



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 5811, **Version:** 1

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### **Subject:**

Legacy West Melbourne, LLC (Bruce Moia) requests a change of zoning classification from AU to RU-2-15. The property is 2.76 acres, located on the west side of John Rodes Blvd., approx. 600 ft. south of Fortune Place (23Z00025) (Tax Account 2704610) (District 5)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and 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) to RU-2-15 (Medium Density Multi-Family Residential).

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

The applicant is requesting to change the zoning classification from AU to RU-2-15 on 2.768 acres to develop as a multi-family residential project in conjunction with their property to the west located within the City of West Melbourne. The subject property has frontage on S. John Rodes Boulevard and is currently vacant. The proposed RU-2-15 classification permits multi-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square-foot lots.

According to information provided by the City of West Melbourne, the applicant originally intended to develop the subject parcel with the amenities related to a 199-unit multi-family apartment complex project proposed on the 17.03-acre parcel immediately west of the site. The City parcel is zoned R-3 (Multiple-Family Dwelling) with UD-RES (Urban-Density Residential (18 du/ac)) future land use and will need to access through the County parcel. The owner obtained initial site plan approval but did not receive final approval of the site plan. On May 17, 2023, the applicant officially withdrew the site plan for the Legacy Apartments project from the permit and approval process, including any and all agreements. According to the City, the only entitlements the owner has is what is currently allowed with existing Future Land Use and zoning.

The subject property has access to John Rodes Boulevard which is a county-maintained roadway. The project's access will be reviewed during the site plan process for the portion of the property within the County, or a driveway permit for the portion in the City, either of which will require a Traffic Impact Analysis (TIA) of the total project development of 19.7 acres. The TIA will determine the necessary roadway improvements including, but not limited to, additional ROW, turn lanes, and two entrances to facilitate the project. The developer needs to be aware that the number of access points are regulated in Section 62-2957. Developments of 201 units or more require 2 entrances.

The developed character of the surrounding area is industrial with warehousing, manufacturing, and professional offices in the vicinity. The site is surrounded to the north, west, and east by parcels within the City of West Melbourne. Residential subdivisions within the City of West Melbourne are located approximately 340 feet south of the subject property.

This request could be considered an introduction of RU-2-15 into the area. There is no RU-2-15 within 5 miles of the site. RU-2-30 is located approximately 2.7 miles to the north on Aurora Road on a 12.15-acre parcel developed as multi-family residential.

The Board may wish to consider if the request is consistent and compatible with the surrounding area with the introduction of RU-2-15 zoning. The Board may also consider a lesser intense multi-family zoning classification.

The Board of County Commissioners will consider the request on **Thursday, July 13, 2023**, 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:**