-11, and GML, with an existing BDP on SR and RU-1-11 portions, to RU-1-7, removing the existing BDP, and adding a new BDP. (22Z00029) (Tax Accounts 2102878, 2102918, 2102919, 2102882, 3018268, & 2113544) (District 1)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Planning & Zoning Board conduct a public hearing to consider a change of zoning classification from AU (Agricultural Residential), SR (Suburban Residential), RU-1-11 (Single-Family Residential), and GML (Government Managed Lands), with an existing BDP (Binding Development Plan) on SR and RU-1-11 portions, to RU-1-7, removing existing BDP and adding a new BDP.

### **Summary Explanation and Background:**

The applicants are requesting to change the zoning of 76.52± acres of properties from AU, SR, RU-1-11, and GML, with an existing BDP to RU-1-7, removing the existing BDP and adding a new BDP in order to develop a 306-unit single-family subdivision. The proposed RU-1-7 zoning classification permits single family residences on minimum 5,000 square foot lots with minimum widths of 50 feet and depth of 100 feet, and a minimum house size of 700 square feet.

Two companion applications have been submitted by the applicant to change the Future Land Use designation to RES 4 on two parcels within the entire subject property. If approved, application 22SS00007 would change the Future Land Use designation on 2.12 acres from REC (Recreation) to RES 4 (Residential 4). Application 22SS00008 would change the Future Land Use designation on 35.36 acres from RES 2 (Residential 2) to RES 4 (Residential 4).

The applicant has submitted a BDP proposing to limit development to 4 units per acre. The proposed RU-1-7 zoning can be considered consistent with the proposed RES 4 FLU designation with a BDP limiting development to 4 units per acre.

School concurrency is based on 197 units and indicates that Pinewood Elementary is not projected to have enough capacity for the total of potential students from the proposed development; however, Mims Elementary School could accommodate the impacts of the proposed development. Madison Middle School

and Astronaut High School are both projected to have enough capacity for the total of potential students.

The Board may wish to consider whether the request for RU-1-7 and the proposed BDP limitation without provisions for connection to centralized water and sewer are consistent and compatible with the surrounding area.

The Board of County Commissioners will consider the request on **Thursday, September 1, 2022**, beginning at **5:00 p.m.** The meeting will be held at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Commission Room, Viera, Florida.

### **Clerk to the Board Instructions:**

None