



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.9.

7/17/2025

Subject:

CTX Equities, Inc. (Custom Built Contracting) requests a Small-Scale Comprehensive Plan Amendment (25S.09), to change the Future Lane Use designation from NC and CC to all CC. (25SS00003) (Tax Account 2409571) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a Small-Scale Comprehensive Plan Amendment (25S.09), to change the Future Lane Use designation from NC (Neighborhood Commercial) and CC (Community Commercial) to all CC (Community Commercial).

Summary Explanation and Background:

The applicant requests a Small-Scale Comprehensive Plan Amendment (SSCPA) to change the Future Land Use Map (FLUM) from Neighborhood Commercial (NC) and Community Commercial (CC) to all Community Commercial (CC) on the 4.22-acre subject property to develop a commercial metal building for the use of a minor commercial trailer repair endeavor. The applicant indicates that the property owner plans to perform minor repairs on the interiors of semi-trailers. The property is currently developed with a single-family mobile home and another building. Before the proposed use is established, the current buildings on the subject property will be removed.

The applicant has a companion rezoning application, **25Z00013**, requesting a change from General Use (GU) and Retail, Warehousing and Wholesale Commercial (BU-2) to all BU-2.

The subject property is located on the south side of Lake Drive, a county-maintained road, approximately 900 feet west of Range Rd. The subject property retains two original FLU designations established in 1988 by the Brevard County Comprehensive Plan: CC and NC.

The NC FLU embodies activities that are intended to be low-impact in nature and serve the needs of the immediate residential area. The requested CC FLU designation embodies activities that are intended to serve several neighborhoods, sub-regional, and regional areas, providing an array of retail, personal, and professional uses.

North is two (2) properties: One (1) property is 17.92 acres, undeveloped with RU-2-8 zoning classification

with NC FLU. It is owned by Brevard County. The second (2) property is 10.48 acres, developed with residential related amenities with AU zoning classification and NC FLU. It is owned by a church-related organization. **South** is one (1) property 2.96 acres, developed with a single-family residence that has RR-1 zoning classification with NC FLU. To note, this property abuts a trucking business that the property owners of the home also own. **East** are three (3) properties: The first property is 1.09 acres, developed with a professional office that has BU-2 zoning classification with CC FLU. The second property is 2.2 acres, developed as a trucking terminal and BU-2 zoning classification with CC FLU. The third property is 6.01 acres, developed as a storage yard and has BU-2 zoning with CC FLU. **West** is one (1) property of 4.68 acres, developed as a storage yard that has BU-2 zoning classification with CC FLU. There is one (1) additional property that is located both **south and west** of the subject property that is 9.64 acres, is undeveloped with a lake. It has GU zoning classification with NC FLU.

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

On June 16, 2025, the Local Planning Agency considered the request and voted unanimously to recommend approval.

Clerk to the Board Instructions:

Please return copy of the filed ordinance to Planning and Development.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 18, 2025

Rachel Sadoff
County Clerk
Brevard County
Post Office Box 999
Titusville, FL 32781-0999

Dear Rachel Sadoff,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 25-09, which was filed in this office on July 18, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

July 18, 2025

M E M O R A N D U M

TO: Billy Prasad, Planning and Development Director Attn: Trina Gilliam

RE: Item H.9., Ordinance for Small Scale Plan Amendment (25S.09), Changing the Future Land Use Designation from NC and CC to all CC

The Board of County Commissioners, in regular session on July 17, 2025, adopted Ordinance No. 25-09, setting forth the ninth Small Scale Comprehensive Plan Amendment of 2025 (25S.09) to change the Future Land Use designation from NC and CC to all CC (25SS00003). Enclosed is a fully-executed Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK**

for: Donna Scott
Kimberly Powell, Clerk to the Board

Encl. (1)

cc: County Attorney

ORDINANCE 25-09

AN ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY, ENTITLED "THE 1988 COMPREHENSIVE PLAN", SETTING FORTH THE NINTH SMALL SCALE PLAN AMENDMENT OF 2025, 25S.09 TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING SECTION 62-501 ENTITLED CONTENTS OF THE PLAN; SPECIFICALLY AMENDING SECTION 62-501, PART XVI(E), THE FUTURE LAND USE APPENDIX; AND PROVISIONS WHICH REQUIRE AMENDMENT TO MAINTAIN INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Economic Opportunity; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.34 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for small scale amendments to the Comprehensive Plan for adoption in calendar year 2025 as Small Scale Plan Amendment 25S.09; and

WHEREAS, Brevard County established Technical Advisory Groups consisting of County technical employees grouped according to their operational relationship to the subject of a plan element or sub-element being prepared or amended, and these
Officially filed with the Secretary of State on July 18, 2025.

Technical Advisory Groups have provided technical expertise for the Amendment 25S.09; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, on June 16, 2025, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 25S.09, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on July 17, 2025, the Brevard County Board of County Commissioners held a duly noticed public hearing and considered the findings and recommendations of the Technical Advisory Group, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for adoption Plan Amendment 25S.09; and

WHEREAS, Small Scale Plan Amendment 25S.09 adopted by this Ordinance comply with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 25S.09 adopted by this Ordinance is based upon findings of fact as included in data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 25S.09 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended based on documentation shown in Exhibit A and as specifically shown in Exhibit B. Exhibits A and B are hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 25S.09, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The effective date of this small scale plan amendment shall be 31 days after adoption, unless the amendment is challenged

pursuant to Section 163.3187(3), Florida Statutes. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, Florida Statutes. A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this 17th day of July, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Rachel M. Sadoff, Clerk

By: 
Rob Feltner, Chairman

As approved by the Board on July 17, 2025.

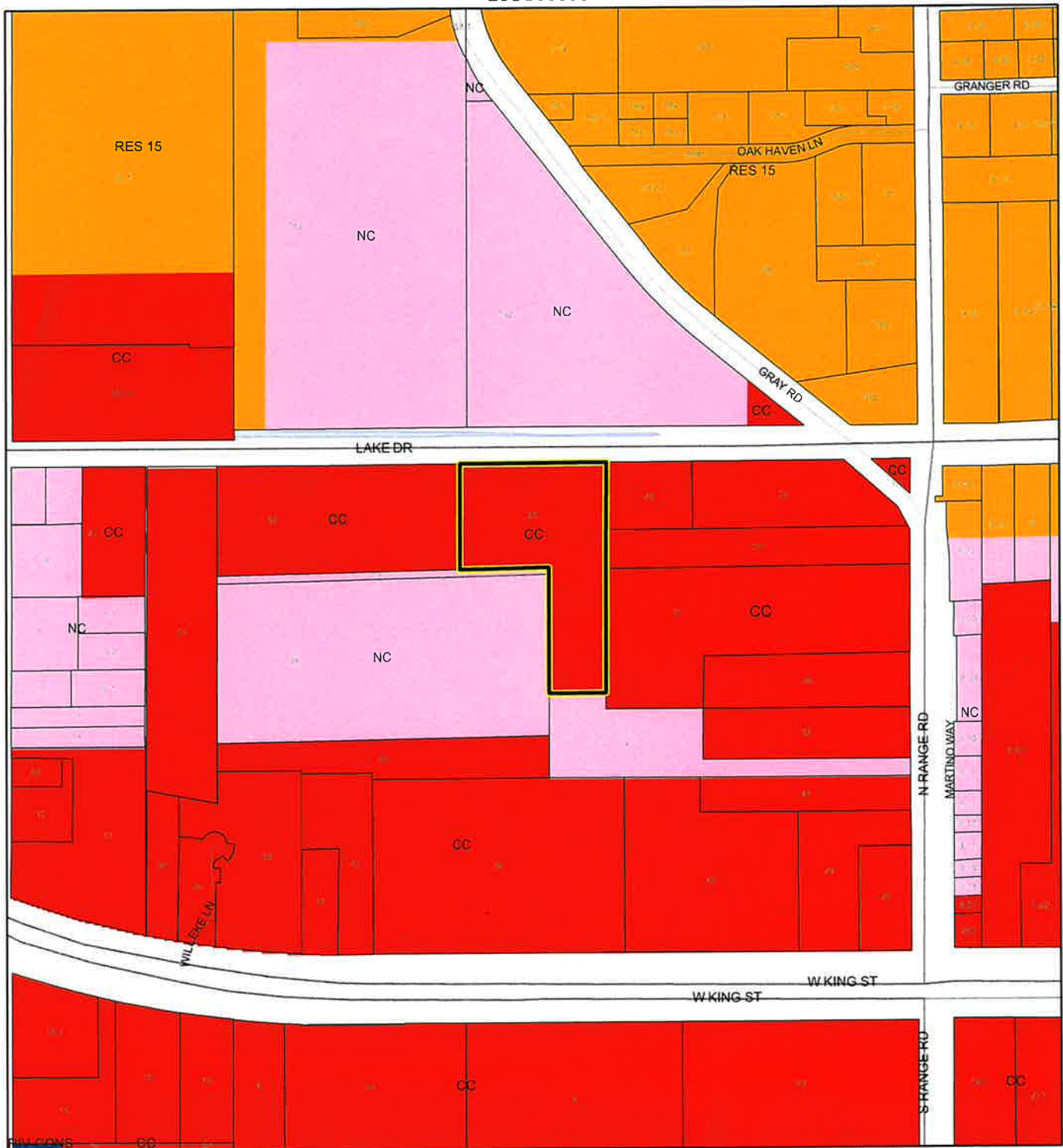
**EXHIBIT A
25S.09 SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT**

Contents

1. Proposed Future Land Use Map

PROPOSED FUTURE LAND USE MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

— Subject Property
□ Parcels



This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 4/8/2025

EXHIBIT B

Contents

1. Legal Description

The North half of the Northeast Quarter of Section 36, Township 24 south, Range 35 East, Brevard County, Florida described as follows:

For a point of reference, commence at the Northeast corner of said Section 36 and run South 89°43'20" West along the North line of said Section 36, a distance of 931.20 feet; thence run South 00°17'50" West, a distance of 50 feet to the South Right-of-Way of Lake Drive, which is also the Point of Beginning; thence for a first course run South 00°17'50" West, 660 feet; thence South 89°43'20" West 165.00 feet, thence North 00°17'50" East 660.00 feet to the South Right-of-Way line of Lake Drive, thence North 89°43'20" East along the South Right-of-Way line of Lake Drive, 165.0 feet to the Point of Beginning.

