



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 5699, **Version:** 1

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### **Subject:**

Austin A. and Kailey R. Mahan request a change of zoning classification from AU to BU-2. (22Z00054) (Tax Account 3030132) (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) to BU-2 (Retail, Warehousing, and Wholesale Commercial).

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

The applicants are seeking a change of zoning classification from AU to BU-2 for the purpose of storing outdoor equipment in conjunction with a wholesale/retail kayak business. Per Section 62-1483, business uses and all materials and products shall be confined within a substantial building completely enclosed with walls and a roof; however, retail items of substantial size or which of necessity must remain outside may be permitted to be displayed outside of a building.

The proposed BU-2 zoning classification permits retail, wholesale and warehousing commercial land uses on minimum 7,500 square-foot lots. BU-2 allows for contractor's offices, plants and storage yards. Storage yards must be enclosed with a six-foot wall, louvered fence or chain-link fence.

Parcels in the surrounding area range from 0.43 acres to 11.15 acres. The parcel to the north is a motel on 2.98 acres zoned BU-2. The parcels to the west and southwest are 1 acre in size, developed with single-family residences, and zoned RR-1 (Rural Residential). The parcel to the south is vacant commercial land zoned BU-1 (General Retail Commercial) on 5.54-acres. Across U.S. Highway 1 is a retail store zoned BU-1 on 1.48 acres.

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

On April 17, 2023, the Planning and Zoning Board heard the request and unanimously recommended approval with a BDP retaining all BU-1 uses, limiting the BU-2 use to kayak storage only, and limiting egress only to E.R. Smyth Drive, with ingress and egress to U.S. Highway 1.

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

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