



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 4950, **Version:** 1

Subject:

Lynda L. Lyles (Nita Salmon) requests removal of an existing BDP in an AU zoning classification. (22Z00035) (Tax Account 3010233) (District 3)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider removal of an existing BDP (Binding Development Plan) in an AU (Agricultural Residential) zoning classification.

Summary Explanation and Background:

The applicant is requesting to remove the existing BDP recorded in ORB 4803, Pages 531 - 534. The existing BDP, approved on January 28, 2003, limits agricultural use of the subject property to a tree farm only; limits the residential use of the property to only the existing residence; stipulates that no manufactured homes or mobile homes shall be placed on the subject property; and limits horses to no more than two. 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, fowl and beekeeping.

To the north of the subject property are three undeveloped parcels zoned AU, ranging in size from 5 acres to 15.43, and an undeveloped 150-acre parcel zoned SEU; to the south are single-family residences on lots ranging from 10.91 acres to 22.34 acres and zoned AU; to the east is 7.77 acres of undeveloped land zoned AU. To the west is an undeveloped 8.65-acre parcel zoned GU, and a single-family residence on 8.7 acres zoned GU and REU. While there have been no development approvals, research identified seven BDP's/BSP's which contain conditions limiting density on property within ½ mile. None of these BDP's/BSP's have a density restriction greater than 1 unit on 2.5 acres. The subject property's BDP limits development to 1 unit on 20 acres.

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

On August 15, 2022, the Planning and Zoning Board heard the request and unanimously recommended approval of removing the existing BDP, and requiring a new BDP limiting the development to 2 lots.

Clerk to the Board Instructions:

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