AND

A portion of those lands as described in O.R. Book 689, Page 951, of the Brevard County Public Records, lying in the NE 1/4 of Section 36, Township 24 south, Range 35 East, Brevard County, Florida. Commence at the Northeast corner of said Section 36; thence S 89°29'48" W along the North line of the NE 1/4 of Section 36, a distance of 1096.20 feet to the intersection with the Northerly extension of the West line of lands described in O.R. Book 2543, Page 2411, of the Brevard County Public Records; thence S 00°07'10" E along said Northerly extension, a distance of 50.00 feet to the Northwest corner of said O.R. Book 2543, Page 2411, on the South Right-of-Way line of Lake Drive, said point being the Point-of-Beginning of this description to wit: thence continue S 00°07' 10" E along West line, a distance of 300.01 feet to a point which is 300.00 feet South by right angle measurement of the South Right-of-Way line of Lake Drive; thence S 89°29'40" W parallel with the South Right-of-Way line of Lake Drive, a distance of 250.00 feet; thence N 00°07' 10" parallel with the West line of O.R. Book 2543, Page 2411, a distance of 300.01 feet to the South Right-of-Way line of Lake Drive; thence N 89°29'40" E along said South Right-of-Way line a distance of 250.00 feet to the Point of Beginning.

Parcel ID Number: 24-35-36-00-33

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

Administrative Policy 1

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights, or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 - 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in

support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
 - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

“The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.”

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.

**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

STAFF COMMENTS

Small Scale Plan Amendment 25S.09 (25SS00003)
Township 24, Range 35, Section 36

Property Information

Owner / Applicant: **CTX Equities, Inc./ Custom Built Contracting**

Adopted Future Land Use Map Designation: Neighborhood Commercial (NC) and
Community Commercial (CC)

Requested Future Land Use Map Designation: Community Commercial (CC)

Acreage: 4.22 acres

Tax Account # 2409571

Site Location: 3005 Lake Dr, Cocoa, FL 32926

Commission District: 1

Current Zoning: GU (General Use) and Retail, Warehousing and Wholesale
Commercial (BU-2)

Requested Zoning: BU-2 (25Z00013)

Background & Purpose

The applicant requests a Small-Scale Comprehensive Plan Amendment (SSCPA) to change the Future Land Use Map (FLUM) from Neighborhood Commercial (NC) and Community Commercial (CC) to all Community Commercial (CC) on the 4.22 acre subject property to develop a commercial metal building for the use of a minor commercial trailer repair endeavor. The applicant indicates that the property owner plans to perform minor repairs on the interiors of semi-trailers. The property is currently developed with a single-family mobile home and another building. Before the proposed use is established, the current buildings on the subject property will be removed.

The applicant has a companion rezoning application, **25Z00013**, requesting a change from General Use (GU) and Retail, Warehousing and Wholesale Commercial (BU-2) to all BU-2.

The subject property includes two parcels, which have been combined into the current configuration of 4.22 acres on March 14, 2025. The first was recorded in the Brevard

County Official Records on September 18, 1984, in ORB 2543, PG 2411, and contained 2.5 acres. The second parcel was recorded on April 3, 1987, in ORB 2789, PG 1992, and contained 1.72 acres.

The subject property is located on the south side of Lake Drive, a county maintained road, approximately 900 feet west of Range Rd.

The subject property retains two original FLU designations established in 1988 by the Brevard County Comprehensive Plan: CC and NC.

The NC FLU embodies activities that are intended to be low-impact in nature and serve the needs of the immediate residential area.

The requested CC FLU designation embodies activities that are intended to serve several neighborhoods, sub-regional, and regional areas, providing an array of retail, personal and professional uses.

There are no current code enforcement complaints on the property.

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Residential Related Amenities/Vacant	RU-2-8, AU	NC
South	Vacant with lake, single-family residence	GU, RR-1	NC
East	Office building, trucking terminal, storage yard	BU-2	CC
West	Storage yard, Vacant with lake	BU-2, GU	CC

North is two (2) properties: One (1) property is 17.92 acres, undeveloped with RU-2-8 zoning classification with NC FLU. It is owned by Brevard County. The second (2) property is 10.48 acres, developed with residential related amenities with AU zoning classification and NC FLU. It is owned by church.

South is one (1) property 2.96 acres, developed with a single-family residence that has RR-1 zoning classification with NC FLU. To note, this property abuts a trucking business that the property owners of the home also own.

East are three (3) properties: The first property is 1.09 acres, developed with a professional office that has BU-2 zoning classification with CC FLU. The second property is 2.2 acres, developed as a trucking terminal and BU-2 zoning classification with CC

FLU. The third property is 6.01 acres, developed as a storage yard, and has BU-2 zoning with CC FLU.

West is one (1) property of 4.68 acres, developed as a storage yard that has BU-2 zoning classification with CC FLU.

There is one (1) additional property that is located both south and west of the subject property, which is 9.64 acres, and is undeveloped with a lake. It has GU zoning classification with NC FLU.

Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses.

Neighborhood Commercial (NC) development activities are intended to be low impact in nature and serve the needs of the immediate residential area. Intrusion of these land uses into surrounding residential areas shall be limited.

Future Land Use

The subject property's GU zoning classification can be considered consistent with the NC Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The subject property's BU-2 zoning classification can be considered consistent with the CC Future Land Use designation. The proposed BU-2 zoning classification is not consistent with the NC FLUM designation. Companion application to amend the FLUM designation from NC to CC is pending approval.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in **bold**.

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Role of the Comprehensive Plan in the Designation of Commercial Lands FLUE Policy 2.1

The Comprehensive Plan takes into consideration broad criteria for evaluating requests for commercial land use designations within Brevard County. At a minimum, these criteria address the following:

Criteria:

- A. Overall accessibility to the site;

The subject parcel has a driveway located directly off the south side of Lake Dr.

- B. Compatibility and inter-connectivity with adjacent adopted Future Land Use designations and land uses;

The request can be considered compatible with the adjacent land use designations. However, there is no interconnectivity as this is a separate development with access to Lake Dr.

- C. Existing commercial development trend in the area;

The south side of Lake Dr. can be characterized as a commercial corridor with CC and NC FLU designation abutting to the east and west of the subject property. Existing commercial BU-2 uses within the County jurisdiction of the area surrounding the subject property. The abutting east property is developed as an office building and a storage yard. The abutting west property is a boat storage yard. In the immediate area of the subject property is two additional properties developed as storage yards and another developed as a car dealership.

Additional commercial zoning of BU-2 and BU-1 uses are located within a half mile radius of the subject property within the County's jurisdiction such as a Dollar General, two additional car dealerships, retail firework store, mini storage facility, trucking terminal, and Fed Ex as a few of the examples.

The newest commercial developments include two car dealerships developed in 2019 and 2021, and a storage facility developed in 2024 which were all located along the W. King. St. corridor.

- D. Fundamental changes in the character of an area prompted by infrastructure improvements undertaken by the County;

No fundamental changes in the character of the area prompted by infrastructure improvements undertaken by the County have been identified.

- E. Availability of required infrastructure at/above adopted levels of service;

The preliminary concurrency analysis did not indicate that the proposed development would cause a deficiency in the transportation adopted level of service.

The subject property is connected to centralized potable water provided by City of Cocoa, but has no availability to connect to centralized sewer. The property would need to provide septic service for sewer. Concurrency will be reviewed during the site plan process.

- F. Spacing from other commercial activities:

Community Commercial activities are located abutting the subject parcel to the east and west with frontage along the south side of Lake Dr. Additional commercial activities can be found east and west of the subject property extending from the intersection of Lake Dr. to N. Range Rd. Community Commercial clusters up to 10 acres in size should be spaced at least 2 miles apart, located at the intersection of arterial roads.

- G. Size of proposed commercial designation compared with current need for commercial lands;

A market study was not provided nor required.

- H. Adherence to the objectives/policies of the Conservation Element and minimization of impacts upon natural resources and systems:

The applicants will work with Natural Resources to ensure conformance with the Conservation Element.

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and

hydric soils (Valkaria sand); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

- I. Integration of open space; and

The provisions of this Criterion will be addressed at the site plan stage.

- J. Impacts upon strip commercial development.

FLUE Policy 2.12 discourages strip commercial development. This request is not an extension of strip commercial development.

Locational and Development Criteria for Community Commercial Uses FLUE Policy 2.8

Locational and development criteria for community commercial land uses are as follows:

Criteria:

- A. Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited. For Community Commercial clusters greater than ten (10) acres in size, they must be located at principal arterial/principal arterial intersections.

The proposed CC encompasses approximately 4.22 acres. Lake Dr. is classified as a major collector road. Range Rd., located approximately 900 feet to the east, is classified as a major collector roadway. The CC FLU designation locational criteria states "Community Commercial clusters of up to ten (10) acres in size should be located at arterial/arterial intersections. Collector/arterial intersections are acceptable for clusters of up to ten (10) acres in size, however, the collector roadways must serve multiple residential areas. Intrusion of these land uses into the surrounding residential areas shall be limited."

Within County limits, 2.5 acres of the subject property are included in the community commercial node of approximately 18.21 acres to the south and east along Lake dr. and along Range Rd.

