



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.8.

7/13/2023

Subject:

Robin Bland (Scott Gold, Brevard County Fire Rescue) request a change of zoning classification from AU to GML (I). (23Z00030) (Tax Account 2318407) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from AU (Agricultural Residential) to GML(I) (Government Managed Lands, Institutional).

Summary Explanation and Background:

The applicant is seeking a change of zoning classification from AU to GML(I) for the purpose of building a fire station. The subject parcel is currently undeveloped.

The proposed GML (I) zoning classification recognizes the presence of lands and facilities which are managed by federal, state and local government, special districts, and nongovernmental organizations providing economic, environmental and/or quality of life benefits to the County, electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission. Activities encompassed within this classification include public services such as post offices, fire stations and libraries.

The developed character of the surrounding area is low-density residential as well as some commercial along N. Courtenay Parkway. The residential parcels in the immediate area are 0.51-acres or larger in size and developed with single-family homes.

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

On June 8, 2023, the North Merritt Island Dependent Special District Board heard the request and voted 8:1 to recommended approval.

Clerk to the Board Instructions:

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

Resolution 23Z00030

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

WHEREAS, Robin Bland has requested a change of zoning classification from AU (Agricultural Residential) to GML(I) (Government Managed Lands, Institutional), on property described as Tax Parcel 765, as recorded in ORB 8002, Page 15, of the Public Records of Brevard County, Florida. **Section 34, Township 23, Range 36.** (2.86 acres) Located on the west side of N. Courtenay Pkwy., approx. 0.34 mile north of Hall Rd. (4615 N. Courtenay Pkwy., Merritt Island); and

WHEREAS, a public hearing of the North Merritt Island Dependent Special District Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the North Merritt Island Dependent Special District Board recommended that the application be approved; and

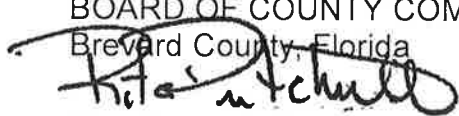
WHEREAS, the Board, after considering said application and North Merritt Island Dependent Special District Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved as recommended; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from AU to GML(I), 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 July 13, 2023.

BOARD OF COUNTY COMMISSIONERS

Brevard County, Florida



Rita Pritchett, Chair

Brevard County Commission

As approved by the Board on July 13, 2023.

ATTEST:



RACHEL M. SADOFF, CLERK

(SEAL)

NMI Hearing – June 8, 2023

Please note: A Conditional Use Permit will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits 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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<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
23Z00030**

Robin Bland

**AU (Agricultural Residential)
to GML(I) (Government Managed Lands - Institutional)**

Tax Account Number: 2318407
Parcel I.D.: 23-36-34-00-765
Location: 4615 N. Courtenay Parkway; West side of N. Courtenay Parkway, approx.
1,800-foot north of Hall Rd. (District 2)
Acreage: 2.86 acres

Planning & Zoning Board: 6/12/2023
Board of County Commissioners: 7/13/2023

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)

	CURRENT	PROPOSED
Zoning	AU	GML(I)
Potential*	124,581.6 sq. ft.	Fire station
Can be Considered under the Future Land Use Map	YES RES 4	YES RES 4

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

Background and Purpose of Request

The applicant is seeking a change of zoning classification from AU (Agricultural Residential) to GML(I) (Government Managed Lands – Institutional) for the purpose of building a Fire station. The subject parcel is currently undeveloped.

The subject parcel was recorded originally in Official Records Book 537, Pages 513 & 515 October 30, 1962. The parcel was subdivided February 28, 1977 recorded in Official Record Book 1722, Page 133. The parcel has maintained its configuration since then. The subject lot is 2.86-acres in size and has frontage on N. Courtenay Parkway. The parcel has been zoned AU (Agricultural Residential) since it received a zoning classification.

Land Use

The subject property is currently designated as Residential 4 (RES 4) FLU. The current AU zoning classification can be considered consistent with the RES 4 FLU designation. The proposed GML(I) zoning can be considered consistent with the existing RES 4 FLU designation. There are four (4) Future Land Use Designations, RES 2, RES 4, Community Commercial (CC) and Neighborhood Commercial (NC), within 500-feet of the subject property.

Applicable Land Use Policies

FLUE Policy 1.7 –The Residential 4 Future land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four (4) units per acre, except as otherwise may be provided for within the Future Land Use Element.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 3 - 5 of the Future Land Use Element.

