



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

H.7.

12/11/2025

### Subject:

Dick Holdings, LLC (Vaheed Teimouri) requests a CUP for a private heliport in AU zoning classification. (25Z00033) (Tax Account 2317013) (District 2)

### 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 CUP (Conditional Use Permit) for a private heliport in AU (Agricultural Residential) zoning classification, and making a finding that the proposed activity would have no adverse impact.

### Summary Explanation and Background:

The applicant is seeking a Conditional Use Permit (CUP) for a Private Heliport in the AU (Agricultural Residential) zoning classification. Private heliports are considered an accessory use to a single-family residence within the AU zoning classification subject to Section 62-1943.5 of Brevard County Code. A residence was constructed under building permit # **23BC11540** and was completed on June 09, 2025. A portion of the parcel has an agricultural orchard grove and an agricultural exemption. The parcel was combined into its current configuration on February 27, 2023. The parcel has access to N. Courtenay Parkway, a County maintained public road.

To the north the abutting parcels are 1.35- and 2.49-acre tracts with agricultural orchard groves use AU and BU -1 zoning. The larger parcel to the east abutting N. Courtenay Parkway has an agriculture exemption; the smaller western parcel does not. South are five (5) abutting parcels. The two parcels having frontage along N. Courtenay Parkway are both zoned BU-1 with a parcel size of 0.68 and 0.69 acres. The northern parcel has commercial and residential uses while the southern parcel is noted as having commercial related amenities. Of the three parcels zoned SR with a BDP, one is developed with a single-family residence; the other two parcels are vacant. The two eastern most lots are 1.21 and 1.09 acres. The adjacent lot to its west is 1.09 acres and is developed with a residence since 2006. To the east side of N. Courtenay Parkway are five (5) parcels. The northern parcel, 1.13-acre, is zoned BU-1 and is developed with commercial use. The second and third lots are zoned AU. The second lot is a 1.01-acre parcel developed with a residence since 1960; the third lot, 0.47 acre, is also developed with a home since 1955. Of the four (4) abutting parcels to the west, the northern two parcels are zoned AU. The northern parcel 15-acres has agricultural use of orchard groves while the southern parcel remains vacant. The southern two parcels zoned RR-1 are owned by the applicant and account for a total of 20.63 acres. The property is noted for bees (honey farm) and has an agriculture exemption.

The attached proposed site plan has been submitted in accordance with requirements for the consideration of this request; it has not been reviewed by all agencies to ensure compliance with Brevard County Code of Ordinances. Such will review will be conducted at a later stage of development.

Pursuant to Section 62-1943.5, Brevard County Code of Ordinances, the heliport shall be limited to two round trips per day during daylight hours, and the takeoff and landing areas shall be located at least 500 feet from all property lines (the conceptual site plan would meet this requirement). Additionally, all property owners within 1,000 feet of the subject property have been notified of this application. It is required, for the application to be approved, that the Board make a finding that "the proposed activity would have no adverse impact."

The Board may wish to consider if the request is consistent and compatible with the surrounding area recognizing existing development trends. Pursuant to Section 62-1901(b), Brevard County Code of Ordinances, "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;" as such, the Board may consider additional conditions.

On November 13, 2025, the North Merritt Island Dependent Special District Board considered the request and voted unanimously to recommend approval.

On November 17, 2025, the Planning and Zoning Board considered the request and voted 12:1 to recommend approval.

**Clerk to the Board Instructions:**

Upon receipt of the resolution, please execute and return a copy to Planning and Development.

**Resolution 25Z00033**

On motion by Commissioner Goodson, seconded by Commissioner Delaney, the following resolution was adopted by a unanimous vote:

**WHEREAS, Dick Holdings, LLC** requests a CUP (Conditional Use Permit) for a private heliport in AU (Agricultural Residential) zoning classification, on property described as Tax Parcel 15, as recorded in ORB 9039, Page 792, of the Public Records of Brevard County, Florida. **Section 27, Township 23, Range 36.** (26.84 acres) Located on the west side of N. Courtenay Pkwy, 715-feet north of Church Rd. (5695 N. Courtenay Pkwy, Merritt Island); and

**WHEREAS,** a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved; and

**WHEREAS,** the Board, after considering said application and the Planning and Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved as recommended; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested CUP for a private heliport in AU zoning be approved. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of December 11, 2025.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida



Thad Altman, Chair

Brevard County Commission

As approved by the Board on December 11, 2025.

ATTEST:



RACHEL M. SADOFF, CLERK

(SEAL)

P&Z Board Hearing – November 17, 2025

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development Preliminary Development Plan expires if a final development plan is not filed within three years. **The granting of this zoning does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.**

## **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.



BOARD OF COUNTY COMMISSIONERS

**Planning and Development Department**

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 Building A, Room 114  
 Viera, Florida 32940  
 (321)633-2070 Phone / (321)633-2074 Fax  
<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS  
 25Z00033**

**Dick Holdings, LLC**

**Conditional Use Permit (CUP) for a Private Heliport in Agricultural Residential (AU)**

Tax Account Number: 2317013  
 Parcel I.D.: 23-36-27-00-15  
 Location: 5695 N. Courtenay Pkwy Merritt Island FL 32953; West side of N. Courtenay Pkwy., approximately 715-feet north of Church Road (District 2)  
 Acreage: 26.84-acres

North Merritt Island Board: 11/13/2025  
 Planning and Zoning Board: 11/17/2025  
 Board of County Commissioners: 12/11/2025

**Consistency with Land Use Regulations**

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>Zoning</b>	AU	AU with CUP for Private Heliport
<b>Potential*</b>	10 single-Family lots	1 Single-Family lot under CUP conditions
<b>Can be Considered under the Future Land Use Map</b>	YES RES 1:2.5, NC and CC	YES RES 1:2.5, NC & CC

\* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

**Background and Purpose of Request**

The applicant is seeking a Conditional Use Permit (CUP) for a Private Heliport in the AU (Agricultural Residential) zoning classification. Private heliports are considered an accessory use to a single-family residence within the AU zoning classification subject to Section 62-1943.5 of Brevard County Code. A residence was constructed under building permit # **23BC11540** and was completed on June 09, 2025.

A portion of the parcel has an agricultural orchard grove and an agricultural exemption. The parcel was combined into its current configuration on February 27, 2023.

The parcel has access to N. Courtenay Parkway, a County maintained public road.

**ZONING HISTORY:**

- **23Z00048** adopted September 7, 2023, AU & BU-1 to all AU.
- **DNZ-9869** denied March 20, 1997, BU-1 to BU-2 w/BDP.
- **Z-5332** adopted June 30, 1980, the AU portion of the parcel was rezoned from GU (General Use) to AU (Agricultural Residential) .
- **Ord. 73-13** changed RU-1, RU-3 & BU-1 to GU.
- **Z-1957** denied August 04, 1966, requested from BU-1 to AU .

**Surrounding Area**

	Existing Land Use	Zoning	Future Land Use
<b>North</b>	Orchard Groves	AU & BU-1	RES 1:2.5, NC & CC
<b>South</b>	Residential and Commercial uses	SR with BDP & BU-1	RES 2, NC & CC
<b>East</b>	N. Courtenay Pkwy.	N/A	N/A
<b>West</b>	Orchard Groves	AU & RR-1	RES 1:2.5 & RES 1

North - The abutting parcels to the north are 1.35 and 2.49 acre tracts with agricultural orchard groves use AU and BU-1 zoning. The larger parcel to the east abutting N. Courtenay Parkway has an agriculture exemption; the smaller western parcel does not.

South - There are five (5) abutting parcels to the south. The two parcels having frontage along N. Courtenay Parkway are both zoned BU-1 with a parcel size of 0.68 and 0.69 acres. The northern parcel has commercial and residential uses while the southern parcel is noted as having commercial related amenities. Of the three parcels zoned SR with a BDP, one is developed with a single-family residence; the other two parcels are vacant. The two eastern most lots are 1.21 and 1.09 acres. The adjacent lot to its west is 1.09 acres and is developed with a residence since 2006.

East - To the east side of N. Courtenay Parkway are five (5) parcels. The northern parcel, 1.13-acre, is zoned BU-1 and is developed with commercial use. The second and third lots are zoned AU. The second lot is a 1.01 acre parcel developed with a residence since 1960; the third lot, 0.47 acre, is also developed with a home since 1955.

West - Of the four (4) abutting parcels to the west, the northern two parcels are zoned AU. The northern parcel 15-acres has agricultural use of orchard groves while the southern

parcel remains vacant. The southern two parcels zoned RR-1 are owned by the applicant and account for a total of 20.63 acres. The property is noted for bees (honey farm) and has an agriculture exemption.

The proposed AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

Florida Statute 570.86 defines “agritourism activity” as “any agricultural related activity consistent with a bona fide farm, livestock operation, or ranch or in a working forest which allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy activities, including farming, ranching, historical, cultural, civic, ceremonial, training and exhibition, or harvest-your-own activities and attractions.” Local government is prohibited from adopting ordinances, regulations, rules, or policies that prohibit, restrict, regulate, or otherwise limit an agritourism activity on land that has been classified as agricultural land.

RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses and agricultural uses are accessory to a principle residence within the RR-1 zoning district.

SR classification encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum half acre lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

The BU-1 zoning classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

### **Future Land Use**

The subject property’s AU zoning classification can be considered consistent with the Residential 1:2.5 (RES 1:2.5), Neighborhood Commercial (NC) and Community Commercial (CC) Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County’s Comprehensive Plan.

### **Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.**

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;

**Development would need to meet performance standards set forth in code sections 62-2251 through 62-2272 for hours of operation, lighting, odor, noise levels, traffic, or site activity. This application also provides the specific model of the helicopter and its noise characteristics together with a noise exposure map for the helicopter use pursuant to Section 62-1943.5 (1)(c), (1)(d) and (1)(e) of Brevard County Code.**

- 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 request.**

- 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;

**The general area is agricultural with orchard grove use on large lots with a mix of single-family homes and a commercial corridor along the westerly 300 feet of N. Courtenay Pkwy. on lots ranging in size from approximately 0.69 acre to 15 acres.**

**There is an existing pattern of agricultural use with orchard groves parcels surrounding the subject parcel on large lots greater than 2.49 acres. There are six (6) Future Land Use Designations RES 1:2.5, RES 1, RES 2, RES 4\_DIR, NC and CC, within a half mile of the subject property.**

**There are fourteen (14) Zoning classifications within a half-mile radius. Those zoning classifications are AU, BU-1, BU-1-A, BU-2, EU, EU-2, GML, GML(H), GU, IN(L), RR-1, RU-1-9, SEU and SR. The prominent zoning is AU.**

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

**It appears there has been no development within the last three years or agritourism activity have occurred within the last three years.**

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

**It appears there has been no development approved within the last three years.**

**There have been no zoning actions within a half-mile radius of the subject property within the last three years.**

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.

**Based on staff analysis, the requested CUP is not anticipated to materially or adversely affect the surrounding developments.**

**Traffic from the proposed private heliport is not anticipated to have a measurable impact on the area in terms of trip generation, or parking. No commercial or industrial activity is proposed.**

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.

**This parcel is not located in a platted subdivision. Staff analysis has determined the subject property is located within an established agricultural and residential area.**

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 request is located in an existing agricultural area with the use of orchard groves. It appears that no agritourism activity have occurred within the last three years.**

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.

**The area is primarily developed with single-family residence along with agricultural use of orchard groves.**

### **Preliminary Concurrency**

The closest concurrency management segment to the subject property is N. Courtenay Parkway between Hall Road to N. Tropical Trail which has a Maximum Acceptable Volume (MAV) of 39,170 trips per day, a Level of Service (LOS) of D, and currently operates at 46.92% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.26%. The corridor is anticipated to operate at 47.18% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the development potential of this rezoning falls below the minimum number of new residential lots that would require a formal review.

The subject property has access to The City of Cocoa potable water. The subject property has access to Brevard County sewer which runs along the west side of N. Courtenay Pkwy.

### **Special Considerations for CUP (Conditional Use Permit)**

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined on pages 6 – 8 of these comments. Section 62-1901 provides that 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.** The applicant's responses and staff observations, if any, are indicated below.

Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901 and Section 62-1943.5, Private Heliports.

This request should be evaluated in the context of **Section 62-1943.5**, governing the private heliport use accessory to a single-family residence.

**Sec. 62-1943.5. Private heliports.**

Private heliports: Private heliports as an accessory use to a single-family residence may be permitted as a conditional use within the GU, PA, AGR, AU and REU zoning classifications subject to the following conditions:

- (1) No more than one helicopter may be located on any residential property.
  - a. A conceptual site plan, binding on the property owner, shall be submitted which shows the following:

- 1. Legal boundaries of said property.

*Response: A site plan with legal boundaries has been provided.*

- 2. Display the overall dimensions of the actual landing and take-off areas.

*Response: A 24' by 24' landing area has been shown on the site plan.*

- 3. Indicate the front, side, and rear setbacks from the closest point of private heliport.

*Response: All setbacks have been indicated on the site plan.*

**Staff analysis: The applicant has submitted the conceptual plan with required information noted.**

- b. Applicants shall submit a detailed map which depicts the approach zone for said heliport and the relation to existing single family homes.

*Response: The approach zone has been indicated on the site plan.*

**Staff analysis: The applicant has submitted the required detailed map.**

- c. Applicants shall present documentation as to the specific model of helicopter, including the noise characteristics, to be placed on the property.

*Response: The model number and the helicopter documentation are shown on the site plan.*

**Staff analysis: The applicant has submitted the type of helicopter with its noise characteristics.**

- d. Applicants shall submit a noise exposure map as prepared by a certified engineer for proposed flight path.