Both Lake Dr. and Range Rd. are both major collector roads that serve multiple residential areas to the east and west of the subject property.

The proposed amendment does meet the locational and development criteria set forth by FLUE Policy 2.8.

- B. Community commercial complexes should not exceed 40 acres at an intersection.

The subject site is not located at an intersection and will not exceed 40 acres.

- C. Community commercial clusters up to 10 acres in size should be spaced at least 2 miles apart and community commercial clusters up to 40 acres in size should be spaced at least five (5) miles apart.

Within County limits, 2.5 acres of the subject property are included in the community commercial node of approximately 18.21 acres to the south and east along Lake dr. and along Range Rd.

The request of the applicant can be considered an extension of the community commercial node because the subject property currently has split FLUM designations of CC and NC, and the applicant is requesting CC FLUM designation on the entire property.

- D. The gross floor area of community commercial complexes should not exceed 150,000 square feet for commercial clusters up to 10 acres in size and shall not exceed 400,000 square feet for commercial clusters greater than 10 acres but less than 40 acres in size unless within a Planned Unit Development (PUD) zoning classification. The square footage may be increased if it is located within a PUD zoning classification.

The subject property is less than 10 acres, therefore the gross floor area shall not exceed 150,000 square feet.

- E. Floor Area Ratio (FAR) of up to 1.00 will be permitted for Community Commercial sites unless accompanied with a PUD zoning classification wherein the FAR may be increased up to 1.75.

This application does not accompany a PUD zoning request therefore the FAR will be limited to 1.00.

- F. Recreational vehicle parks shall be located in areas which serve the needs of tourists and seasonal visitors to Brevard County. The location of recreational vehicle parks shall have access to interstate interchanges via arterial and principal collector transportation corridors or the property shall be located on a major multi-county transportation corridor.

The applicant has not proposed a recreational vehicle park on the subject property.

FLUE Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

Staff analysis indicates the request is not located within an existing neighborhood, but rather a commercially developed area with BU-2 zoning.

The Board should consider the array of intense uses permitted under the BU-2 zoning classification and the potential impacts on the abutting residential lot to the south.

Any proposed commercial use shall be subject to compliance with all performance standards within Sec. 62-2251 through Sec. 62-2272.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development;

Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed use.

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

1. historical land use patterns;

Historically, this area is mostly commercially developed with a couple of single-family residential and agricultural residential zoned properties. Most development in the area is on larger lots of 2.5 acres or more along the Lake Dr. and W. King St. corridor. The predominant zoning classification within a half-mile radius of the subject property is BU-2, which is on the south side of Lake Dr. The north side of Lake Dr. is predominantly residential zoning that includes but is not limited to single-family and multi-family residential zoning classifications.

There are two (2) FLU designations within 500 feet of the subject site: CC, and NC. Within a half-mile of the subject property, CC is the predominant FLUM designation on the south side of Lake Dr. and on the north side of Lake Dr. is predominantly Residential 15 (RES 15).

There have been no FLUM amendments within one-half mile of the subject property in the past three years.

Please note, this analysis only includes unincorporated areas of Brevard County.

2. actual development over the immediately preceding three years; and

Staff analysis has determined there have been two developments in the preceding three years: a storage warehouse facility and a car dealership.

3. development approved within the past three years but not yet constructed.

It appears no changes in actual development have occurred in the immediate area within the last three years. However, there has been one zoning action:

- **22Z00068: Approved rezoning from AU to RU-1-9 on 04/7/2023 in order to subdivide and sell a portion of the lot, 0.33 acres, containing the single-family residence.**

D. Whether the proposed use(s) would result in a material violation of relevant policies, in any elements of the Comprehensive Plan.

No material violation of relevant policies has been identified.

Analysis of Administrative Policy 4 - Character of a neighborhood or area.

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

Staff analysis indicates the request is not located within an existing neighborhood. BU-2 exists in the area. Commercial and government-zoned properties are located along this segment of Lake Dr, predominantly on the south side. The north side of this segment are a mix of single-family, multi-family and commercially zoned properties.

A preliminary concurrency evaluation did not indicate that the proposal has the potential to cause a deficiency in the transportation adopted level of service.

- B. In determining whether an established residential neighborhood exists, the following factors must be present:
1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

Staff analysis indicates the subject property is not located in an established residential neighborhood.

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

The segment of Lake Dr. corridor from N. Burnett Rd to N. Range Rd has an existing FLU designation of commercial. This request does not encroach into the existing residential area.

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial, or other non-residential uses have been applied for and approved during the previous five (5) years.

Within the previous five years, there have been two new commercial businesses developed as a car dealership and a storage facility within the County's jurisdiction.

FLUE Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

Natural Resources has noted that the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Valkaria sand); indicators that wetlands may be present on the property. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.

Section 62-3694(c)(3)(b) has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Lake Drive is a MQR at this location. If wetlands are found, the applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Section 62-3694(e), including avoidance of impacts, and will require no-net-loss mitigation in accordance with Section 62-3696.

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Lake Drive, between Cox Road and Range Road which has a Maximum Acceptable Volume (MAV) of 17,700 trips per day, a Level of Service (LOS) of D, and currently operates at 17.89% of capacity daily. The proposed rezoning increases the percentage of MAV utilization by 0.10%. The corridor is anticipated to operate at 17.99% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

The concurrency analysis was only for a trailer maintenance facility as proposed. No other commercial development was proposed but if changed in the future, it would be reviewed as part of a separate site plan application.

No school concurrency information has been provided as the development proposal is for commercial and not residential use.

Centralized potable water service is available to this property. The property would need to provide its own septic service for sewer.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

For Board Consideration

The Board should consider if the request is consistent and compatible with the surrounding area.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25SS00003**

Applicant: Jamie Graham (Owner: CTX Equities, Inc.)

Zoning Request: GU & BU-2 to all BU-2

Note: need BU-2 for commercial trailer repair

Zoning Hearing: 06/16/2025; **BCC Hearing:** 07/03/2025

Tax ID No.: 2409571

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Valkaria sand); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Section 62-3694(c)(3)(b) has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Lake Drive is a MQR at this location. If wetlands are found, the applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Section 62-3694(e), including avoidance of impacts, and will require no-net-loss mitigation in accordance with Section 62-3696.

Aquifer Recharge Soils

This property contains Valkaria sand, which may also function as highly permeable soils. Additionally, the mapped topographic elevations show that the property falls within a Type 3 Aquifer Recharge area, which is subject to impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Protected and Specimen Trees

Protected (≥ 10 inches in diameter) and Specimen (≥ 24 inches in diameter) trees likely exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements and buffer requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on the property. Specifically, Gopher Tortoises can be found in areas of aquifer recharge soils. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission (FWC), and/or U.S. Fish and Wildlife Service, as applicable. The applicant is advised to call Valeria Guerrero at 561-882-5714 (O) or 561-365-5696 (C) with the FWC to obtain any necessary permits or clearance letters for Gopher Tortoises.

[illegible]

SALTS

WILLARD
10101 Lakeside Dr., #1000, Irvine, CA 92618
Tel: 949/451-1111, Fax: 949/451-1112
E-mail: info@willard.com

LEGAL DESCRIPTION OF THE PROPERTY

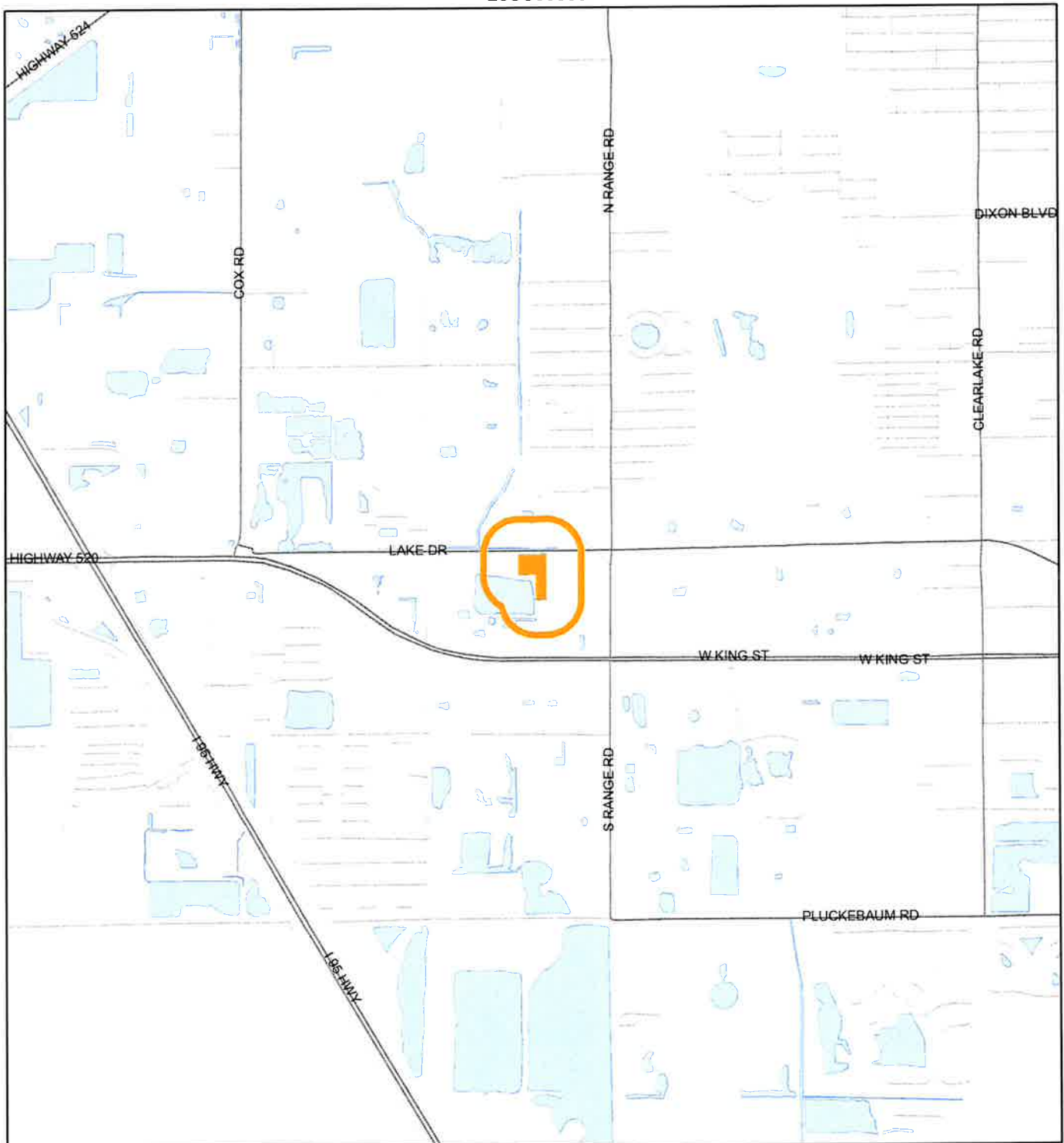
CERTIFICATION:

