



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 5605, **Version:** 1

Subject:

Morris M. Taylor Revocable Living Trust (Chelsea Anderson) requests a change of zoning classification from SEU, EA, and BU-1-A to AU and BU-1-A. (23Z00001) (Tax Account 3008434) (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 a change of zoning classification from SEU (Suburban Estate Use), EA (Environmental Areas), and BU-1-A (Restricted Neighborhood Commercial) to AU (Agricultural Residential) and BU-1-A.

Summary Explanation and Background:

The applicant is requesting to change the zoning classification from SEU, EA, and BU-1-A, to AU and BU-1-A to allow for the expansion of an Aquaculture Case II use on the current SEU portion of the parcel. The BU-1-A portion of the parcel will remain unchanged. There was a Conditional Use Permit for the use of Aquaculture Case II approved on the SEU portion of the parcel per zoning action Z-9871 on April 24, 1997. On March 19, 2002, Ordinance No. 02-014 removed the CUP use for Aquaculture Case II from the SEU zoning classification. On October 02, 2003, CUP Z-9871 was administratively removed from the parcel per zoning action Z-10847 (19). The subject parcel has continued as an established non-conforming Aquaculture Case II commercial use. The rezoning of the this property will allow for the expansion of the aquaculture use.

Aquaculture means the cultivation, production, and raising of the natural products of water, including associated activities such as landing, processing and transporting of shellfish. Case II Aquaculture is product is grown on site (i.e., hatchery or nursery) and transferred to the property owner's lease. On parcels having a commercial or industrial zoning classification, the product may also be sold to the customer directly from the site. Case II Aquaculture is permitted in the AU zoning classification.

The proposed 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 zoning classification also permits all agricultural pursuits, including the raising/grazing of animals, plants nurseries, and the packing and processing of commodities raised on site. The property is developed with a 2,156 square-foot single-family home and accessory structures for aquaculture use.

The subject property is bound by a 6.59 undeveloped parcel to the north with GML (Government Managed

Lands) zoning. To the east is Highway A1A. To the south is a 3.36-acre parcel developed with a single-family residence with SEU, BU-1-A and EA zoning.

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

On March 13, 2023, the Planning & 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.