*Response: The noise exposure map is shown on the site plan.*

**Staff analysis: The applicant has submitted a noise exposure map as prepared by a certified engineer for proposed flight path.**

- e. In order to maintain a reasonable decibel level for surrounding homes, the proposed flight paths shall not exceed current FAA noise requirements.

*Response: The FAA has approved the helipad, and this helicopter meets the FAA standards.*

**Staff analysis: The applicant has submitted the noise contour along the proposed flight path. The flight path starts initially in a southerly direction and then changes course to a due west direction towards the Indian River.**

f. Surfacing of the landing facility shall be such so as to minimize the blowing of any dust, dirt or other objectionable material onto neighboring property.

*Response: The landing area will be grass and it is in the middle of orchard with trees surrounding on all sides, this will prevent any dust and dirt blowing onto the neighboring properties.*

**Staff analysis: The applicant proposes to minimize potential nuisance issues.**

g. Private heliport operations shall not be used for commercial purposes.

*Response: This helicopter will only be used for personal use of the owner and there will not be for any commercial use.*

**Staff analysis: The applicant states that the heliport will not be used for commercial purposes.**

(2) No helicopter shall be permitted which is designed for carrying more than four persons.

*Response: The helicopter only has four people capacity.*

**Staff analysis: The applicant has provided information noting the helicopter capacity.**

(3) Take-off and landing areas and all attendant facilities shall be located at least 500 feet from all property lines. These areas shall be encircled by a fence or natural buffer not less than five feet in height. Each private heliport shall be limited to two round trips per day during daylight hours.

*Response: The 24'x24' landing area does have 500 feet setback from all the property lines. The surrounding grove serves as a natural vegetative buffer well over 5 foot in height. Only occasional daytime landings will be performed.*

**Staff analysis: The applicant has submitted a plan that meet the code requirement.**

(4) Facilities for fueling are prohibited.

*Response: The fueling will not occur on this site.*

**Staff analysis: The applicant states they will comply and not provide fueling facilities.**

(5) The board of county commissioners shall make a finding that the proposed activity would have no adverse impact prior to approval of this conditional use.

*Response: Acknowledged.*

**Staff analysis: The applicant acknowledges that comment/requirement.**

(6) All property owners within 1,000 feet of the subject property shall be notified of the conditional use permit (CUP) request.

*Response: Acknowledged.*

**Staff analysis: Staff will send notices to property owners within 1,000 feet of the subject property.**

(7) Helicopters for agricultural purposes are exempt from the requirements of this section on parcels zoned PA, AU or AGR with 100 acres or more of improved agricultural use.

*Response: Acknowledged.*

**Staff analysis: The applicant acknowledges that comment/requirement.**

(8) Each owner shall be responsible to insure that the proposed private heliport be in compliance with F.S. ch. 330 and federal aviation regulations.

*Response: Acknowledged.*

**Staff analysis: The applicant acknowledges that comment/requirement.**

(9) Proposed private heliports shall comply with sections 62-2201 and 62-2202 of this chapter.

*Response: The proposed private heliport does comply with the above referenced sections of the code.*

**Staff analysis: The applicant acknowledges that comment/requirement.**

### **General Standards of Review**

Section 62-1901(c)(1)(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.

*Applicant's Response: This will be a private helipad to be used during the allowed hours of decibel noise. Single helicopter for private use.*

**Staff analysis: The proposed CUP must comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. The request is not anticipated to create a deficiency in the N. Courtenay Parkway traffic Level of Service (LOS).**

Section 62-1901(c)(1)(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.

*Applicant's Response: This will be a private helipad to be used during the allowed hours of decibel noise. Single helicopter for private use.*

**Staff analysis: The subject property is a large AU zoned residential tract. The private heliport use, a conditional use permit (CUP), is a unique use limited in nature as an accessory use to the development of a single-family residence in the GU, PA, AGR, AU and REU zoning classifications. Special criteria and Board consideration are required in order to establish compatibility with the adjacent area/community. It is**

**not anticipated to cause any issues with the current development or surrounding residential uses or cause a deficiency in LOS. Any issues related to LOS, performance standards or parking would be handled at site plan review.**

Section 62-1901(c)(1)(c): The proposed use will not cause a substantial diminution in value of abutting residential property. Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15 percent reduction in value as a result of the proposed conditional use. A reduction of ten percent of the value of abutting property shall create a reputable 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 a MAI certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.

*Applicant's Response: This will be a private helipad to be used during the allowed hours of decibel noise. Single helicopter for private use.*

**Staff analysis: Competent and substantial evidence by a MAI certified appraiser has not been provided.**

Section 62-1901(c)(2)(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.

Note: Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20 percent, or ten percent 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 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.

*Applicant's Response: Private helipad to be accessed by the pilot and up to 3 passengers at most at one time.*

**Staff analysis: The helipad has been centralized on this property as it is required to meet a 500-foot setback from the property lines. Vehicular traffic impacts are limited to the one existing single-family residence with direct connection to N. Courtenay Parkway.**

Section 62-1901(c)(2)(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.

*Applicant's Response: Infrequent trips during the allowable noise decibel hours and maintaining elevation over 500-feet before landing.*

**Staff analysis: The proposed use must comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. Any proposed outdoor lighting and noise standards should remain within code requirements, or a violation will be created.**

Section 62-1901(c)(2)(c): Noise levels for a conditional use are governed by section 62-2271.

*Applicant's Response: The helicopter use will comply with landing and take-off happening during allowable time periods.*

**Staff analysis: There are no anticipated noise level issues, but the site must comply with the noise ordinance within Brevard County Performance standards Sections 62-2251 through 62-2272 and FAA regulations.**

Section 62-1901(c)(2)(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.

*Applicant's Response: Private helipad with self-disposal of waste.*

**Staff analysis: The adopted level of service for solid waste disposal is not anticipated to be affected.**

Section 62-1901(c)(2)(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.

*Applicant's Response: NA, private helipad to be used for landing and take-off.*

**Staff analysis: The CUP should not exceed the adopted level of service for potable water or wastewater as use does not require connection to potable water or wastewater service.**

Section 62-1901(c)(2)(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.

*Applicant's Response: As per regulations, the helipad will have the landing surface constructed of material to minimize dust and a buffer fence around the pad to control any*

*debris during landing.*

**Staff analysis: The proposed plans identify sufficient screening. The property shall meet the Brevard County Performance Standards.**

Section 62-1901(c)(2)(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.

*Applicant's Response: The use of landing lights on the helipad will only be used during landing and will not be bright enough to affect adjacent properties when used during the allowable decibel hours.*

**Staff analysis: Any new signage and lighting will need to meet the requirements of Brevard County Code.**

Section 62-1901(c)(2)(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.

*Applicant's Response: Acknowledged.*

**Staff analysis: The hours of operation have not been identified. The Board may wish to limit the operational hours to a limited portion of the day.**

Section 62-1901(c)(2)(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.

*Applicant's Response: Acknowledged.*

**Staff analysis: A two-story residential building was constructed onsite. The helipad does not require an additional structure to be developed. Site improvements, landing pad, will meet the 35-foot height requirements noted above.**

Section 62-1901(c)(2)(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.

Note: 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.

*Applicant's Response: NA, private helipad for personal use.*

**Staff analysis: The subject property is developed for a single-family residence. The proposed private heliport will be accessory to that single-family use. No additional traffic is anticipated.**

## **Environmental Constraints**

### **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.

### **Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Floodplain Protection in North Merritt Island
- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

See NRM comments at the end of this report.

## **For Board Consideration**

The Board may wish to consider if the request is consistent and compatible with the surrounding area recognizing existing development trends. Pursuant to Section 62-1901(b), Brevard County Code of Ordinances, "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;" as such, the Board may consider such additional conditions as the establishment of times for the proposed helicopter use (arrival and departure times).

**NATURAL RESOURCES MANAGEMENT DEPARTMENT**  
**Zoning Review & Summary**  
**Item # 25Z00033**

**Applicant:** Vaheed Teimouri (Owner: Dick Holdings LLC)

**Zoning Request:** CUP for private heliport in AU zoning

**Note:** Use land for a private heliport

**NMI Hearing:** 11/13/2025; **Zoning Hearing:** 11/17/2025; **BCC Hearing:**12/11/2025

**Tax ID No:** 2317013

- 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:**

- Floodplain Protection in North Merritt Island
- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

**Land Use Comments:**

**Floodplain Protection in North Merritt Island**

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Additionally, the parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development.

### **Wetlands and Hydric Soils**

This property contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Wabasso sand, 0 to 2 percent slopes, Chobee mucky loamy fine sand, and Samsula muck, frequently ponded, 0 to 1 percent slopes), 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 states that non-bona fide agricultural and forestry operations utilizing best management practices are permitted in wetlands provided they do not result in permanent degradation or destruction of wetlands or adversely affect the functions of the wetlands. 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 Brevard County in accordance with Section 62-3696. Pursuant to the Florida Agricultural Lands and Practices Act (Chapter 163.3162(4), Florida Statutes), any activity of a Bona Fide Agricultural Use, with state-approved Best Management Practices, on land classified as agricultural land pursuant to Section 193.461, Florida Statute is exempt. The Brevard County Property Appraiser's Office establishes Bona Fide Agricultural land classification.

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For residential parcels greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 62-3694(c)(6). 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 Brevard County in accordance with Section 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

### **Aquifer Recharge Soils**

The eastern portion of this property contains mapped aquifer recharge soils (Paola fine sand, 0 to 8 percent slopes) as shown on the USDA Soil Conservation Service Soils Survey map. Mapped topographic elevations indicate the soils may consist of Type 3 Aquifer Recharge soils that have 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.

### **Indian River Lagoon Nitrogen Reduction Septic Overlay**

The entire parcel is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. If adequate sewer for the development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required.

**Protected and Specimen Trees**

Protected and Specimen trees may exist on the parcel. Per Section 62-4341(18) of the Brevard County Landscaping, Land Clearing, and Tree Protection ordinance, 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. Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

**Protected Species**

Information available to NRM indicates that federally and/or state protected species may be present on the property. There is an area of mapped Florida Scrub Jay habitat on the western portion of the property, and there is potential for existence of Gopher Tortoises on site. 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 and/or U.S. Fish and Wildlife Service, as applicable.

Sec. 62-1943.5. - Private heliports.

Private heliports: Private heliports as an accessory use to a single-family residence may be permitted as a conditional use within the GU, PA, AGR, AU and REU zoning classifications subject to the following conditions:

1. No more than one helicopter may be located on any residential property.
  - a. A conceptual site plan, binding on the property owner, shall be submitted which shows the following:
    1. Legal boundaries of said property.

*Response: A site plan with legal boundaries has been provided*

2. Display the overall dimensions of the actual landing and take-off areas.

*Response: A 24' by 24' landing area has been shown on the site plan*

3. Indicate the front, side, and rear setbacks from the closest point of private heliport

*Response: All setbacks have been indicated on the site plan.*

- b. Applicants shall submit a detailed map which depicts the approach zone for said heliport and the relation to existing single family homes.

*Response: The approach zone has been indicated on the site plan*

- c. Applicants shall present documentation as to the specific model of helicopter, including the noise characteristics, to be placed on the property.

*Response: The model number and the helicopter documentation are shown on the site plan*

- d. Applicants shall submit a noise exposure map as prepared by a certified engineer for proposed flight path.

*Response: The noise exposure map is shown on the site pan.*

- e. In order to maintain a reasonable decibel level for surrounding homes, the proposed flight paths shall not exceed current FAA noise requirements.

*Response: The FAA has approved the helipad and this helicopter meets the FAA standards.*

- f. Surfacing of the landing facility shall be such so as to minimize the blowing of any dust, dirt or other objectionable material onto neighboring property.

*Response: The landing area will be grass and it is in the middle of orchard with trees surrounding on all sides, this will prevent any dust and dirt blowing onto the neighboring properties.*

- g. Private heliport operations shall not be used for commercial purposes.

*Response: This helicopter will only be used for personal use of the owner and there will not be for any commercial use.*

2. No helicopter shall be permitted which is designed for carrying more than four persons.

*Response: The helicopter only has four people capacity.*

3. Take-off and landing areas and all attendant facilities shall be located at least 500 feet from all property lines. These areas shall be encircled by a fence or natural buffer not less than five feet in height. Each private heliport shall be limited to two round trips per day during daylight hours.

*Response: The 24'x24' landing area does have 500 feet setback from all the property lines. The surrounding grove serves as a natural vegetative buffer well over 5 foot in height. Only occasional daytime landings will be performed.*

4. Facilities for fueling are prohibited.

*Response: The fueling will no occur on this site*

5. The board of county commissioners shall make a finding that the proposed activity would have no adverse impact prior to approval of this conditional use.

*Response: Acknowledged.*

6. All property owners within 1,000 feet of the subject property shall be notified of the conditional use permit (CUP) request.

*Response: Acknowledged.*

7. Helicopters for agricultural purposes are exempt from the requirements of this section on parcels zoned PA, AU or AGR with 100 acres or more of improved agricultural use.

*Response: Acknowledged.*

8. Each owner shall be responsible to insure that the proposed private heliport be in compliance with F.S. ch. 330 and federal aviation regulations.

*Response: Acknowledged.*

9. Proposed private heliports shall comply with sections 62-2201 and 62-2202 of this chapter.

*Response: The proposed private heliport does comply with the above referenced sections of the code.*

**Federal Aviation Administration**

December 17, 2024

TO:  
Dick Holdings, LLC  
PO Box 541789  
Merritt Island, FL 32953  
dickholdings@yahoo.com

**NOTICE OF AIRPORT AIRSPACE ANALYSIS DETERMINATION  
ESTABLISH PRIVATE USE AIRPORT  
\*\*CONDITIONAL NO OBJECTION\*\***

The Federal Aviation Administration(FAA) has conducted an aeronautical study under the provisions of Title 14 of the Code of Federal Regulations, Part 157, concerning:

RE: *(See attached Table 1 for referenced case(s))*

Table 1 - Letter Referenced Case(s)

ASN	Prior ASN	Airport Name	Description	Location	Latitude (NAD83)	Longitude (NAD83)	Airport Elevation (feet)
2024-ASO-15681-NRA	2021-ASO-2588-NRA	NORTH MERRITT ISLAND	LAP ASN # 2024-ESA-332-LAP	Merritt Island, FL	28-27-36.70N	80-42-40.80W	6

We have completed an airspace analysis of the proposed private use airport. As studied, the location is approximately 7 nautical miles N of Merritt Island, FL.