GAI Surveyors
S.E. May 1978



LOCATION MAP

CTX Equities, Inc
25SS00003



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

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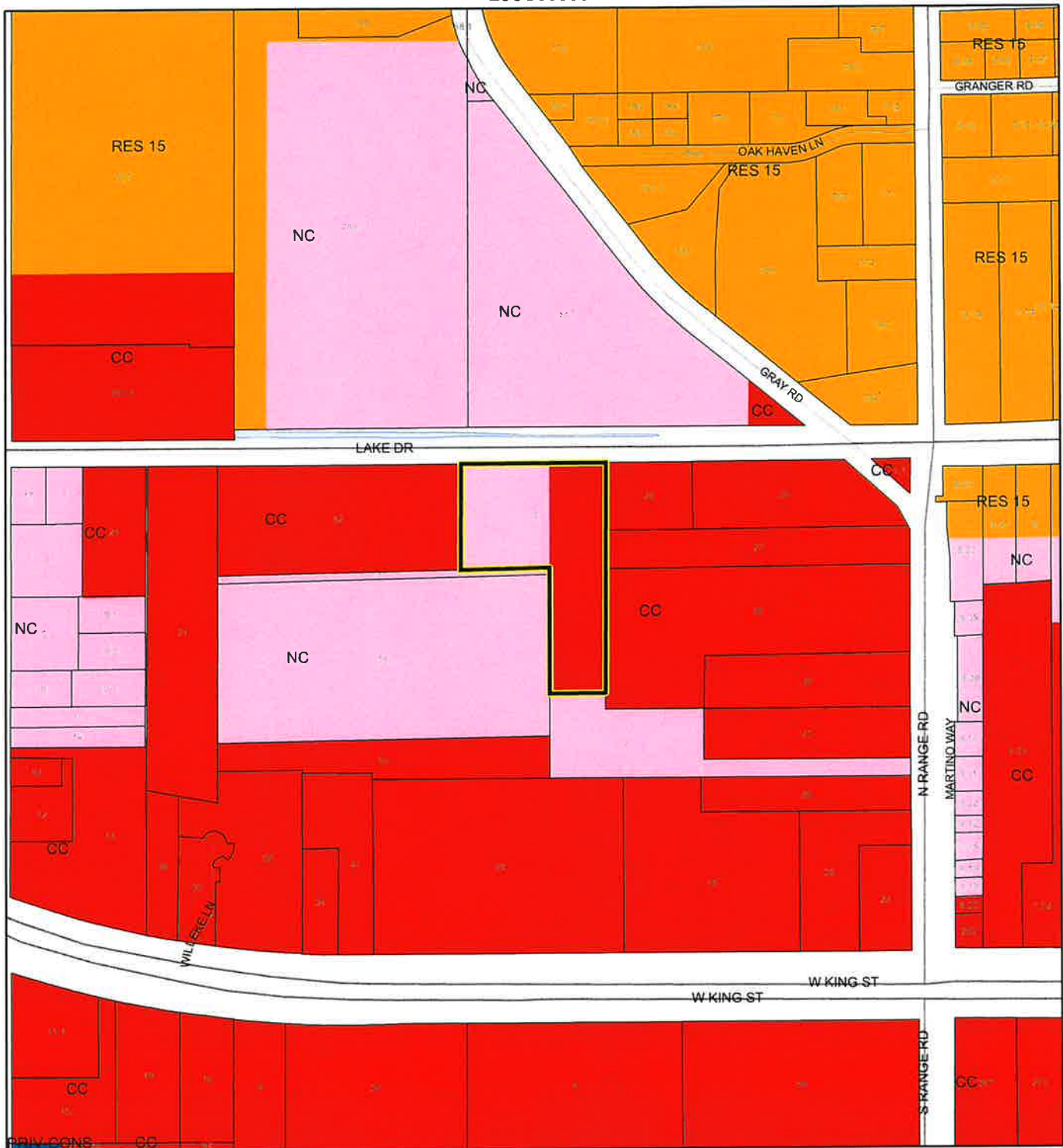
— Buffer
— Subject Property

This is a detailed plat map of a portion of the City of Lincoln, Nebraska. The map shows various land parcels with their zoning designations and street layouts. The streets shown include Lake Dr, Oak Haven Ln, Gray Rd, Wilke Ln, W King St, N Range Rd, and Martinow Way. The zoning districts shown include RU-2-15(11), BU-1, RU-2-8, AU, SR, RU-1-11, GU, RR-1, and BU-2. A large water body is located in the center-left area. The map is color-coded with purple for street boundaries and yellow for specific zoning boundaries.



FUTURE LAND USE MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

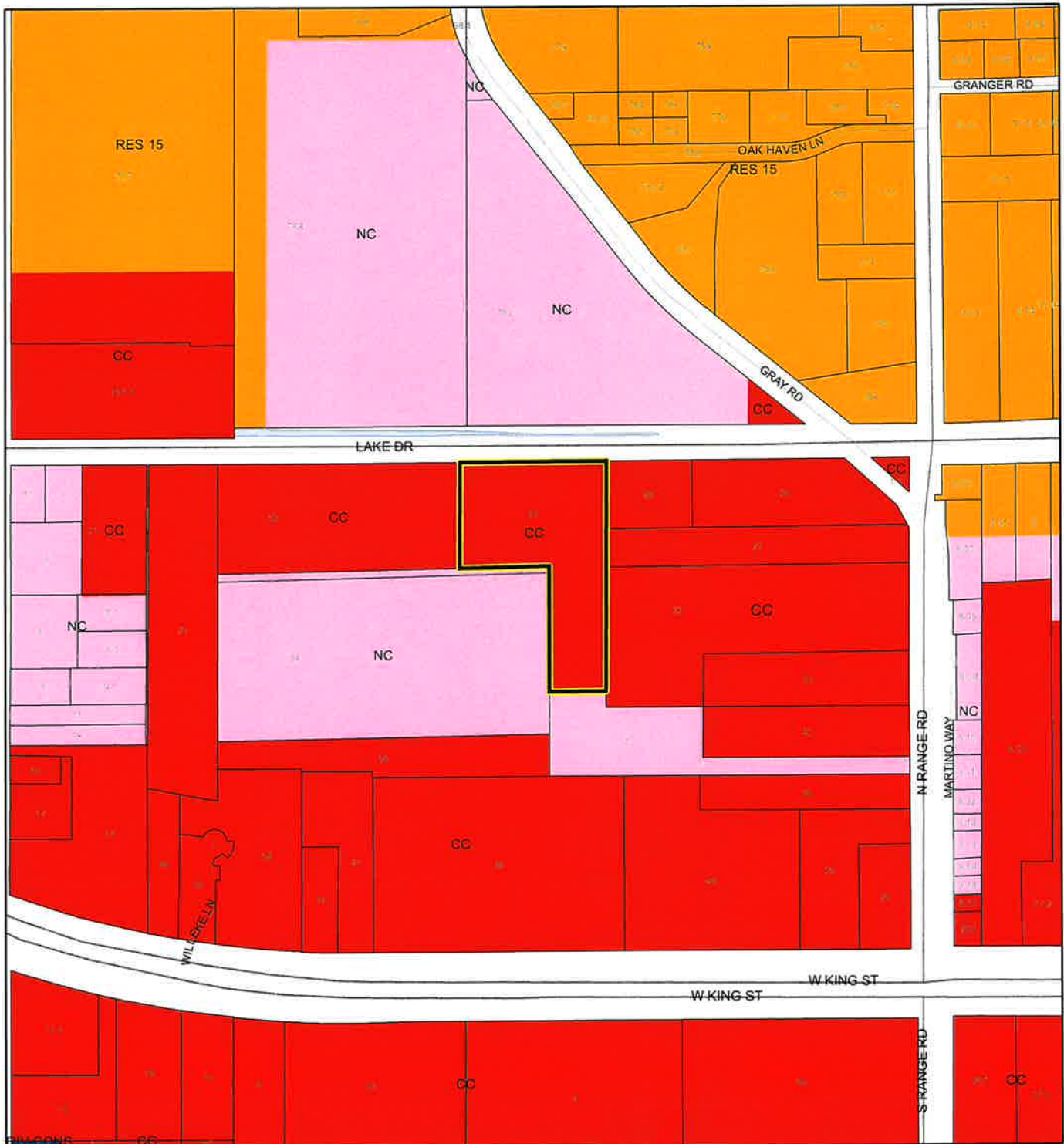
— Subject Property
□ Parcels

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PROPOSED FUTURE LAND USE MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

