



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 4949, **Version:** 1

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 Board of County Commissioners 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 197-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 197 units.

School concurrency based on 197 units 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.

On August 15, 2022, 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.