Recommend all ingress/egress routes have at the very minimum a clear 8:1 visual approach slope and any Flight Standard's provisions must be satisfactorily addressed prior to issuing a determination.

FS concurs with the extension and supports the original provisions (listed below) of study 2021-ASO-2588-NRA with a letter of determination dated 03 July 2023. The provisions in the letter are still in effect.

AFS-420E Response to OEAAA # 2021-ASO-2588-NRA Dick Holdings LLC Merritt Island FL  
General Aviation Heliports (ref: FAA AC 150/5390-2C) revised 01/12/2021

- . This is a FS approved virtual evaluation (temporary) solution to the 7400.2M on-site heliport evaluation requirement. The actual on-site evaluation will be conducted upon the removal of the COVID-19 travel restrictions. FS will provide an additional on-site response once the on-site evaluation has been completed.
- . The heliport meet and maintain the standards of FAA Advisory Circular 150/5390-2C Heliport Design, including (but not limited to) the Touchdown and Liftoff Area (TLOF), Final Approach and Takeoff Area (FATO), Safety Area, and 8:1 approach/departure surface and establish an acceptable level of safety for helicopter operations.
- . The landing area is limited to private use, DAY/VFR, single helicopter within each Safety Area.

- . Night helicopter operations are not recommended unless the takeoff/landing area and wind indicator are lighted. Heliport identification beacon is optional but recommended.
- . The takeoff/landing area is appropriately marked, including the standard "H" marking, gross weight/overall length markings, and properly aligned with the preferred approach and departure routing.
- . A non-obstructing wind indicator is maintained adjacent to the takeoff/landing area.
- . All Helicopter approach/departure route operations are conducted on a 173 degrees (TRUE) clockwise to 353 degrees (TRUE) egress (departure) heading using the center of the proposed TLOF as a reference point.
- . Any heliport on-site aircraft refueling operations should be conducted in accordance with FAA regulations, National Fire Protection Pamphlet (NFPA) 418, State, and local Fire Marshall Requirements.
- . Fire protection is provided in accordance with NFPA 418, State, and local fire codes and AC 150/5390-2C.
- . Unauthorized persons are restrained from access to the takeoff/landing area during helicopter flight operations by use of a non-obstructing safety barrier. This barrier is to be located outside the Safety Area and not penetrate the FAA AC 150/5390-2C approach/departure surface area. If fence type barrier is installed, recommend/option marking upper horizontal support bar with reflective markings to support night flight operations/pilot situation awareness.
- . "CAUTION HELICOPTER OPERATIONS" type signage be affixed near entrance(s) and perimeter of heliport. Refer to FAA AC 150/5390-2C Fig. 2-34 for examples.
- . Due to the close proximity of Treasure Lagoon Private Airport (FA13) apply standard ATC (i.e., VFR/UNICOM) communications for flight operations coordination.
- . Due to the close proximity of the Space Coast Regional Airport (KTIX) Class D airspace, standard Class D ATC communications apply. Recommend establishing a Letter of Agreement (LOA) with the local ATC for proper flight operations coordination.
- . Install aviation red obstruction lighting on each corner of future buildings located near the heliport.
- . If power lines are run above ground to future buildings/construction ensure that all obstructions are appropriately lit per AC 150/5390-2C Chapter 2. Ensure that future power lines or buildings remain outside the approach/departure 8:1/2:1 surface areas and be equipped with an aviation red obstruction light to improve visual identification at night and in low visibility.
- . Ensure that trees remain outside the approach/departure 8:1/2:1 surface areas, and monitored for growth that may penetrate these surfaces.
- . Publish and distribute helicopter operational procedures to heliport operators and users.
- . The heliport proponent will reexamine obstacles in the vicinity of the approach/departure paths on an annual basis in accordance with AC 150/5390-2C. Any new obstacles noted will be forwarded to the Airport District Office, Flight Standards District Office or Flight Standards Division.
- . A Flight Standards post construction heliport evaluation is completed within 45 days of construction completion and prior to operational use of the heliport. Contact Airports Division, Flight Standards District Office, or Flight Standards Division to schedule the evaluation when nearing completion.

It is recommended that your airport be constructed to the standards identified in FAA Advisory Circular (AC) 150/5300-13, Airport Design (current version). Also, a clear approach slope, as identified in (AC) 150/5300-13 Table 3-2 Approach/Departure Standards, should be established at each runway end. If there are other obstructions that penetrate the approach surface, they should be removed or lowered. If the penetrating obstructions cannot be removed or lowered, we recommend that the thresholds be displaced and appropriately marked, so as to provide a clear approach slope surface to each runway end. Please note that roads are defined as obstructions by 14 CFR Part 77. Private roads are the greater of a 10 foot vertical obstruction or the highest mobile object that normally traverses the road. Public roads are considered a 15 foot obstruction, interstate highways are a 17 foot obstruction, railroads are 23 foot obstructions and waterways are the highest mobile object that traverses the waterway.

Be advised, in accordance with 14 CFR Part 157, any construction, alteration to or abandonment of the subject airport requires notice to the FAA for aeronautical review. Notice for these actions can be given using FAA Form 7480-1, "Notice for Construction, Alteration and Deactivation of Airports". Please refer to Form 7480-1 for triggering events that will require notice.

Provided that the aforementioned conditions are met, our aeronautical study has determined that your proposed private use airport will not adversely affect the safe and efficient use of the navigable airspace by aircraft.

This determination does not constitute FAA approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground. In making the determination, the FAA has considered matters such as the effects the proposal would have on existing or planned traffic patterns of neighboring airports, the effects it would have on the existing airspace structure and projected programs of the FAA, the effects it would have on the safety of persons and property on the ground, and the effects that existing or proposed manmade objects (on file with the FAA) and known natural objects within the affected area would have on the airport proposal. The proposal was not circulated to the public for comment.

The FAA cannot prevent the construction of structures near an airport. The airport environment can only be protected through such means as local zoning ordinances, acquisitions of property in fee title or aviation easements, letters of agreements, or other means. This determination in no way preempts or waives any ordinances, laws, or regulations of any government body or agency.

If you have any questions concerning this determination, please contact me at [robert.linscheid@faa.gov](mailto:robert.linscheid@faa.gov) or at (404) 305-5678.

Sincerely,

Robert Linscheid

Specialist

**Signature Control No: 641500110-642112043**

Attachment: Airport Master Record 5010 Form







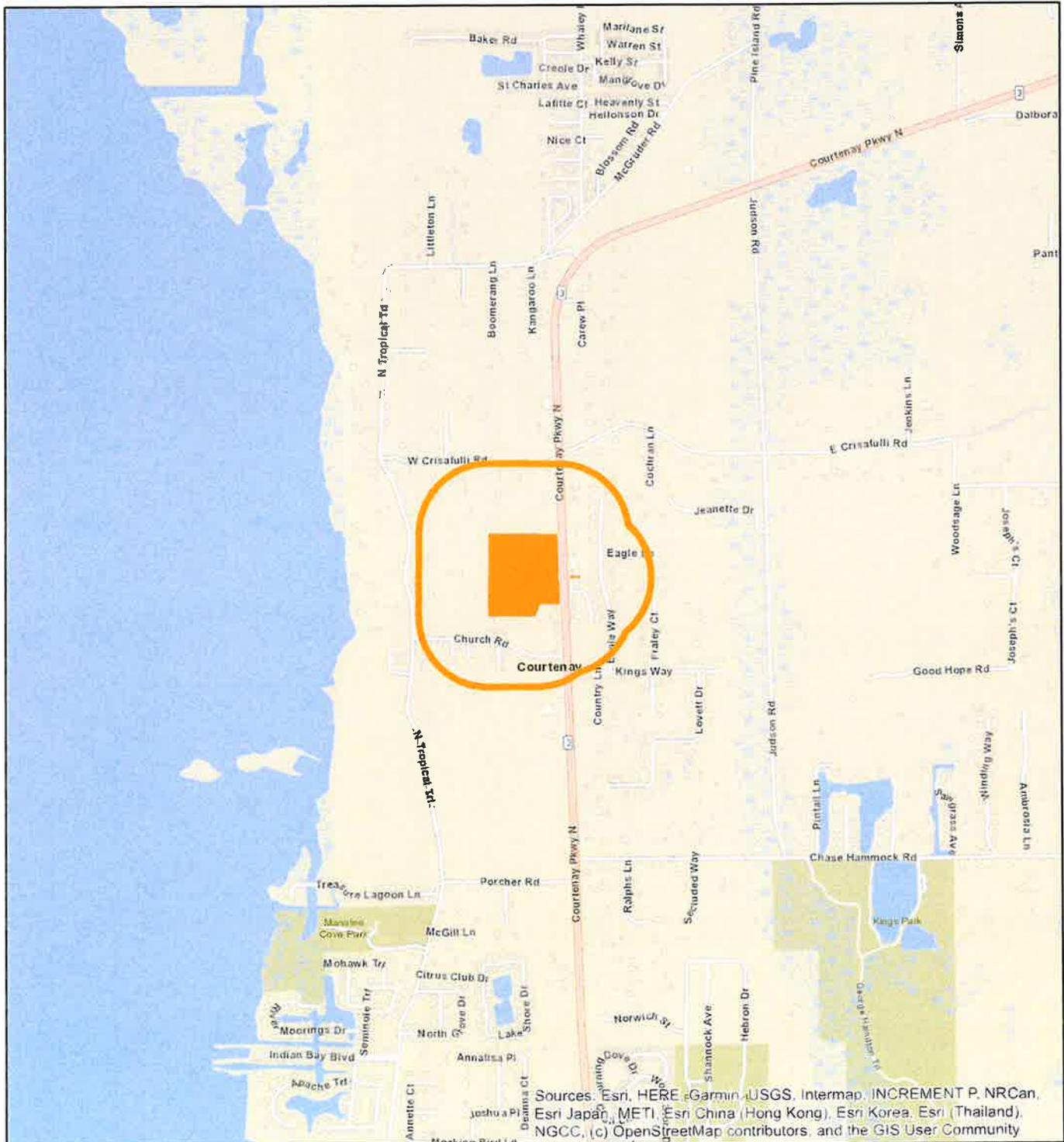




# LOCATION MAP

DICK HOLDINGS LLC

25Z00033



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

Buffer Distance: 1000 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.