— Subject Property
□ Parcels

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AERIAL MAP

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25SS00003



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2024

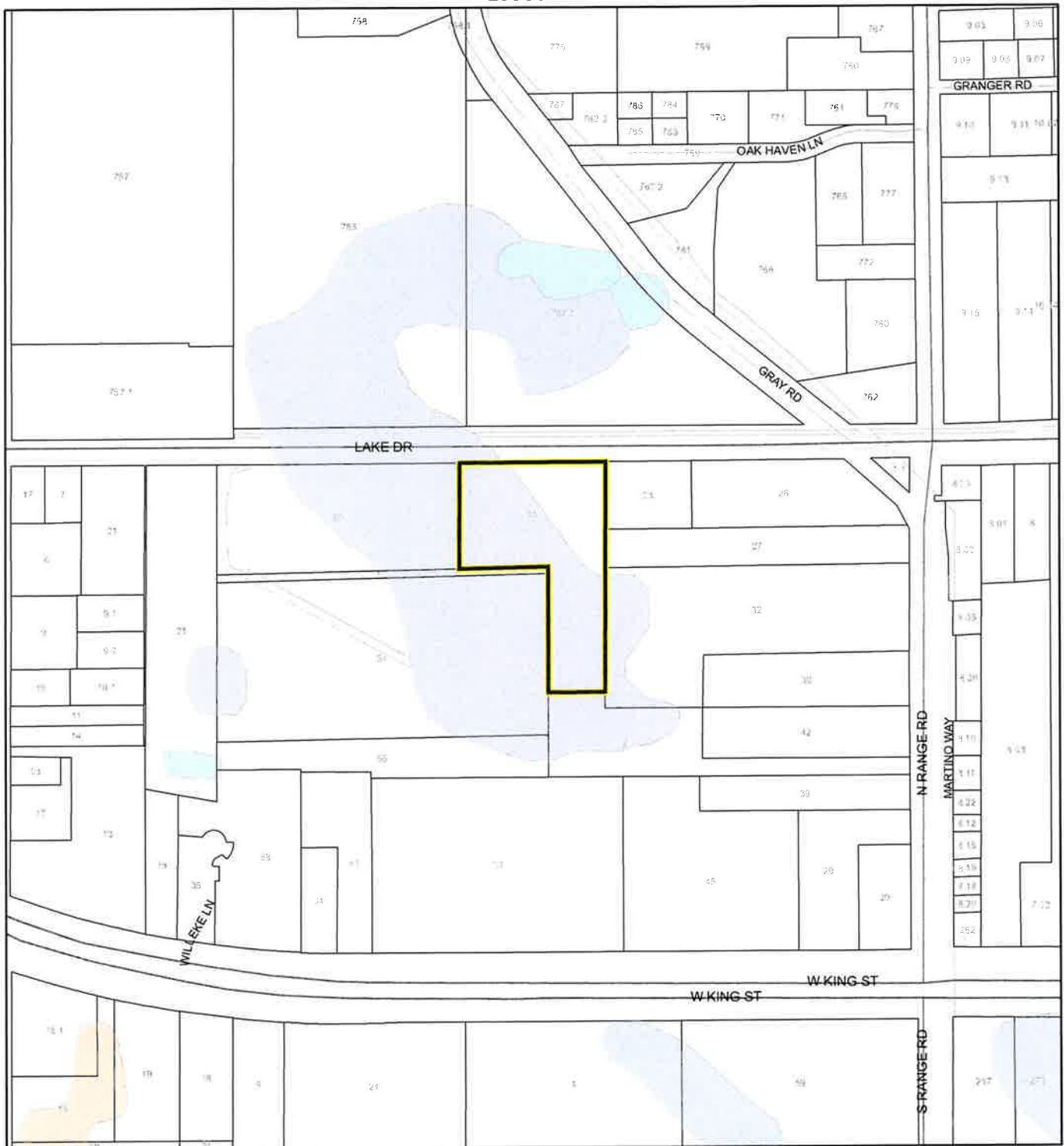
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

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— Subject Property
□ Parcels

NWI WETLANDS MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

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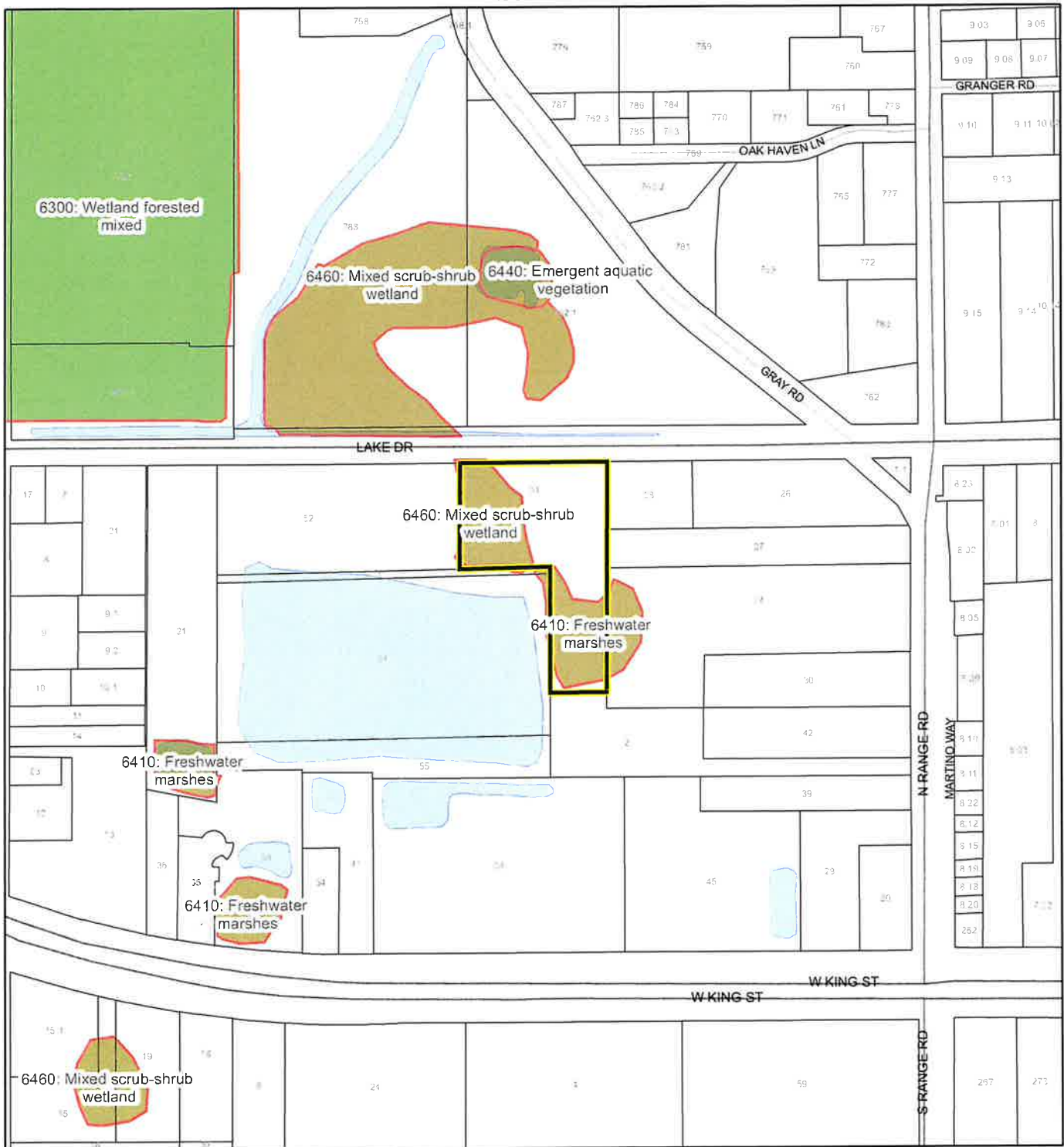
Produced by BoCC - GIS Date: 4/8/2025

National Wetlands Inventory (NWI)

- | | |
|-----------------------------------|-----------------|
| Estuarine and Marine Deepwater | Freshwater Pond |
| Estuarine and Marine Wetland | Lake |
| Freshwater Emergent Wetland | Other |
| Freshwater Forested/Shrub Wetland | Riverine |
| Subject Property | |
| Parcels | |