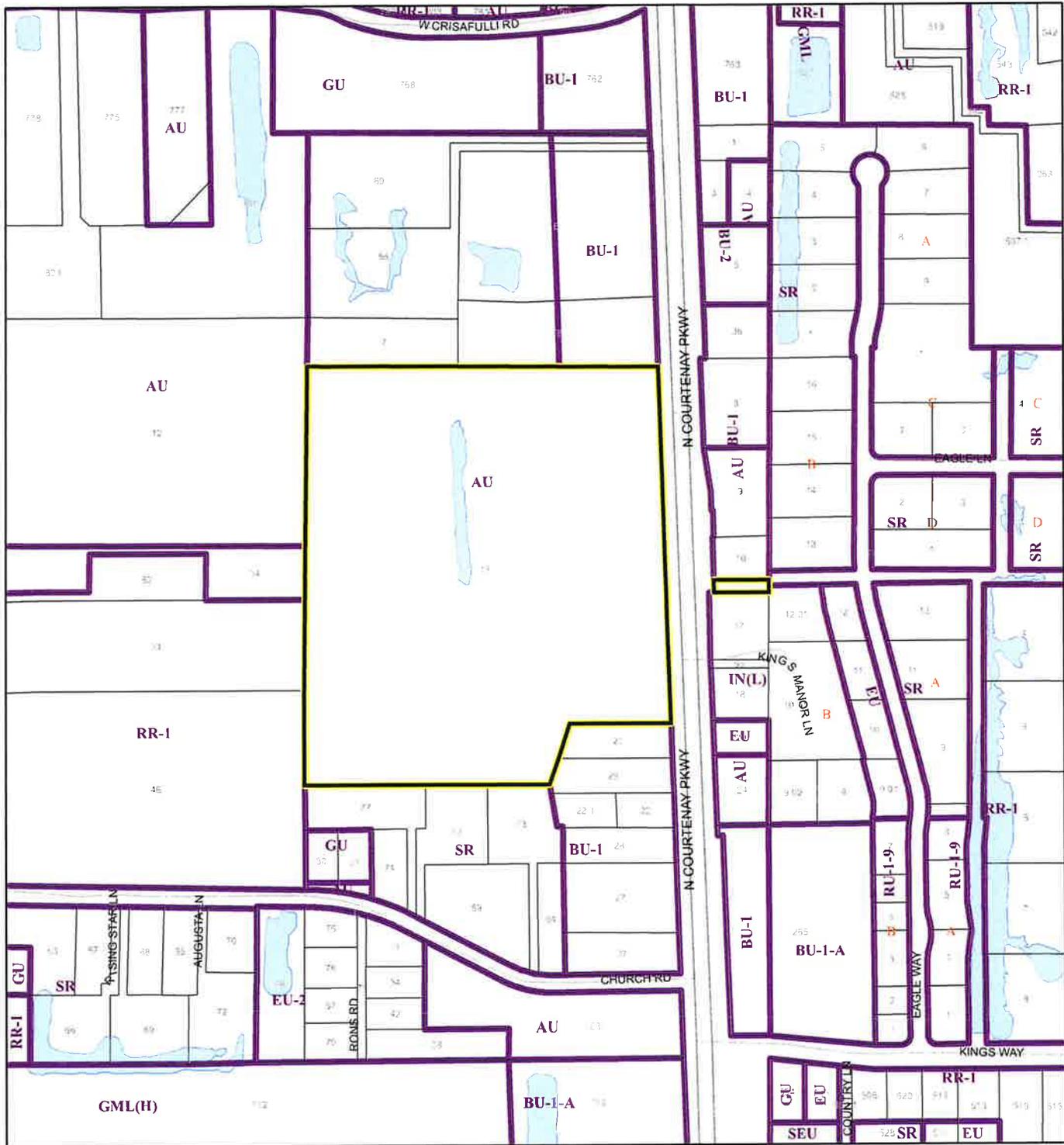
Produced by BoCC - GIS Date: 10/7/2025

-  Buffer
-  Subject Property

# ZONING MAP

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

 Subject Property

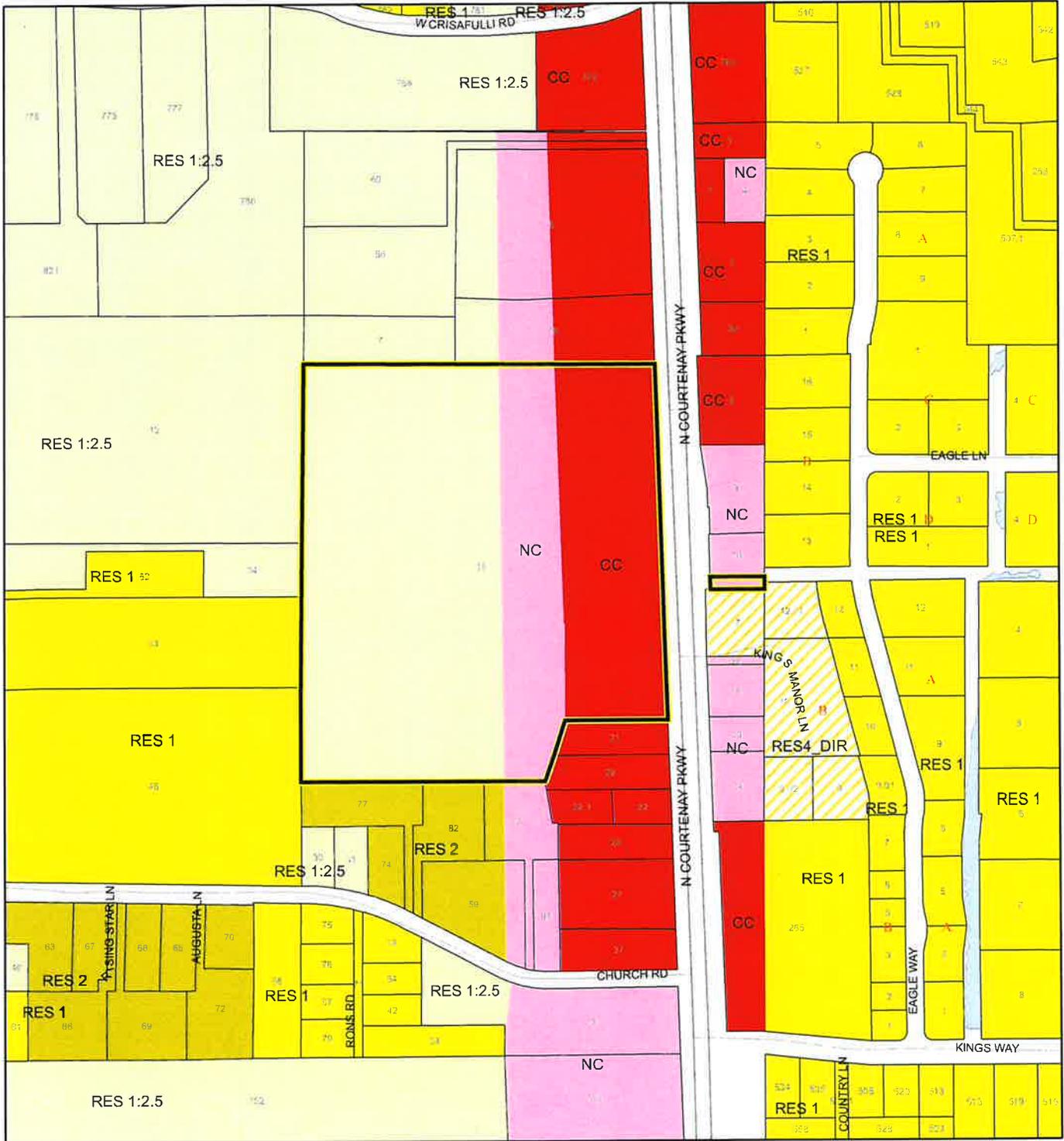
 Parcels

 Zoning

# FUTURE LAND USE MAP

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

- Subject Property
- Parcels

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Produced by BoCC - GIS Date: 10/7/2025

# AERIAL MAP

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2025

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Produced by BoCC - GIS Date: 10/7/2025

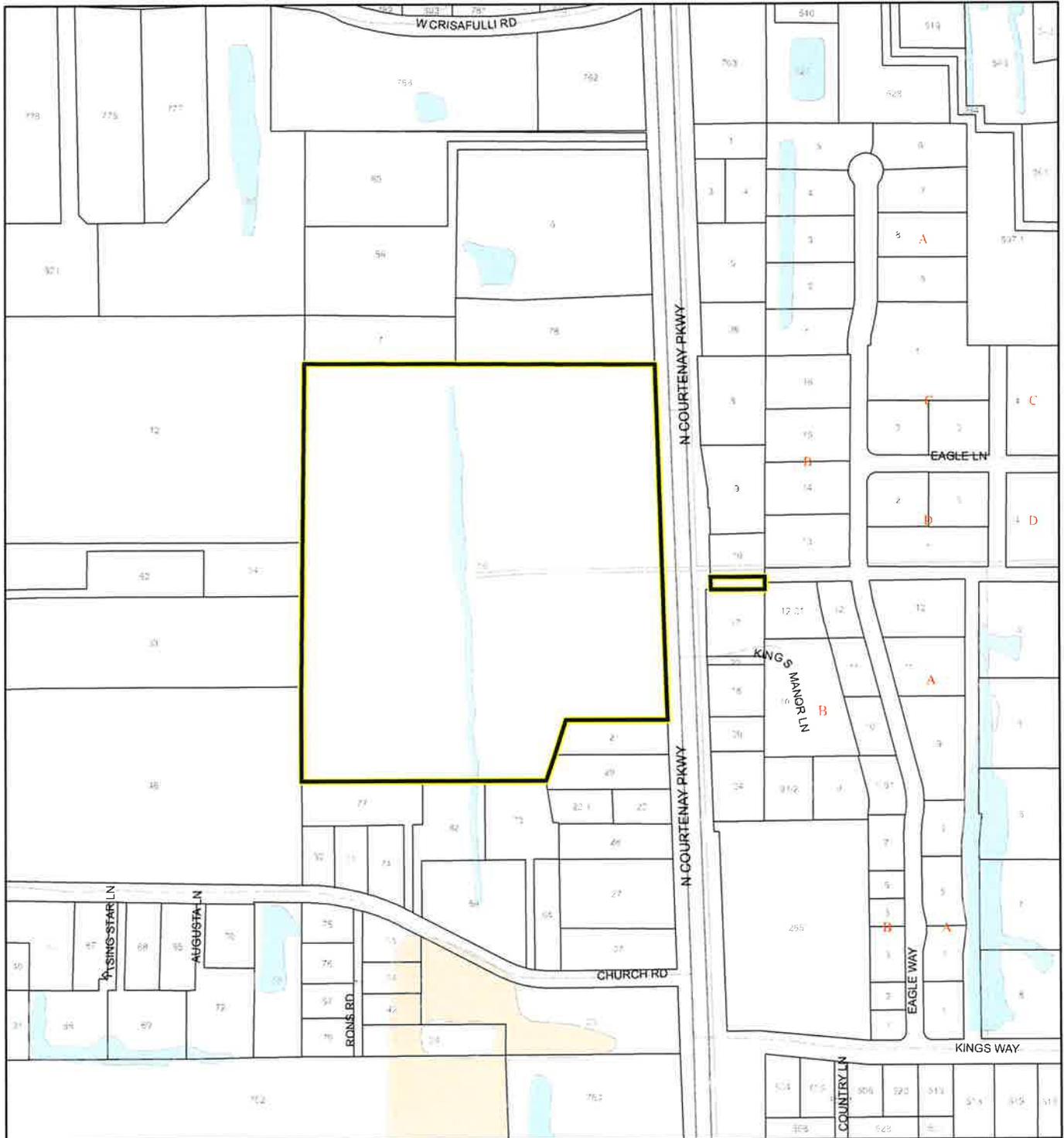
 Subject Property

 Parcels

# NWI WETLANDS MAP

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

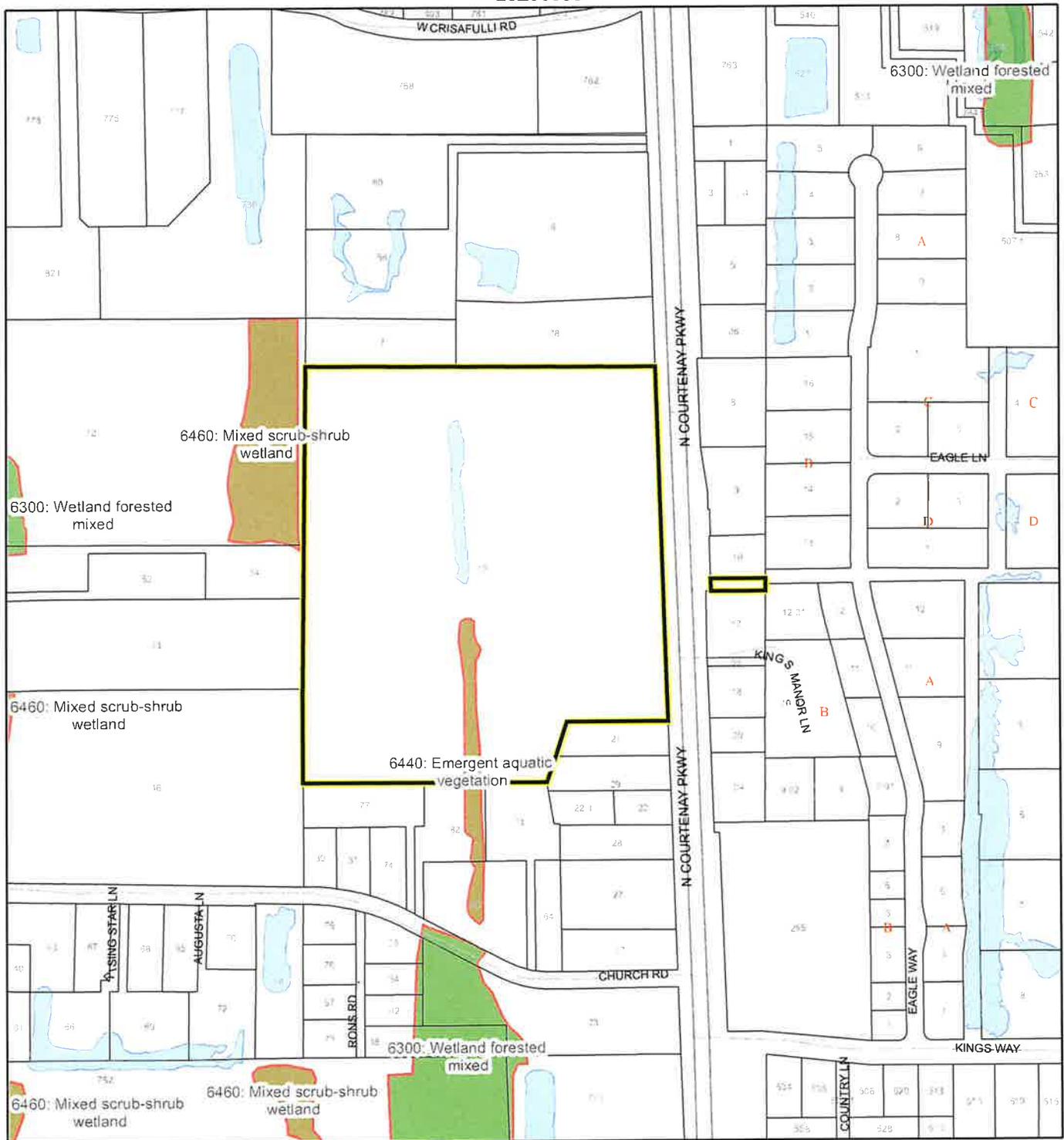
### National Wetlands Inventory (NWI)

- |                                   |                  |
|-----------------------------------|------------------|
| 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