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

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SJRWMD FLUCCS WETLANDS

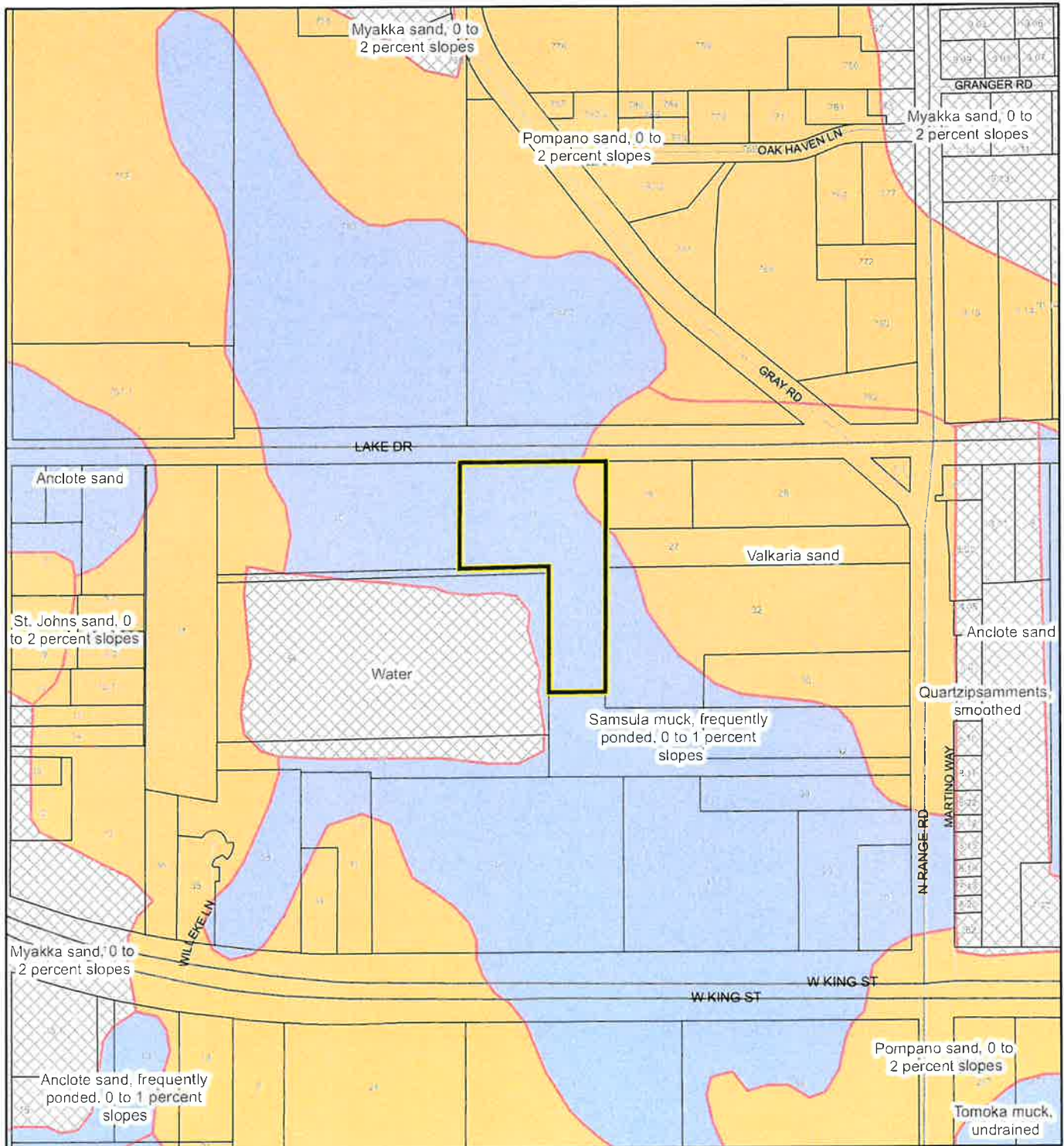
- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

Subject Property

Parcels

USDA SCSSS SOILS MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/8/2025

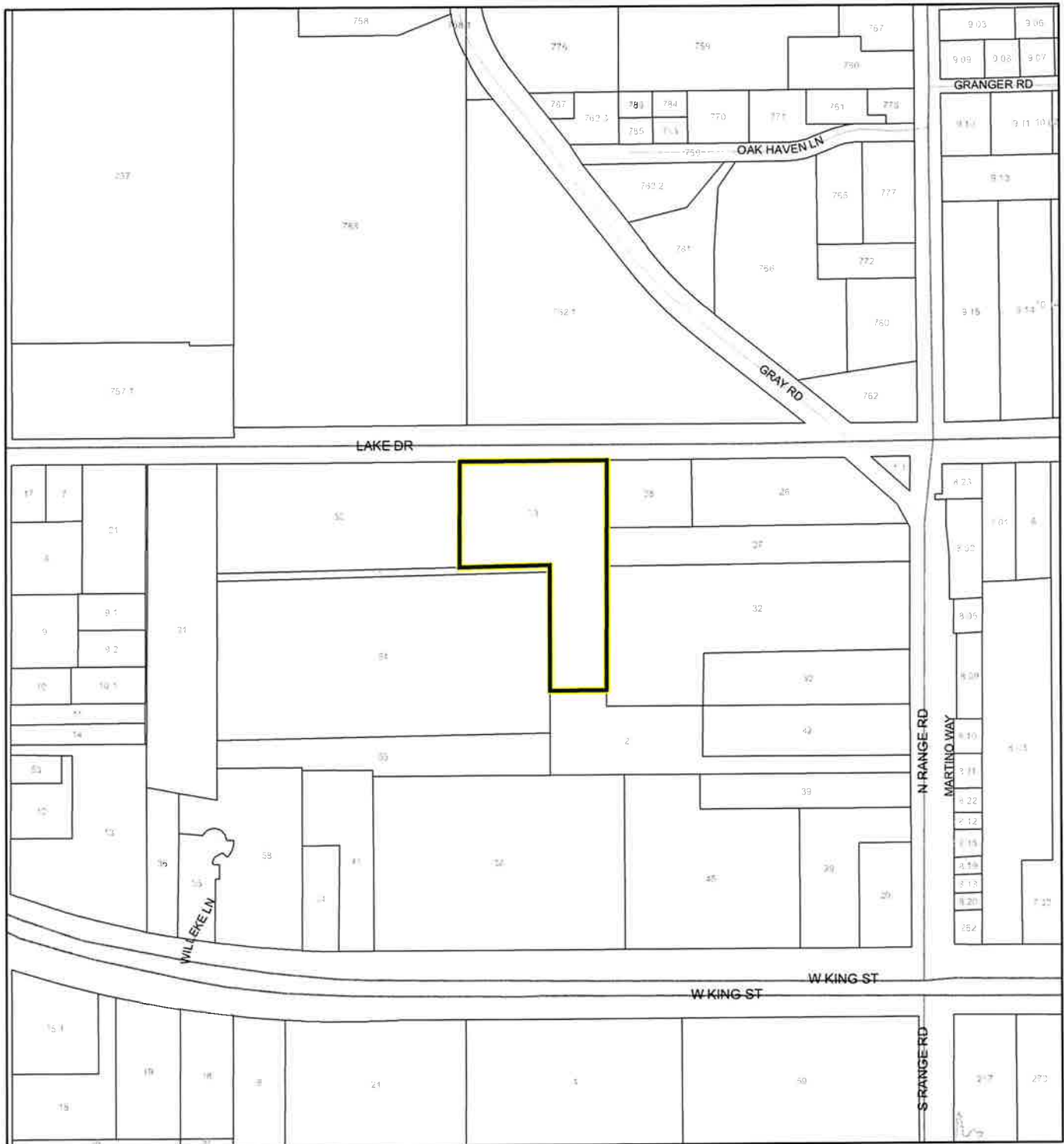
USDA SCSSS Soils



— Subject Property
□ Parcels

FEMA FLOOD ZONES MAP

CTX Equities, Inc
25SS00003

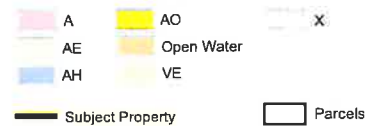


1:4,800 or 1 inch = 400 feet

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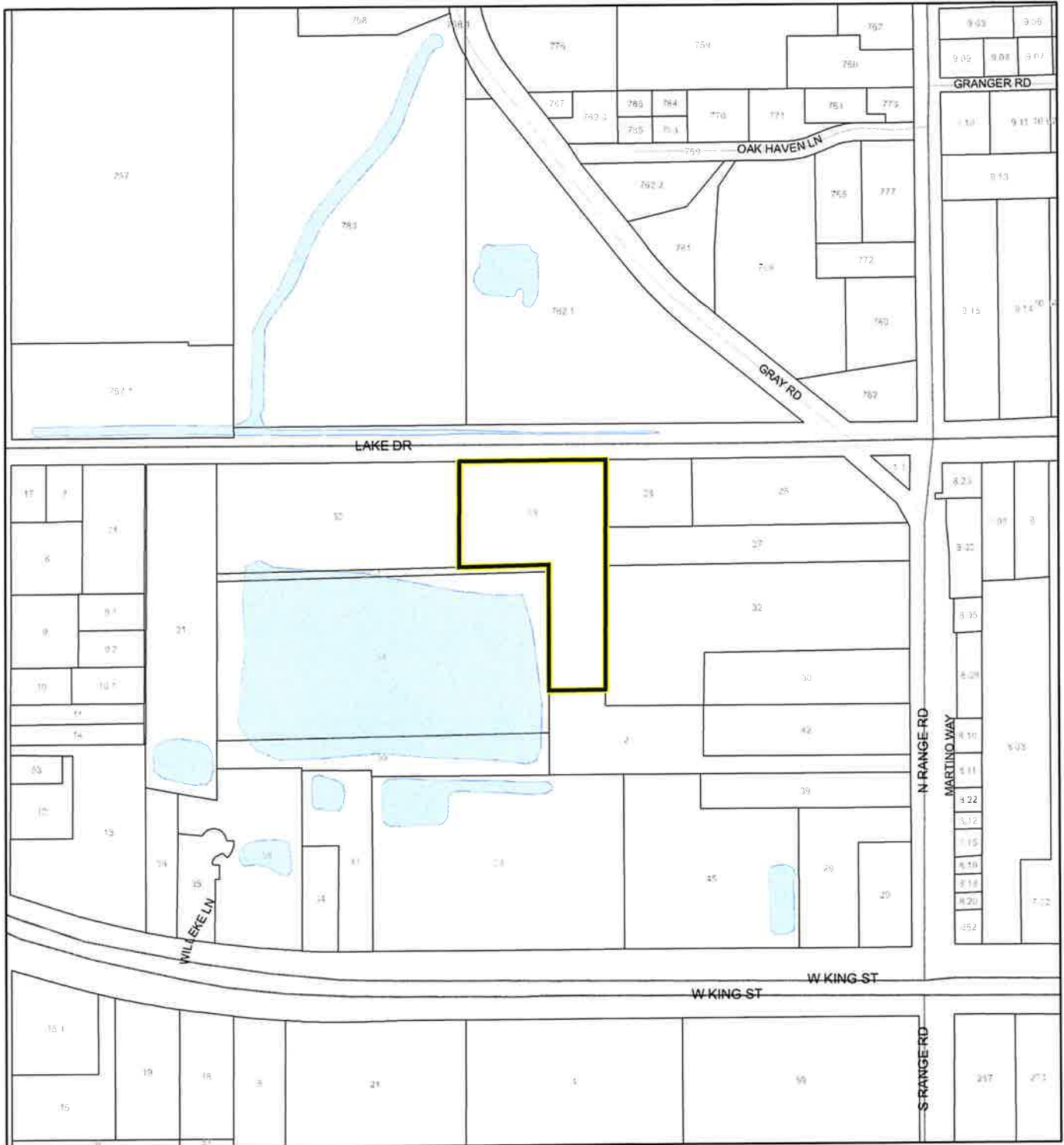
Produced by BoCC - GIS Date: 4/8/2025