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

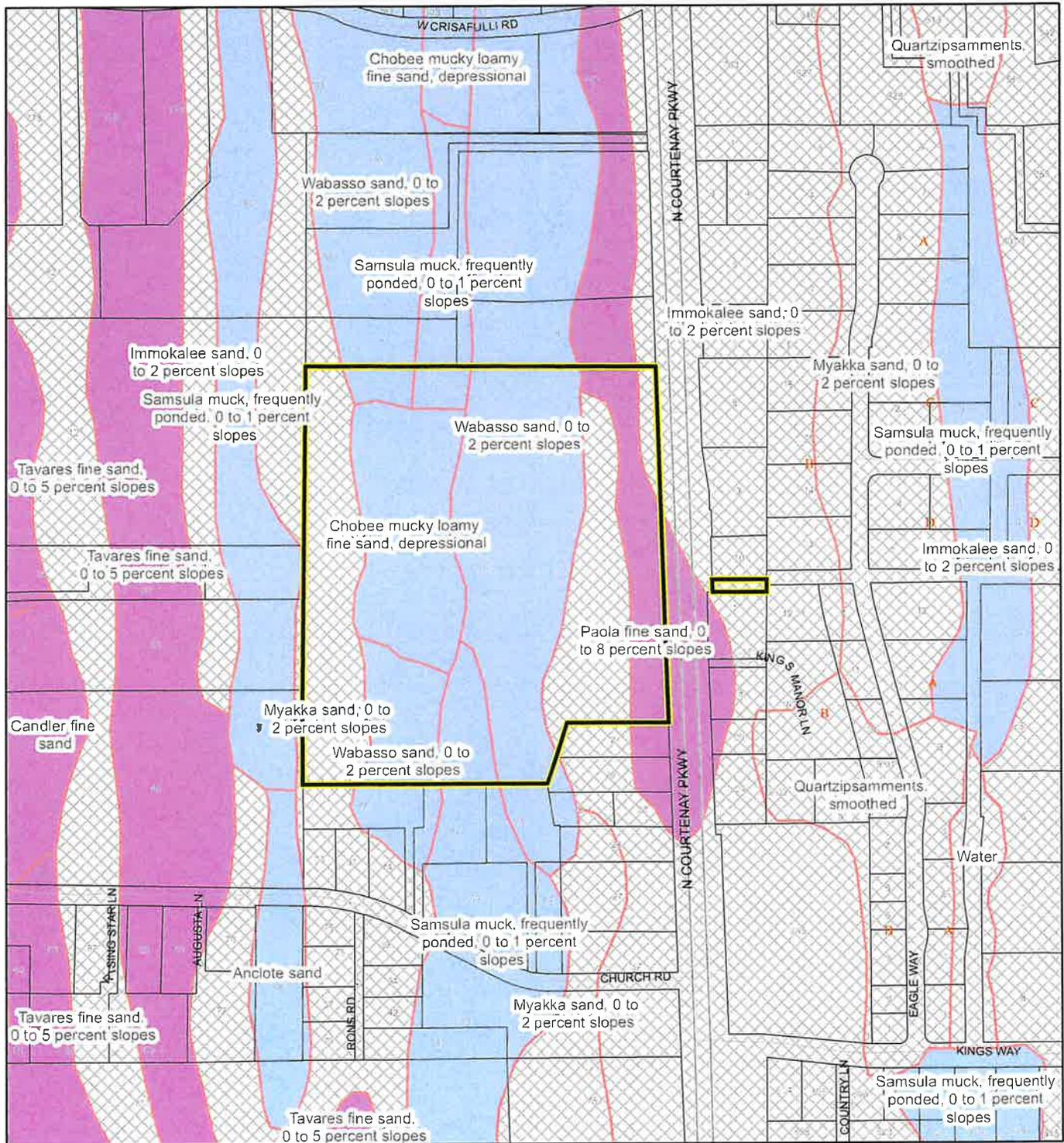
## SJRWMD FLUCCS WETLANDS

- 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

DICK HOLDINGS LLC  
25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

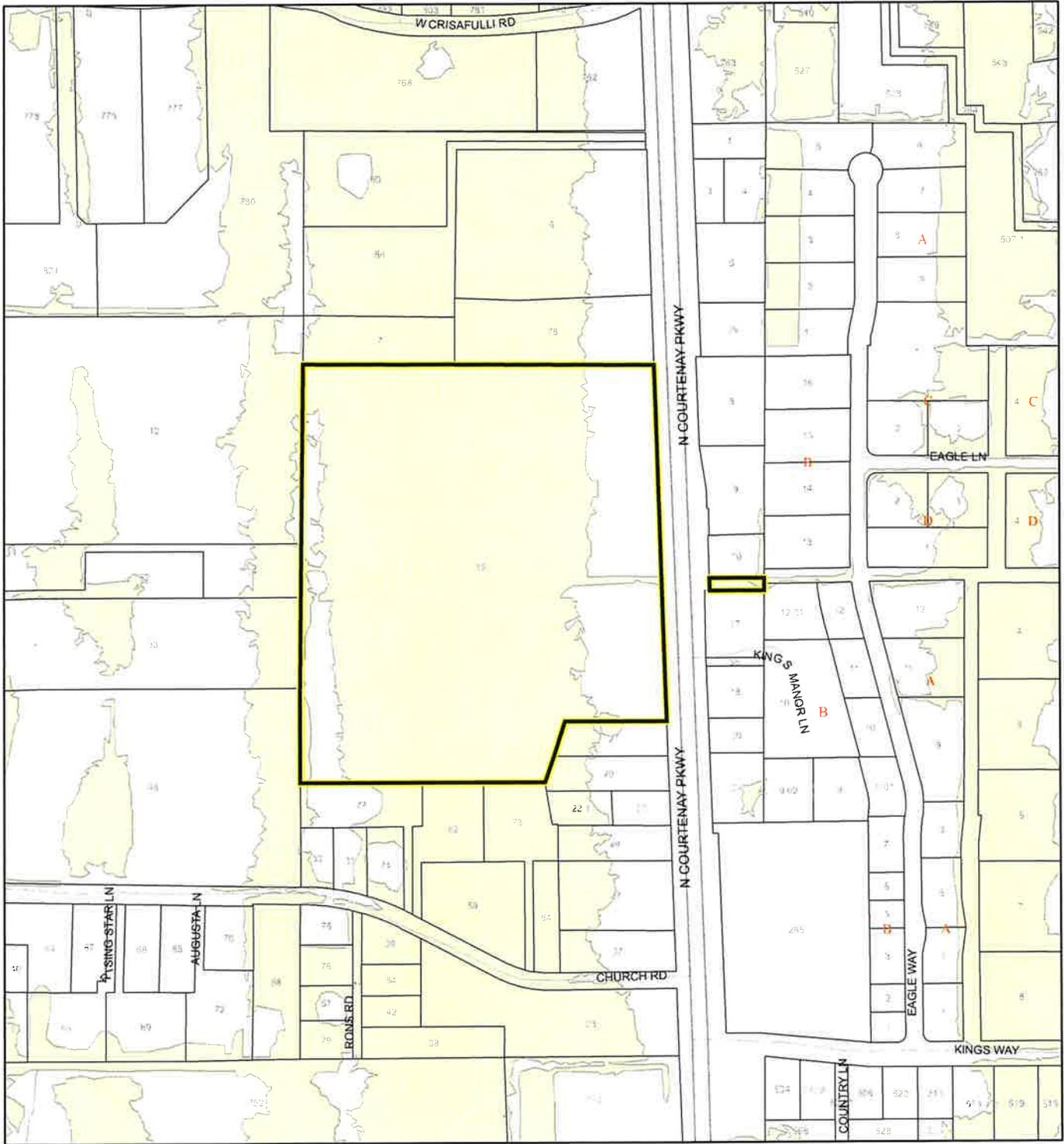
## USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

# FEMA FLOOD ZONES MAP

DICK HOLDINGS LLC  
25Z00033



1:4,800 or 1 inch = 400 feet

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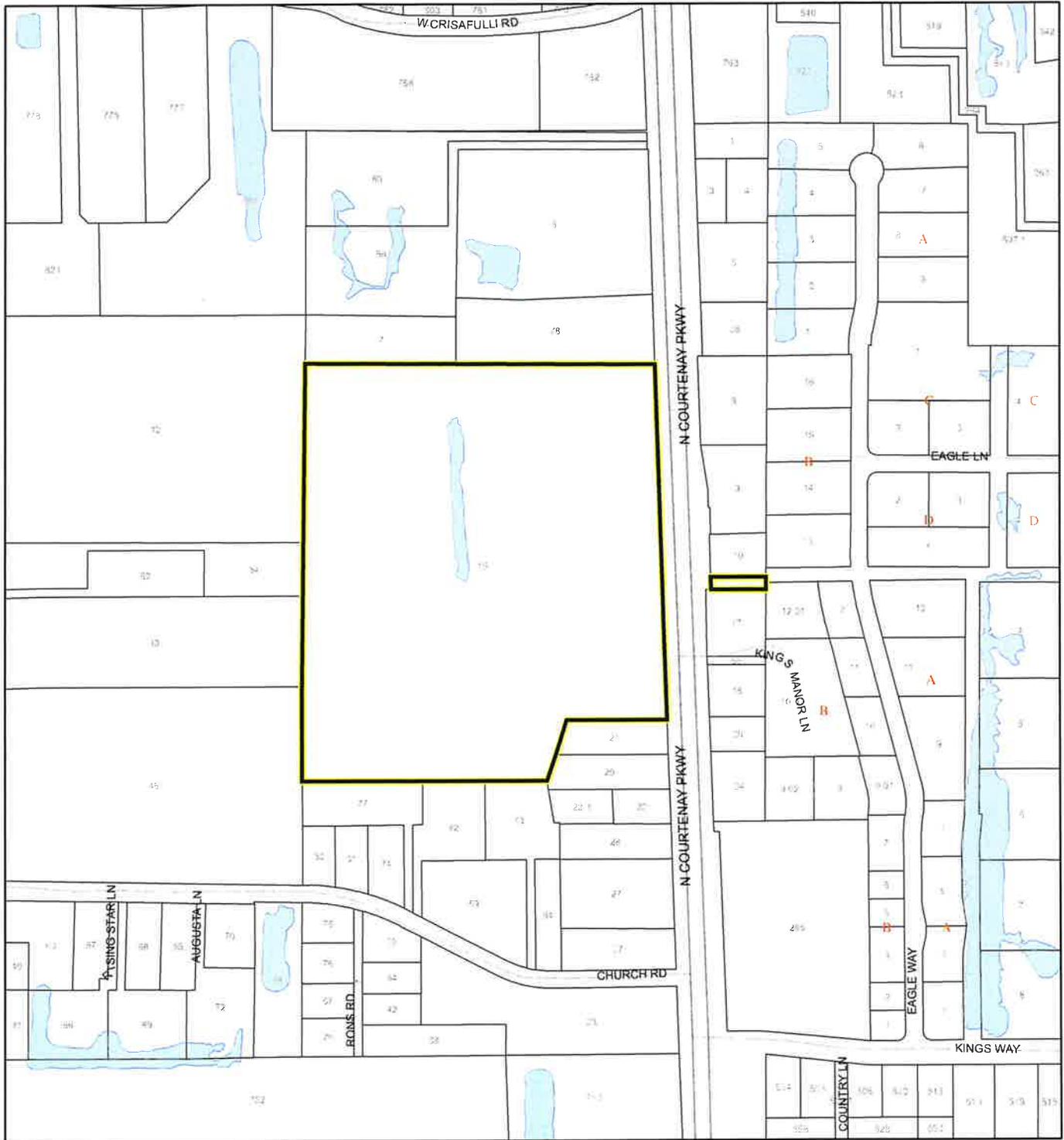
Produced by BoCC - GIS Date: 10/7/2025

### FEMA Flood Zones

- |                  |            |   |
|------------------|------------|---|
| A                | AO         | X |
| AE               | Open Water |   |
| AH               | VE         |   |
| Subject Property | Parcels    |   |