FEMA Flood Zones



COASTAL HIGH HAZARD AREA MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

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— Subject Property

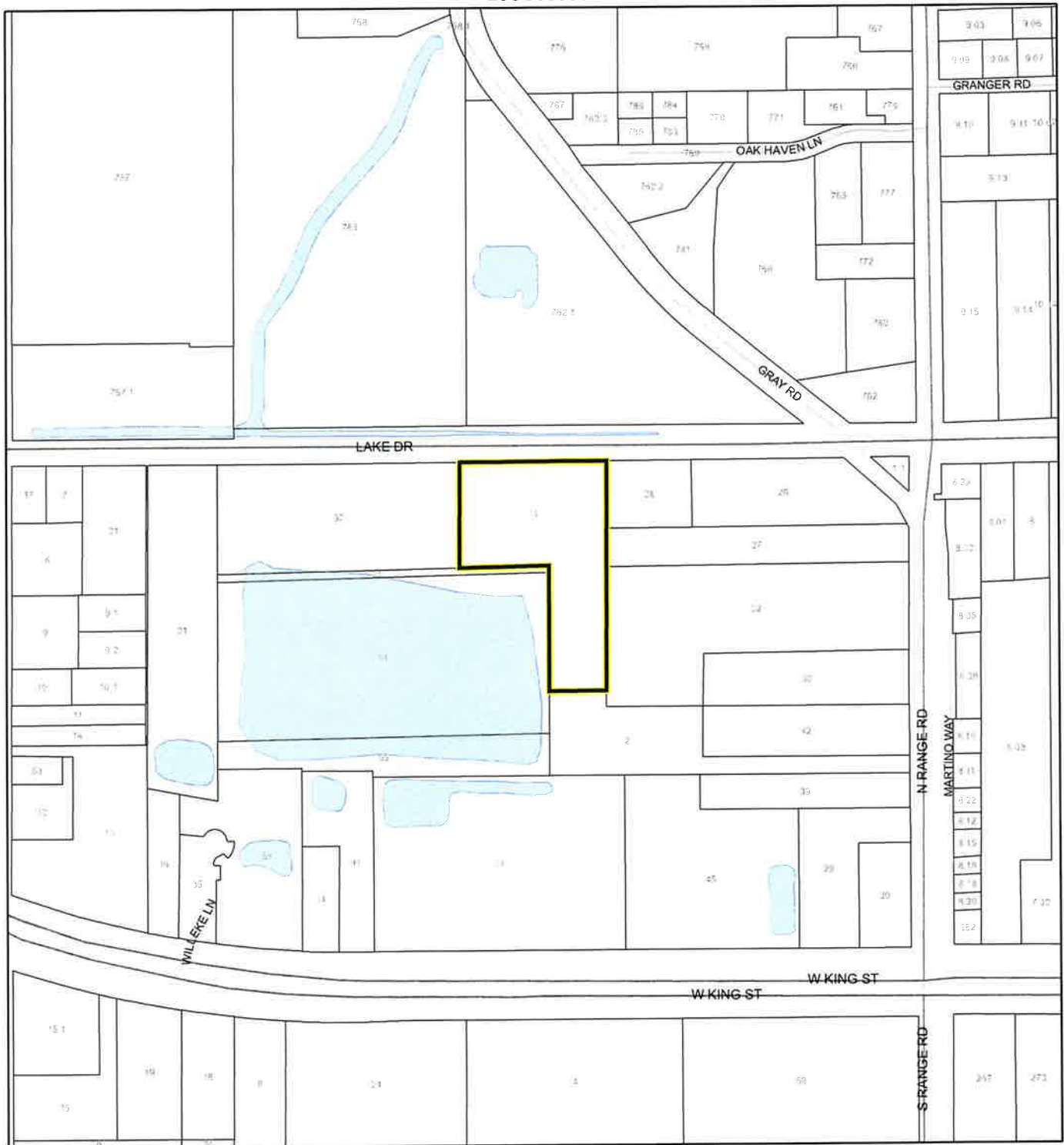
□ Parcels

Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

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— Subject Property

□ Parcels

Septic Overlay

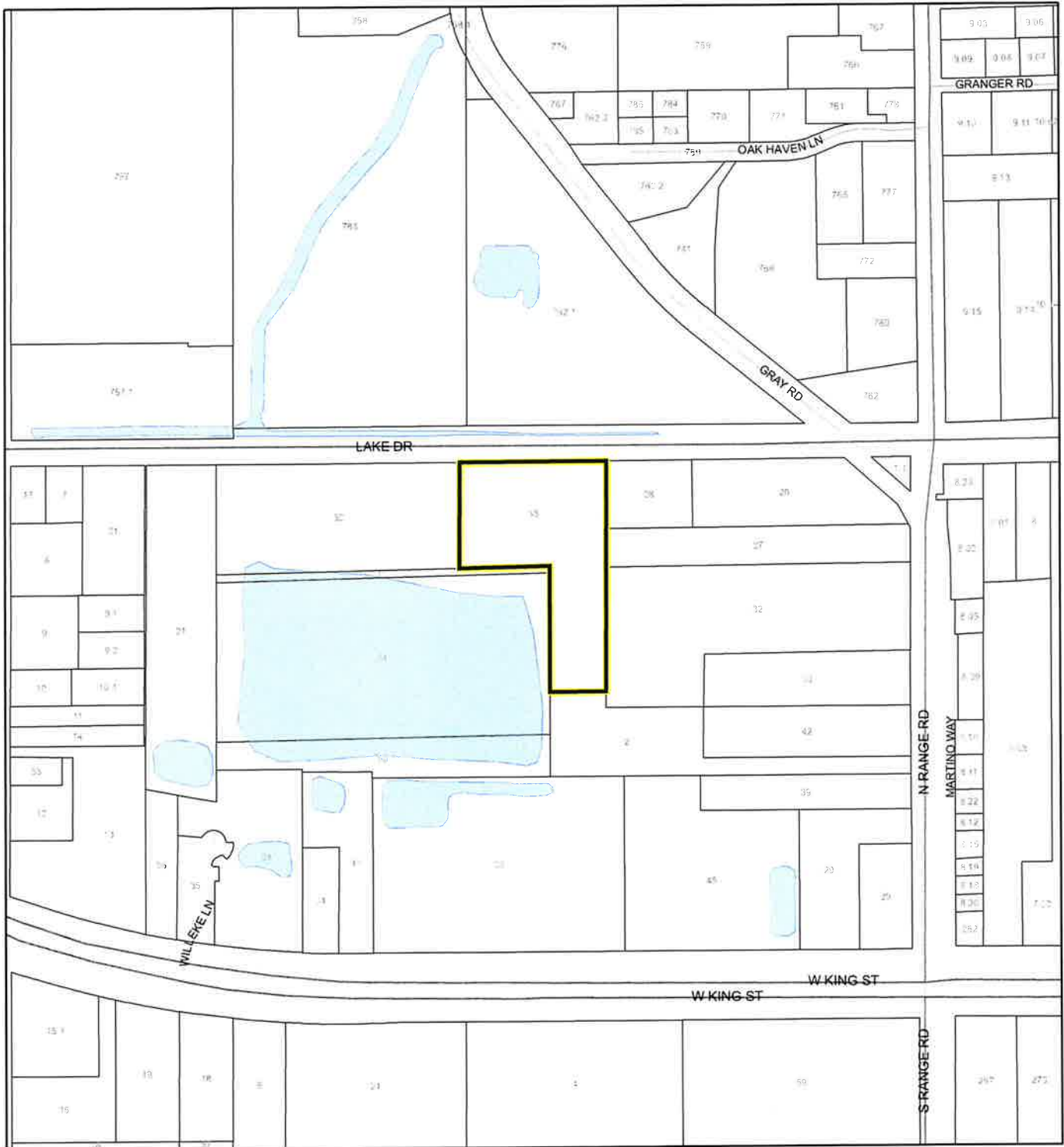
■ 40 Meters

■ 60 Meters

■ All Distances

EAGLE NESTS MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

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 Subject Property

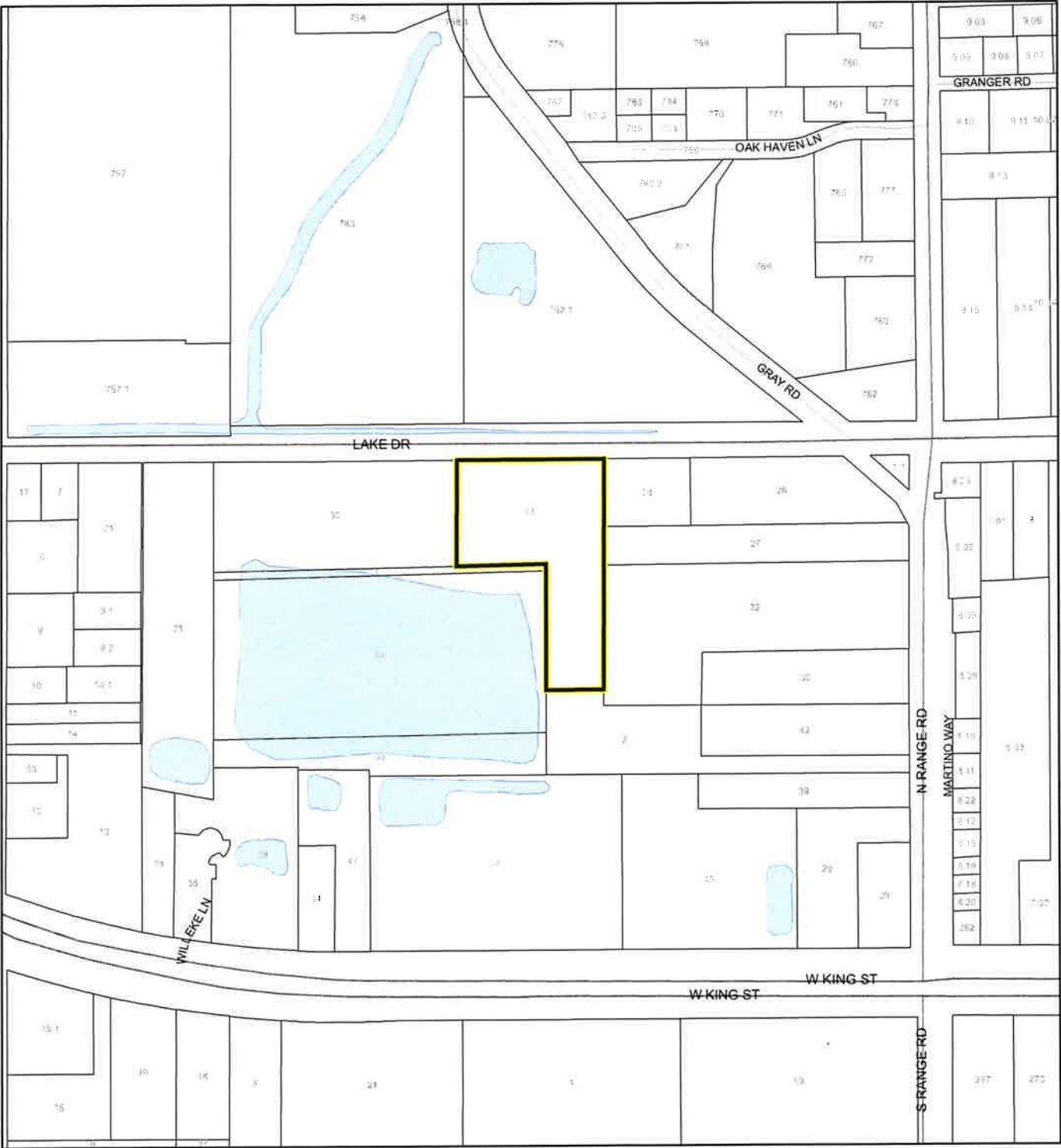
 Parcels



Eagle Nests
FWS

SCRUB JAY OCCUPANCY MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

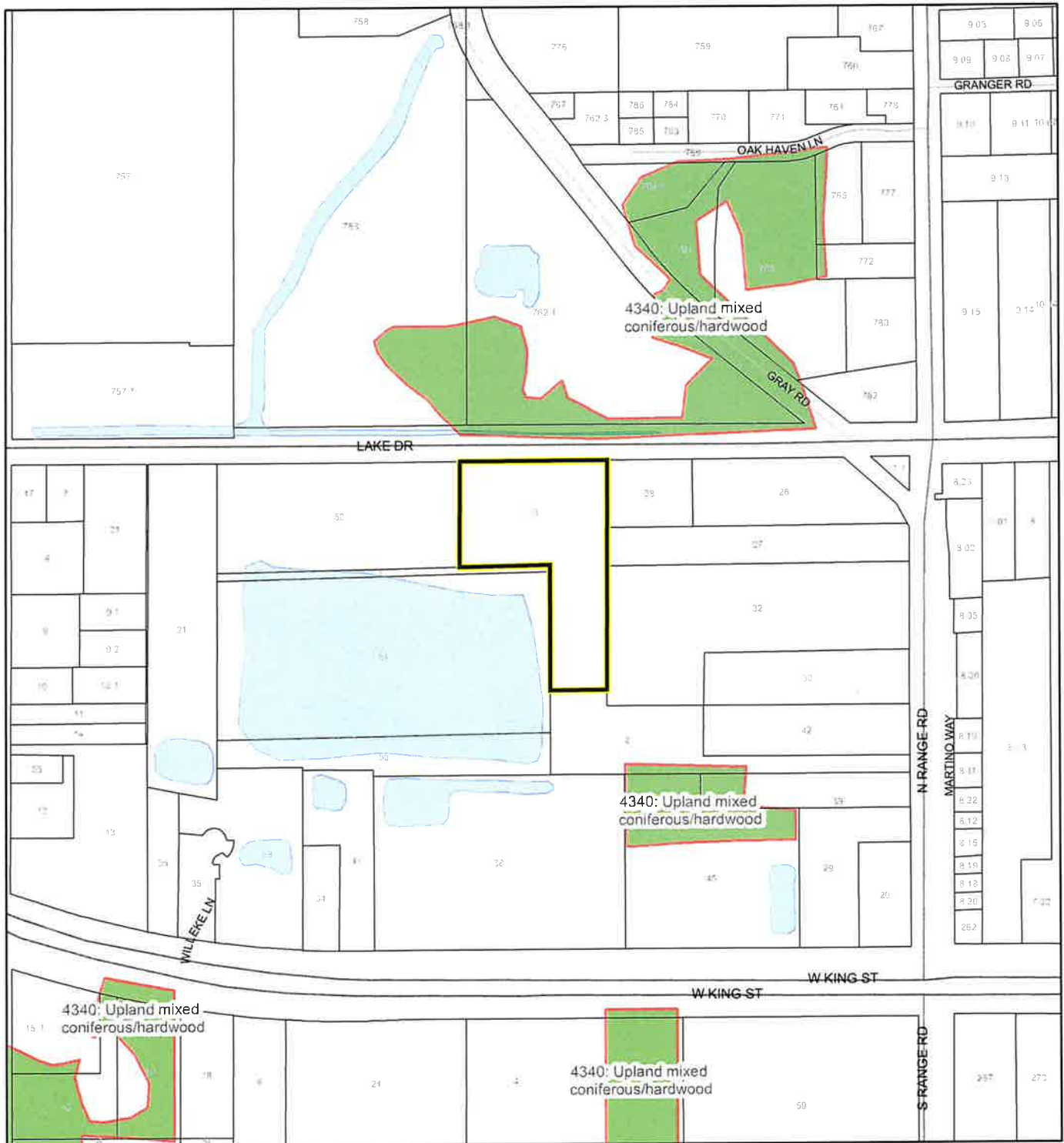
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Produced by BoCC - GIS Date: 4/8/2025

- Subject Property
- Parcels
- ▨ Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

CTX Equities, Inc
25SS00003



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 4/8/2025

SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, June 16, 2025**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ana Saunders (D5); Erika Orriss (D3); Debbie Thomas (D4); Eric Michajlowicz (D3); Greg Nicklas (D3); Ron Bartcher (D2); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); and Robert Brothers (D5).

Staff members present were Trina Gilliam, Zoning Manager; Paul Body, Planner; Alex Esseesse, Deputy County Attorney; Billy Prasad, Planning and Development Director; Darcie McGee, Natural Resources; Rachel Gerena, Public Works; John Scott, Emergency Management Office; Edward Fontanin, Utility Service Director; Lucas Siegreid, Utility Services; Alice Randall, Operations Support Specialist; and Jordan Sagosz, Operations Support Specialist.