# COASTAL HIGH HAZARD AREA MAP

DICK HOLDINGS LLC  
25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

 Subject Property

 Parcels

### Coastal High Hazard Area

 SurgeZoneCat1

# INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

DICK HOLDINGS LLC  
25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

 Subject Property

 Parcels

**Septic Overlay**

 40 Meters

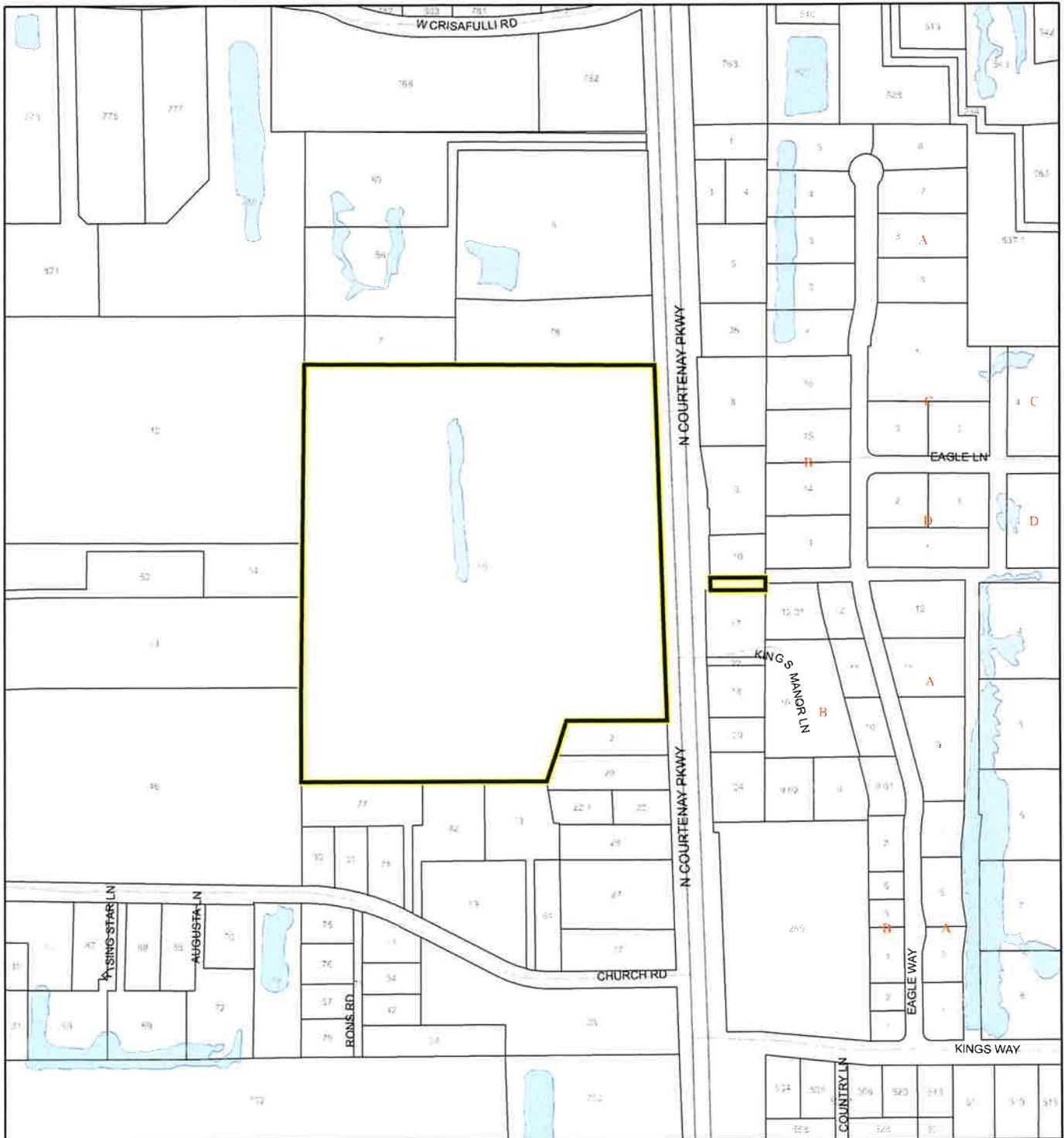
 60 Meters

 All Distances

# EAGLE NESTS MAP

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

 Subject Property

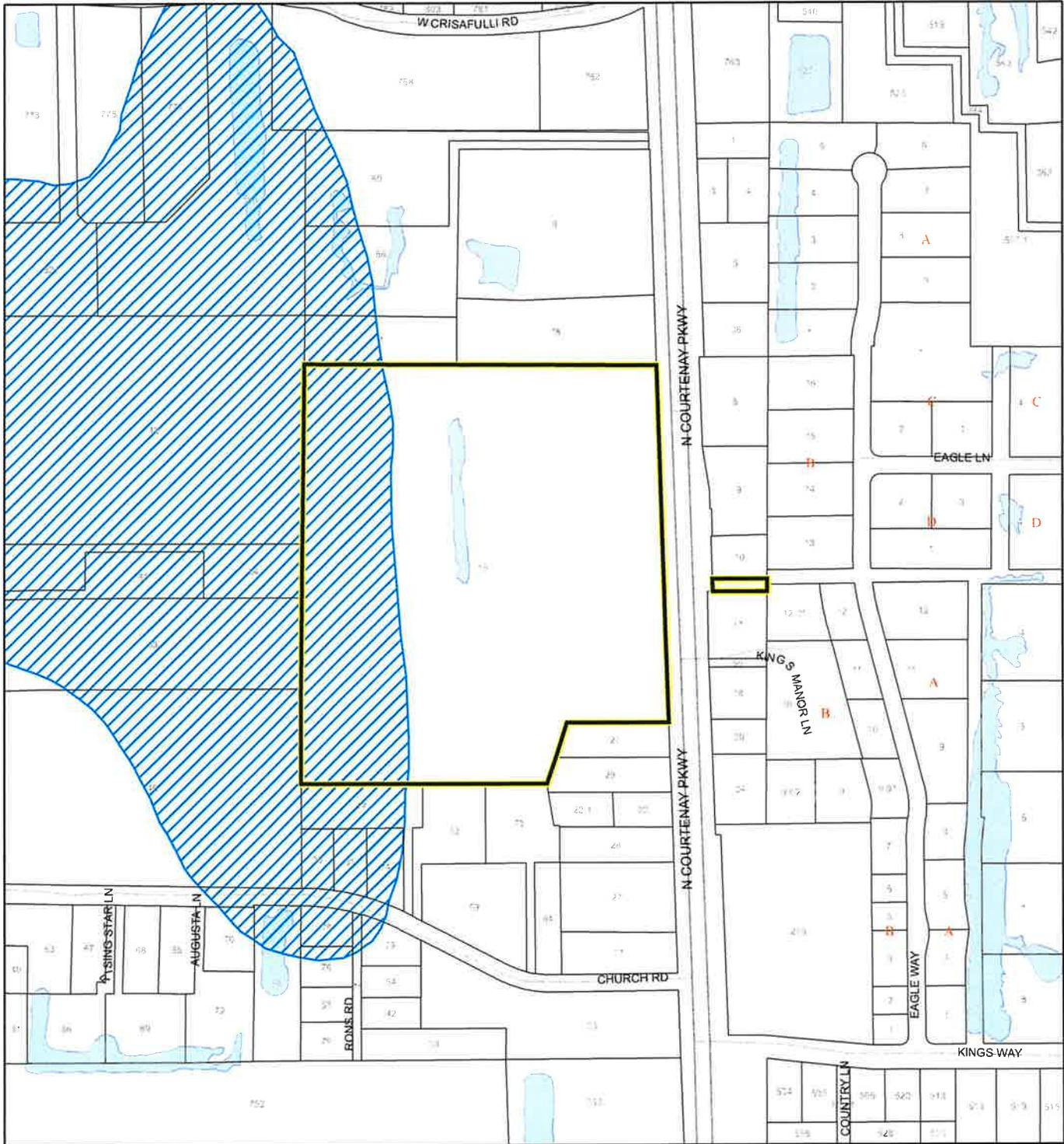
 Parcels

 Eagle Nests FWS

# SCRUB JAY OCCUPANCY MAP

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

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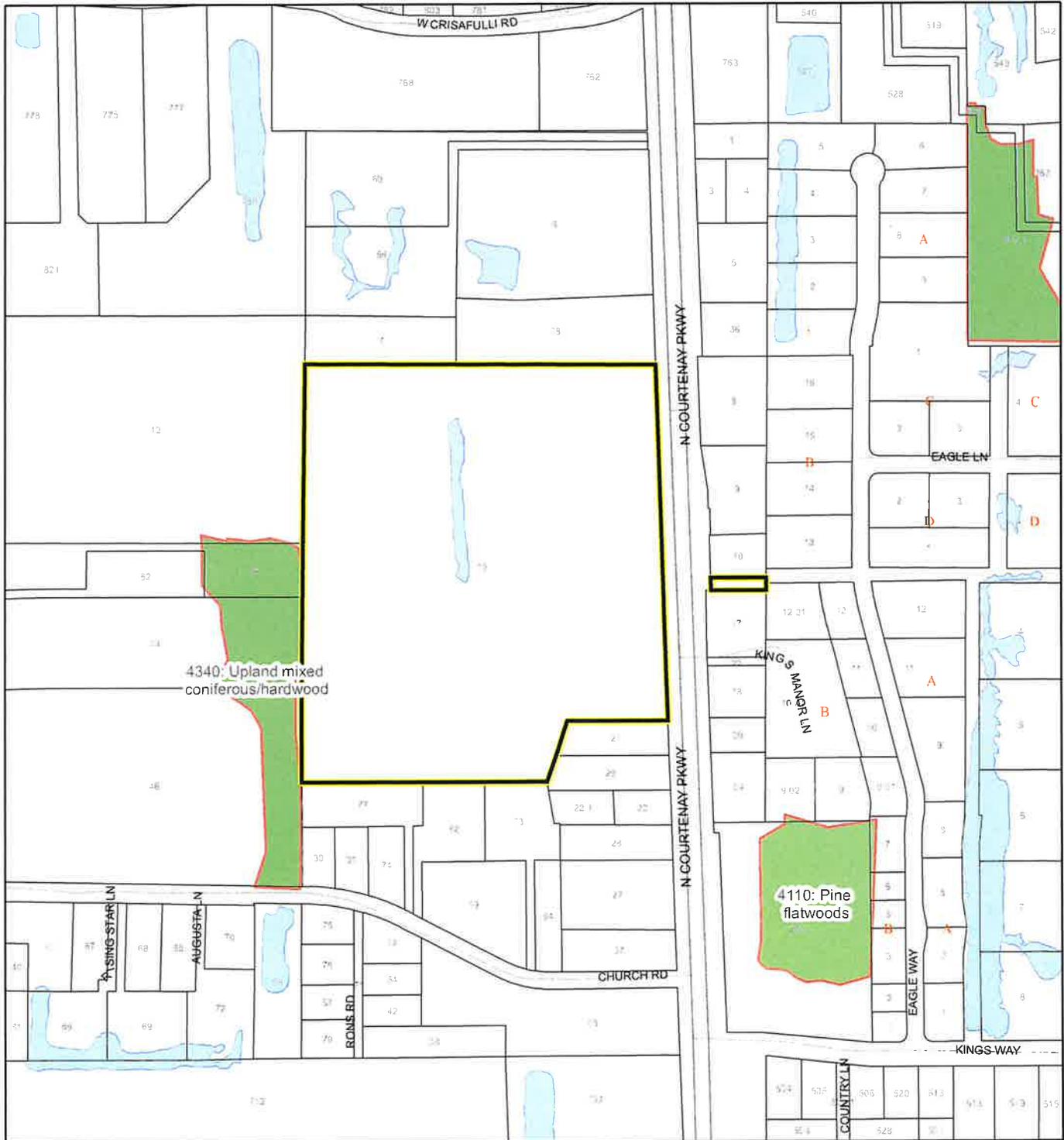
Produced by BoCC - GIS Date: 10/7/2025

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

# SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

DICK HOLDINGS LLC

25Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/7/2025

## 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

## North Merritt Island Dependent Special District Board

The North Merritt Island Dependent Special District Board met on Thursday, November 13, 2025, at 6:00 p.m., at the Merritt Island Service Complex, 2575 N. Courtenay Pkwy., Second Floor, Merritt Island, Florida.

The meeting was called to order at 6:13 p.m.

Board members present were Mary E. Hillberg, Chris Cook, Jim Carbonneau, and John Speck.

Staff members present were Trina Gilliam, Planning and Zoning Manager; George Ritchie, Planner; Alice Randall, Operations Support Specialist; and Jordan Sagosz, Operations Support Specialist.

### Approval of the April 10, 2025, NMI Minutes

Motion by John Speck, seconded by Jim Carbonneau, to approve the NMI Dependent Special District Board minutes of April 10, 2025. The motion passed unanimously.

### Item H.1. Dick Holdings, LLC (Vaheed Teimouri) requests a CUP (Conditional Use Permit) for a private heliport in AU (Agricultural Residential) zoning classification. (25Z00033) (District 2)

Trina Gilliam read the application into the record.

Vaheed Teimouri representing the property owner spoke to the request. He stated they had been here before, a few years back for rezoning of the property. Since then, a house was constructed and access designed. A lift station had to be put in place among other things to qualify for a conditional use permit. We've met all the requirements. There's no infrastructure for the helipad itself. It will land on the ground or on his trailer. Very occasionally landing only during morning. It's a very quiet aircraft. We have setbacks from all the property lines, 500 feet in an area of 40x40 right in the middle of the property. It's surrounded by a variety of many trees. The property is well kept.

Mary Hilberg asked what type of work do you do?

Mr. Teimouri responded he's a professional civil engineer and been in business since 1995. We did the design for his work and then the research for application submittal for the conditional use permit.

John Speck asked about the approach or landing flight path.

Mr. Teimouri responded we have that. We did a drone of the area which will be available Monday at the Planning and Zoning meeting. We did the flight path with the drone at the height of the approach.

Evan Dick stated he's the only one flying the helicopter. He bought it a year and a half ago and has been flying it in this path. I've bought an additional 21 acres to the west, so that gives me more options. In general, I don't descend below 500 feet before I'm in my property. 500 feet is the normal, most popular flight altitude for a helicopter, so it shouldn't affect anyone more than an overflight because I'm over my property by the time I start my descent. We are coming from the south and then turning north over my property, over that embankment. I'm at 500 feet that whole way. It's no different than anyone else flying. I start my descent once I'm over my grove.

Mr. Speck stated there is a helipad on South Merrit Island, and it has a flight path that you're probably familiar with.

Mr. Dick stated Dr. Neazi's, that one was never approved by the county, it was approved by the FAA. I've had my approval from the FAA for a while. I have my designation. There's nothing stopping me

from continuing to land like I have been. I just want to follow every rule that I can and because it's a helicopter you have something written in the county ordinances that you have these rules on helipads and I'm abiding by all those rules. But, if you say "no, we're not going to give you a helipad" it doesn't change anything, it will just leave it open for you to put something that bans helicopters in Brevard County. This is just to protect that because I've invested a lot of money in this, and I want to continue and be able to land. I've been averaging about twice a month, so it's not very common and I believe the noise is a lot less than most traffic on Courtenay.

Mr. Speck stated I think it's important that people know that you will be coming and leaving in the same direction. That corridor, approach and landing is important to me because I've had situations where you're right under the approach and landing of whatever it is that's flying there. People need to know that lane, I think.

Mr. Dick replied we have something written up and we can stick to that or I can.....

Ms. Gilliam stated your flight path is there in front of you.

Ms. Hilberg stated the flight path is right here. The red. This is where the helipad is.

Ms. Gilliam stated the proposed flight path is on the contour map.

Mr. Speck stated so that is from the river side and only on that path. Okay.

Mr. Dick stated once I'm at 500 feet there's not much....so I will go the direction I'm going unless there's something.... Airports have noise sensitive areas, like Merritt Island, they'll draw circles. So, we can come up with noise sensitive areas and I'll avoid those.

Mr. Speck stated his main concern is the residences down here. It looks like you're trying to do the flight path around them.

Mr. Dick responded yes, I have options because I've almost doubled the size of my property.

#### Public Comment

Kirk Logsdon stated he's not familiar exactly where the helipad is located. You were saying coming in from the river, but there's 2 rivers. West side or the east side?