Excerpt of complete agenda

H.9. CTX Equities, Inc. (Custom Built Contracting) requests a Small-Scale Comprehensive Plan Amendment (25S.09), to change the Future Lane Use designation from NC and CC to all CC. (25SS00003) (Tax Account 2409571) (District 1)

H.10. CTX Equities, Inc. requests a change of zoning classification from GU and BU-2 to all BU-2. (25Z00013) (Tax Account 2409571) (District 1)

Trina Gilliam read both Item H.9. and H.10. into the record as they are companion applications.

James Graham spoke to the applications. He stated we're looking to build a 12,000 square foot metal building to do work on tractor trailers.

No Public Comment

Mr. Hopengarten asked if they were going to do any welding on site.

Mr. Graham responded very little. They will be doing welding, but very little, yes.

Mr. Hopengarten added which is okay under BU-2, right. Unless he puts a BDP on it.

Ms. Gilliam replied yes to both comments.

Mr. Hopengarten stated you're just doing the trailers not the tractors.

Mr. Graham responded yes.

Mr. Hopengarten then asked are you doing any chemical washing or anything.

Mr. Graham replied No, just basically body panel repairs on semi-trailers. No paint. Basically, drilling out rivets and putting new panels on and re-riveting them inside and out back together again. You know refreshing them. Vinyl decals and stuff like that, but no paint.

Motion to recommend approval of Item H.9. by Ruth Amoto, seconded by Robert Brothers. Motion passed unanimously.

Motion to recommend approval of Item H.10. by Robert Brothers, seconded by Debbie Thomas. Motion passed unanimously.

Board Meeting Date

7-17-25

Item Number: H.9. companion app.

Motion By: KD

Second By: KA

Nay By: _____

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2	✓	
Commissioner Adkinson	3	✓	
Commissioner Altman	5		
Chairman Feltner	4	✓	