Mr. Dick replied to the west side. I will never fly over Courtenay because that's a restricted area.

Mr. Logsdon asked what the purpose is for having the helipad there. There's an airport a few miles down the road.

Mr. Dick responded we can't get a hangar. I've tried for a decade to build a hangar at Titusville and Merritt Island. I do have a hangar at Merritt Island. There's a powerline that runs there so I can't get a helicopter underneath. It's been very frustrating to find a place for it. I had temporary storage at the usafs ramp and they're trying to kick me out because there's an eastern European company that bought it and they want to manufacture a light sport there. So, it's been very difficult to find a place for it. And the main reason I have a helicopter is the same reason I have a motorcycle, is to give neighbors and friends rides.

Mr. Logsdon asked if this is a commercial thing. Or just joy rides for friends and neighbors? What is the purpose of having this helipad located at this location? Is this a single one? Is this going to turn into 2 times a day? Is this going to become a commercial entity? I'm worried about the amount of traffic we're going to see, the amount of noise. What are the possibilities of some kind of incident like a crash? I don't want a helicopter crashing into my house. I know I'm on the other side of Courtenay, but things happen. I'm concerned about the automobile traffic. We don't need another airport in north Merritt Island. I'm not at all in favor of this.

Celia Williams stated she's seen a lot of action. A lot of storm action there since 1998, many storms, which have provided a lot of flooding opportunities. I appreciate him doing all his homework, but there is a problem with flooding and that property is the crux of the issue. That's where a pump resides, and I do blame the county for not coordinating the transition of pumping water from those properties when they were groves to now being owned by private people. I think for this gentleman to get this ability to fly a helicopter and having joy rides, I think it's more important that that property flooding be resolved. That flood water comes all the way down to my property. All my neighbors are also affected by the lack of flood control at that property, at that pump. And I think that that issue should be resolved before we have a helipad there for joyriding.

Thad King stated he's a career professional commercial helicopter pilot. I've been flying for about 24 years. Mr. Dick's helicopter is a piston driven helicopter. It's not a loud helicopter compared to.... The rocket launches are multiple times louder than that aircraft makes and the Brevard County mosquito control helicopters, much larger helicopter and flies back and forth doing their spray thing. If there's a concern about noise, it's minimal. Number 2 the west side of Courtenay is a restricted area. It is illegal for him to fly on the west side. If you live east of Courtenay, you cannot fly there, or you'll be charged and lose your license. Just a little perspective from a career helicopter pilot. I live in the area, and I would not have a problem with... it's not going to be an issue.

Darleen Hunt stated she and her husband have absolutely no objection to the request for a CUP for a private heliport on Evan Dick's land. I have seen and heard Mr. Dick's airplane flying over maybe 3 times. It's not too loud, it's really pretty. It's white, like a hospital helicopter. I highly recommend that you approve his request.

Marijeanne Simank stated we do have flooding. Our street has been flooded just in the storms we had 2 weeks ago. I'm afraid our home values are going to depreciate. We have quite a few homes over there that literally look onto that property. We can see it. We hear it. We'll know when they're coming down, when they're going up. My fear is that not only my home will depreciate but so will the other ones in our area.

Eric Marlowe stated he owns the 4 acres that directly abuts the subject property to the north. I have no objections. I'm pushing for approval. My biggest argument is that everybody has concerns about development and we finally have somebody who is taking a commercial property, converting it to agricultural and using it for recreational purposes. Isn't this what we all want? The lack of development. To change things around. The recreational use of this property ensures that it is not going to be developed, and I think it's a great use of the property. The helicopter's had minimal impact. He's done his research. He's trying to do things the right way. What more could we ask for? Living on Merritt Island we don't need another couple hundred homes on this property. A helicopter from time to time just makes sense. Mr. Dick is the only reason that we can move water from all of our properties up there because he does own the pump station and he's extremely helpful at

investing in that pump station and making sure it works properly. Every time we have rain, and we go under water I call Evan and say hey can we turn the pumps on, absolutely, it's been running. It's the only way we move water out of that Crisafuli basin. We have no other options. Unless you know of one. The county's not going to do it. We must take it upon ourselves. The previous owner did nothing, so we're very fortunate that Mr. Dick does move that water for us. I'm for approval.

Joseph Matta asked would the circling approaches happen over adjacent properties. I only ask because I live there, and I can only imagine the possibility that maybe a helicopter might circle over my property. That's my only concern.

Franklin Bean stated this is a quiet aircraft, it's not a turbine engine like all the jets you hear. It's a 3CF, it's like the small airplanes you see. With him only wanting to use it a few times a month the noise level is very inconsequential. Having a helipad there, in an emergency, the county, the state, anybody could land and bring in medivac or whatever is needed. I'm to represent the neighborhood, but I work for the FAA. He's done everything that needs to be done legally, and I think it could help our neighborhood. I didn't know how bad the water situation was but now that I'm aware that his pump station.... Evan has done more to help minimize development here by buying up the properties and I like the cattle on it.

End public comment.

Mr. Dick stated a circling approach is a pilot term specific to airplanes because you need to go at a certain speed and a helicopter you can go pretty slow, slower than I ride my motorcycles. Any circling approach would be over my property, and I don't see any reason for flying over any other people's property. 99% of the time there's enough wind for me to basically stand still. I land in the center of my property. I don't think there's any other county in Florida that has this strict rules for helicopters. Most counties don't have any rules for heliports. This one requires 500-foot setbacks, so I'm 500 feet from anybody else's property, where I'm landing. Which is part of the reason I had to go through all this effort of landing in the center and then building a special trailer and getting a golf cart that can pull it into the building. I'm not lifting any property. When we have flooding like we did the other day clearly, I'm not landing the helicopter. As far as flooding goes when I came to the property there was no pump. I've spent many tens of thousands of dollars to build a new pump. I've removed pepper trees. I'm trying my best to mitigate the situation. I understand a couple weeks ago it was pretty bad; it was bad for me too. Everything in my containers where my motorcycles are, everything got flooded. I'm running the pump when I can. The problem is sometimes it has no place to go. I will run the pump and I'm hurting people to my south, and I don't run the pump and the people to the north collect water. I can only do what I can on my property. Sometimes it just doesn't flow after going underneath Courtenay and I would love to work with the county to try to solve that or potentially try to find a way to... this last one I was out of town. I didn't know that the rain was coming. It was kind of unpredicted. Normally we would run the pump for several days before anything and get the area really dry so it would absorb some of that. I apologize for not knowing, although Minola was there running the pump when I wasn't there. Hopefully we'll do an even better job next time. I understand the traffic. I want less traffic. I drove through this same traffic as everybody else to get here. This was specific to launches, but now at 2:30 there's always traffic. I have now bought 50 acres up there and I'm just one person who's not even living there, it's not even increasing the commuting by 1, so I'm doing my best to reduce traffic. Think about if I'm denied this and I have to put the property up for sale and somebody else were to have the 50 acres chances are they're going to do, with the kind of money that 50 acres is worth, they're going to put something there that's going to increase the traffic a lot

more than me occasionally having a friend come for a helicopter ride. I think if anything it should be increasing the value because I've taken what was dilapidated 50 acres and removed all the pepper trees, I'm cleaning it up, I'm planting mangroves, I'm trying to make it a lot prettier. I live a mile from this property as well and obviously I want property values to go up as well, but not by increasing the density of housing. I'm never flying over people's houses and a helicopter, unlike people think a helicopter can't glide, a helicopter has about the same glide ratio as my old seaplane. It's about 4:1, so if I were to lose my engine, and this is what I mainly practice when I'm taking lessons, I'm going to auto rotate and the first thing I'm going to do is point to a field or a vacant area. The reason I have floats on my helicopter is because the easiest thing to do around where we live is to go to the water. So, there's no place I can lose my engine where I can't just go to the water. And because I'm a new pilot I don't my floats are permanently inflated because it's one less step to do in an emergency when I might be just trying to land it. It's a brand-new helicopter after I bought it at the factory, I'm getting it professionally maintained. It's certified. I wouldn't be flying my family and friends if I thought there was any chance of me crashing. It's not commercial and I'm not going to fly anybody commercially. I won't take money; I only give rides for amusement and for neighbors and to sightsee. I just had a bunch of astronauts in town for the New Glenn launch and I took them for a tour to see the rocket on the launch pad at Cape Canaveral.

Mr. Speck stated someone mentioned using it as an evac. I know they land helicopters at Ellington Park all the time.

Mr. Dick replied yes, you can use it for evac right now. I have a property in North Carolina, and they asked me permission; I said yes. You don't need a helipad to use it. They may make it more obvious once it's on the Federal Aviation charts but mine is now on the FAA charts. So, they know exactly where it is, and they can land there right now. It's just going to look like grass area that happens to be flat, and they'll know to land, and I welcome to do that. They wouldn't even call me to ask, they would just do it because now it's on the FAA charts.

Mr. Speck stated we would now have 2 places to land the helicopter for evacs.

Mr. Dick replied they don't land anywhere that's nice and clear and open and when they see an H on aviation charts they'll know, and that's already happened because FAA gave me approval within 6 months of me asking.

Ms. Hilberg stated on page 36 it looks like the survey. What are these things on the side?

Mr. Dick responded that's the pumps. I own the pump, and I own underneath. So, this is for me to keep it clear. I can get the water to this part, but it continues onward. This is just so I have ability to clean the tunnel underneath Courtenay.

Ms. Hilberg stated this other side of Courtenay is a pump.

Mr. Dick replied no, the pump's over here. This is a canal and a culvert underneath the highway and then a canal again.

Ms. Hilberg asked, "what is this then?" "What are these 2 pieces here?"

Mr. Teimouri responded those are culverts.

Ms. Hilberg stated here's the property here and there's this big circle around it that says buffer. What does that mean?

Ms. Gilliam replied that's the radius for 1,000 feet.

Mr. Teimouri stated that's the radius for advertise purpose.

Mr. Speck inquired if there was anyone present to represent Church Rd.... and you all were on the negative side of things, correct.

Ms. Hilberg stated what I'm concerned with and evidently the county is also the flooding and elevations. The elevations are low. Through the middle of North Merritt Island, through the middle of your property is a ditch. That's where the water goes, from the south to the north there and it's difficult for properties on each side of that because if you block that off people to the south are going to flood and there's no where else for it to go. It's nice to have something that's not developed and hardened and you're not going to put cement and asphalt roads in. It's staying green.

Mr. Cook stated just as a point of information when we look at these applications, in this case Mr. Dick is a good upstanding person and he's done a lot of good things for the community for us. I always look at what's the worse thing that could happen. Not if he's a good guy or a bad guy. We're not supposed to do that. I think because this is a conditional use permit, it's not a commercial heliport, he's only going to be doing it twice a month, he's been doing it for some time, I don't see anything about noise or circling or traffic. I think the fly in issue is very important, but I think it's ancillary to this application. So, I'm going to recommend approval.

Motion by Jim Carbonneau, seconded by John Speck to recommend approval of the request. The motion passed unanimously.

#### Other Business

Ms. Hilberg brought up the subject of the vacancy on the board and there is a volunteer, Tammy Gaboo. She was the treasurer of the Merritt Island HOA for years. She was an Environmental Engineer with the Corps of Engineers. She's an engineer now at Patrick and she's volunteered to be on the board. We vote on whether to recommend her for the position and then we let the Commission know, then the commission votes on it.

Motion to recommend approval. The motion passed unanimously.

Mr. Cook wanted to make an announcement. As the North Merritt Island HOA president, we have commissioned a park bench for Jack Ratterman's memorial to be put on the trail, Pioneer Trail, that he championed. It's getting engrave right now, on the back it says in memory of Jack Ratterman, North Merritt Island Advocate, Friend, etc. we'll do a little ceremony, and I'll let you know if you'd like to attend.

The meeting adjourned at 7:00 p.m.

## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, November 17, 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); Ron Bartcher (D2); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Robert Brothers (D5); Melissa Jackson (D5); Neal Johnson (D4); Ana Saunders (D5); Greg Nicklas (D3); Erika Orriss (D3); and Debbie Thomas (D4).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; George Ritchie, Planner; Derrick Hughey, Planner; Tim Craven, Planner; Alex Esseesse, Deputy County Attorney; and Jordan Sagosz, Operations Support Specialist.

### **H.3. Dick Holdings, LLC (Vaheed Teimouri) requests a CUP (Conditional Use Permit) for a private heliport in AU (Agricultural Residential) zoning classification. (25Z00033) (Tax Account 2317013) (District 2)**

Paul Body read the item into the record.

Vaheed Teimouri spoke to the application. He stated we started this project a few years back. We needed to rezone the property, downzone it from BU1 to what it is today in order to be able to get a helipad and we had to build a house, so this becomes an accessory to the property and there's a lot of improvement made to the property. It was an ignored orange grove, and I believe my client since he bought it, has been doing a lot of cleaning, a lot of replanting. Basically, he bought this for recreation and that's what he uses it for. There's a lot of improvements made to the property as well as drainage, he's resurrected the pumps and basically pumps that, as everybody knows Merritt Island is a big issue as far as flooding is concerned there and he's been doing that a lot to basically pump water out when the flooding comes in. He's replanted a lot of trees and basically what he wants to use this for, he has FAA approval already, but he wants to use this for his helicopter that he acquired, and he can't really have a hanger in the airport because of how busy they are and what have you. He's tried that for about 10 years. Basically, what he does, he lands it there. It's for his own use and giving rides to his neighbors and friends and is not a commercial operation at all. It's a brand-new aircraft, is very quiet and meets all the setbacks. It basically is going to go right in the middle of that property. He acquired additional 30 acres in the last two years ago three years ago and that's also zoned agriculture. We had our meeting last Thursday I believe at Merritt Island local agencies. A lot of folks were in support of it and those that they weren't quite familiar with it, they got really..... He's also here in the audience and he can elaborate on operation, how he lands it, what he plans for it, and if any questions that you might have as far as anything related to helipad.

### **Public Comment**

Franklin Bean stated he is in support of this. First off, as far as noise ordinance goes, it's not a turbine. It's not a jet engine. It uses engine very similar to what a Cessna or something uses. It's basically that type of engine. Very quiet and it's new. So, it's meeting more noise ordinances. Another thing that I brought up in the other meeting is because this is an FAA established helipad, medevac, any emergency service would know that the helipad exists. And yes, they can land anywhere where there's flat ground, but if you got a choice, a known helipad would definitely be much safer. So, there's kind of a side benefit. And he's already stated that it's only for personal use. No commercial. There's a lot of hoops you'd have to jump through to be commercial on the FAA side, much less over

here on this side. He's a good citizen and helping with the possible, you know, the trying to avoid some of the flooding on North Merritt Island. I know it's not part of this exact thing, but I'm in support of it.

End Public Comment

Henry Minneboo stated I'm going to ask you a question. To the best of your knowledge, have you ever seen any kind of a helicopter permit for the entire length of Merritt Island from down at the Dragon north to what now is the space center?

Mr. Teimouri replied I have not.

Mr. Minneboo then inquired you have no knowledge of ever seeing one other than Merritt Island International Airport.

Mr. Teimouri replied correct.

Mr. Minneboo responded that's the only place.

Mr. Teimouri stated I believe there is another, I refer to my client. He has more knowledge of that. That's a more appropriate question for him if I can ask him to answer that question.

Mr. Minneboo stated to the best of my knowledge; I probably have as much knowledge of Merritt Island as your friend. But I'm going to tell you this, has never been one. It's disturbing to another side of Merritt Island and it's just really easy. But what happens to this board if we make a massive subdivision change and then there is one there. They were quickly pointed out to us that, hey, you cause that subdivision. I take a beating because I've been there so long. So, I get to hear it all from all those people. And now if we say, "Well, let's just let one helicopter in." Let me assure you, with SpaceX sitting on all over us, they're on both sides of me, I see more Teslas there than at the dealership. That's coming next. And I'm not going to support this at all. I'm disappointed in the HOA. You can say whatever you want about it, but for them, they never support anything and for once they finally supported something and they ought to change their name to the homeowners association to the helicopter organization association because it's just they never support anything. So, I'm massively along with so many people in our neighborhood against it.

Mr. Bartcher stated he had a couple questions. Does the owner have a private pilot's license?

Evan Dick responded yes, I have an ATP pilot's license. But I'm only private pilot for helicopter. I keep my fixed wing in Merritt Island, but I'm very experienced and I understand your concern in that I am very familiar with the homeowners association in North Merritt Island denying everything. I think the reason why they approved this is because it's not like there's going to be a lot of other heliports. I have 50 acres. There's not that many places where you can have 50 acres. You need 1,000 foot by 1,000 foot to be able to get the 500-foot setbacks in the center. So, you have to accumulate a pretty large property. That's why there are no other ones. I believe Brevard County is the only county that has restrictions on helicopters because other counties they just defer to the FAA, which I've had approval for a year and a half now and I have the number. There are actually no laws, like what's the enforcement of landing a helicopter, because the FAA says if you own the property you can land on it. I have been landing on this property for the last year and a half. I fly twice a month, usually on Wednesdays, and none of the neighbors have even noticed because with the size of property I have,

I don't even begin my descent till I'm over my property. I descend; I land in the center of it. Nobody's had any complaints, and everybody kind of likes the idea that this is 50 acres that's not going to be developed because I'm using it privately just for me and my family and my friends and a lot of the neighbors that I'm friendly with to give rides and there's not going to be 50 houses there. I went the other direction of taking something that was zoned non-agriculture and turned it to agriculture and I'm planting trees there. And I just bought another 21 acres and I'm doing the same thing. That had a business plan for residential and I'm making it agricultural. Just planted 500 more mango trees there. I'm happy to answer any questions, but I think people hear the word heliport and they're very much against it, but I'm trying to, like he said, I could have done this at an airport except that I've been trying to build a hangar at either Titusville or Merritt Island Airport for ages because I have certain constraints. It has not gone anywhere. So, I do rent a hanger, an existing hanger in Merritt Island, but there are power lines. I can't get a helicopter safely there and I need to land on a dolly because it's not like you can push your helicopter around. It needs to land on a dolly and pull it in. So, it's just not practical to be there. I have temporary storage for this because I started this process almost 3 years ago and I ordered the helicopter, I thought I would be able to have a place to land it by the time I had approval. I've had temporary storage in Titusville at the USATS ramp, but that was just sold to an Eastern European company and they're putting in light support. They're constructing light support aircraft there. So, I had no place except for outside to keep a helicopter, and brand-new helicopter kept outside becomes less safe because of the saltwater corrosion. I'm happy to answer any specific questions.

Mr. Bartcher stated back to my question, isn't there another requirement besides just a private pilot license to fly that particular helicopter.

Mr. Dick replied yes, I have that.

Mr. Bartcher said the SAR number 7.

Mr. Dick responded absolutely. You're very familiar. That SAR goes away after 200 hours. And I have over 200 hours of helicopter. And about 5,000 hours of other aircraft.

Mr. Bartcher inquired, and you've had more than 50 hours of flight time in the particular model of...

Mr. Dick replied almost all my 200 hours is in that R44. In that type of aircraft. That's why I bought it.

Mr. Bartcher stated you can't fuel it at this site. Where are you going to be doing the fueling?

Mr. Dick responded I definitely cannot, I understand. Titusville and Merritt Island. Usually, Titusville because they have a fuel truck. Merritt Island is a little less reliable, but it'll be one of those two places. I have an account with both.

Mr. Bartcher stated related to your property, it's quite a large property, but I was just thinking what kind of security do you have for the copter itself? Seems like that would be an inviting target for some youngster to say, "I'm going to go try and see if I can fly that."

Mr. Dick replied well, it's going to be stored inside. I've already built the residence, has basically a very tall RV garage, very large RV garage, and the helicopter lands on a trailer. And I already bought the golf cart that will tow it into the hangar. So, everything's already built. That's why this, and I have millions of dollars invested, I was very nervous when people were thinking about denying that. I don't

even know what it really means though to deny it because it's, what is a heliport. It's just something that was written in the county rules and I want to follow all the rules. But I'm not breaking any law to land on my own property.

Mr. Bartcher stated I've heard some concern about it being loud and I did some research on that. It's about 100 DB if you're next to it. But if you're 500 feet away, which is where you normally fly, it's only about 66, which is like an average conversation. I don't think the noise really is a concern.

Mr. Dick responded another thing I've used on this property, my son does motocross and I have a little track for him and the motorcycle is much louder and I haven't heard any complaints, and neighbors both to the south and to the north of me shoot guns.

Ms. Orriss asked staff if there is an acreage that's required in order to have a heliport on your property.

Mr. Dick responded it's a thousand by a thousand minimum if you had everything perfect. I don't know how many acres that is. Your county has a 500-foot setback, so you have to be 500 feet from everything.

Ms. Orriss replied that's what I wanted to know.

Debbie Thomas stated I have no problem with this. Just abide by everything that you said. I think that you have made a point of doing the right thing by the community and making sure that you have enough land to be able to do this. But I just want everybody out here and at home to understand you're going to be taking off and then going straight up and then when you come down, you're going straight down. So, it's not as if you're going to be impacting any existing residents around you.

Mr. Dick responded I won't be flying any lower over those residences than any other helicopter that happens to fly over there. I have been doing this for a year and a half. Nothing's going to change between what I've been doing for the last year and a half. Like I said, there's no rule against, no laws against me landing, but you guys, the county could come up with a law against it. And that's why I'm going through this process.

Ms. Thomas stated Absolutely. No, I think this is a great idea. I don't have any problems with it whatsoever.

Mr. Dick replied and half the people I've given rides to are neighbors of North Merritt Island residents.

Ms. Gilliam stated to answer Miss Erica's question, there is no acreage requirement, but there is a requirement 500 feet from every property line.

Ms. Orriss replied so therefore, we're setting a precedent. If we say, okay, if we say go ahead and build this heliport, we are setting a precedent.

Mr. Dick responded how many other properties have that size footprint.

Ms. Orriss replied they don't, but they don't require that size. Staff just said they don't require the size of property that you have.

Mr. Dick responded I pretty much have what I started this permit with. It's about 20 some acres, is the minimum to have a 1,000 by 1,000. I can't do the math exactly but is around 20 some acres.

Mr. Hopengarten asked are you going to harden the pad. So, to trail it back?

Mr. Dick responded right now, I'm planning to just continue to land on the grass. So, there I'm not even asking to construct anything, but I want to leave that as an option. I'm not hardening it. I'll just pave it, like put a driveway to get to it. I bought a 4x4 golf cart, but it might be nicer to have a smoother path to bring it.

Mr. Hopengarten replied I noticed in your documentation that you were going to put an "H" on it. That's why I was asking if you were going to harden it. Putting it on the grass. It's going to have to be painted.

Mr. Dick responded I have to paint lines every time I land because to land on the dolly, I don't want to be looking down. I want to be looking straight ahead. So, I have a painted line in the grass. But yeah, that is something I'm considering. But obviously, the first step is to get approval to have everything for the county set. And then whether I make it a little 20 by 20 area and then put a driveway in. I'm not sure.

Mr. Hopengarten asked are you going to put any lights out there.

Mr. Dick responded no. If you look at the ordinances, I'm not allowed to land at night. I'm not allowed to fly more than twice a day. I think it's I don't know. I fly twice a month, but somebody spent a lot of time putting in the county a whole list of rules for the heliport, but you're right that there aren't many out there. The other attempt in Merritt Island was Dr. Nyazi, but he lives on a one-acre plot, so he could never satisfy the setbacks. So, he tried to do it without having any setbacks.

Mr. Hopengarten stated I live just north of you. And I always wondered what was in that building there because all I saw was garage doors. That pad is going to be pretty close to Courtenay Boulevard.

Mr. Dick responded it's more than 500 feet away.

Mr. Hopengarten stated not my point. My point is that when you're landing or taking off, you might become a distraction for the drivers. Would you be willing to plant a row of trees between your pad and the road?

Mr. Dick replied I'd be happy to plant whatever you'd suggest. There is requirement of a barrier but we were thinking as we plant more trees like our mango trees, we just planted 500 more, that will become a natural barrier, but if there's any recommendation for me to plant additional trees I'm happy to do so and I'm also happy if you live in North Merritt Island to give you a ride and you can see for yourself.

Mr. Hopengarten stated that was my next question was it said in the application that you give rides to your family and friends. How many friends do you have?

Mr. Dick responded not enough. I'd say I fly a lot of the time solo just to stay current. So, I'm always happy to give rides. I helped the police looking for downed aircraft because I was just flying for currency reasons at twice a month, and they needed help. So, it was fun to do. So, I'm just doing this

for recreation. I'm happy to take people for rides. For this Blue Origin launch, the New Glenn 2, I took seven astronauts who are visiting from out of town and out of the country, just tours to go see the launch pad from the air. And about Courtenay's distraction, I will never go east of where I am because there's restricted airspace along Courtenay. So, everything to the east of Courtenay is restricted and no aircraft aside from NASA's can fly there. So, I'll always be coming from the west and the southwest.

Mr. Hopengarten continued I was just worried about the distraction that a helicopter taking off and landing as the traffic goes by people will tend to look at it. That's why I'm looking for a buffer. Would you be willing to sign a BDP to do that to have to plant a tree barrier buffer?

Mr. Dick responded I guess so. But I've already been planting. Are you familiar with all the trees that have been planted there?

Mr. Hopengarten replied yeah, but there pretty far between.

Mr. Dick responded we need to save space for as they're growing. We've planted the most recent. We did 500 last year and another 500 this year. Those are Valencia mangroves, the Valencia, which are going to grow the fastest and they're going to be 20 foot tall. If you look in the back of Eric Marlo's property, you can see how big those Valencia are going to be in a year or two. To try to get something that's about the fastest growing tree for that area, to try to plant something that's going to be a similar height to that and grow that fast, I don't know. I don't know what I would do, but I'm happy to show you and take any advice. I'm employing the person who planted the orange grove originally, 30 years ago. He's my property manager. He works full-time there, and he's been planting the trees and I'm happy to take your, or his advice on how we can get more growth beforehand, but you'd have to have really high trees, and you don't really want high trees for safety reasons when you're flying a helicopter around. In fact, one of the things I'm doing right now is removing the power line which is costing over \$100,000 just to the power line to that pump. The pump is serving not just my house, it's serving all the houses around me, and I don't want that pump to ever go down, but I also don't want to have power lines there because it's just a distraction. I want trees, but 20 foot or so is about as high as I'd want.

Mr. Hopengarten stated that would be sufficient.

Mr. Dick continued I think what I have there right now, including the stuff that I just planted that might look small, look at the ones that we planted last year and see how much bigger they are. I think it's just going to be a year or two and you're going to see a lot more vegetation between the road and where I will be landing.

Robert Brothers stated you're doing a public service. You're doing everything that we think we can think of to badger you with, you've already thought of and are doing it. You don't have to get this approval, but you're going for it, just to be a nice guy. I don't understand any reticence from this board to not give him approval. Then just like we said, emergency services and the sheriff and they can use your helipad. If there's no helipads in Merritt Island, for goodness sakes, why isn't there?

Mr. Dick added and if the drawbridge were to break, which has happened in the past.

Mr. Brothers continued I think Merritt Island has grown up enough to have a helipad.

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Motion to recommend approval of Item H.3. by Debbie Thomas, seconded by John Hopengarten.  
Motion passed with a vote of 12:1

Meeting adjourned at 4:27 p.m.