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;

The hours of operation would be 24 hours, 7 days a week. A fire station is an institutional use permitted in the GML zoning classification. It is not anticipated to bring any odor, traffic or site activity that would diminish the enjoyment of, safety or quality of life in the existing neighborhoods.

- 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 (Master Appraiser Institute) 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 residential and commercial in character. The residential land uses are developed with single-family homes on lots ranging in size from approximately 0.51-acres to 3.09-acres. There are also several parcels in the

immediate area that are zoned BU-1-A (Restricted Neighborhood Retail Commercial), BU-1 (General Retail Commercial) and BU-2 (Retail, Warehousing & wholesale Commercial) with a church to the north and an outdoor storage area to the south that range from 1.46-acres to 2.98-acres. There is a church with IN(L) (Institutional Use – Light) and BU-1 zoning classifications to the south on 4.69-acres.

While the subject parcel contains Agricultural Residential (AU), the rest of the area is a mixture of: Suburban Residential (SR), Mobile Home Park (TR-3), Institutional Use – Light (IN(L)), Restricted neighborhood Retail Commercial (BU-1-A), General Retail Commercial (BU-1) and Retail, Warehousing & Wholesale Commercial (BU-2). zoning classifications in the general area.

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

There has been several developments within 0.5-miles in the preceding three (3) years:

- **14SD-00962, Egrets Landing Subdivision building 222 lots with single-family residences, zoned EU-2, approximately 0.3-miles east**
- **22Z00033 was a Board approved rezoning from AU to RU-1-13 with a BDP to limit development to two (2) lots on October 11, 2022, with one house on each lot, located approximately 0.4-miles from the subject property**
- **21Z00042 was a Board approved rezoning from AU to RU-2-4 with a BDP to limit development to a maximum of two (2) duplexes as well as provide sewer connections to the units, not use the property for resort dwelling purposes, provide an opaque buffer on the west 160' side of the property and remove any Brazilian Pepper trees in the buffer area. This change was effective on May 31, 2022 and is the abutting north property from the subject property.**
- **21Z00047 was a Board approved rezoning from BU-1 & RU-2-30 to RU-2-4 to build three (3) units. This action was effective on March 3, 2022 and is approximately 0.4-miles north off N. Courtenay Parkway.**

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

There are no developments approved within 0.5-miles over the past three (3) years that have not yet been developed.

- 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.

The developed character of the surrounding area is low-density residential as well as commercial. The residential parcels in the immediate area are 0.51-acres or larger in size and developed with single-family homes. To the north is a 1.4-acre parcel developed with a single-family residence and zoned AU. To the south is a 1.48-acre parcel that is undeveloped and zoned BU-1-A. To the east is N. Courtney Parkway. To the west are three (3) parcels, all 0.52-acres, each developed with SFRs and zoned SR.

- 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.

The N. Courtenay Parkway corridor is lined with both developed and undeveloped parcels. Within 500-feet there are six (6) zoning classifications: Suburban Residential (SR), Mobile Home Park (TR-3), Institutional Use – Light (IN(L)), Restricted neighborhood Retail Commercial (BU-1-A), General Retail Commercial (BU-1) and Retail, Warehousing & Wholesale Commercial (BU-2). The closest GML zoning classification is approximately 0.5-miles to the northwest along the Intercoastal Waterway.

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 not for commercial 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.

There is transitional zoning of Institutional Use – Light (IN(L)), Restricted Neighborhood Retail Commercial (BU-1-A), General Retail Commercial (BU-1) and

Retail, Warehousing & Wholesale Commercial (BU-2) to the south of the subject property. To the north and west of the subject property is Agricultural Residential (AU), Suburban Residential (SR) and General Retail Commercial (BU-1).

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-family residence	AU	RES 4
South	Undeveloped	AU & BU-1-A	RES 4 & NC
East	N. Courtenay Pkwy.	N/A	N/A
West	Single-family residences	SR	RES 4

The current AU zoning classification permits single-family residences and agricultural uses on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals and plants nurseries. Conditional uses in AU include hog farms, zoological parks, and land alteration.

The proposed Government Managed Lands (I) zoning classification recognizes the presence of lands and facilities which are managed by federal, state and local government, special districts, nongovernmental organizations providing economic, environmental and/or quality of life benefits to the County, electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission. Activities encompassed within this classification include public services such as Post offices, fire stations and libraries.

The BU-1-A classification encompasses lands devoted to limited retail shopping and personal services to serve the needs of nearby low-density residential neighborhoods. Such uses consist of banks and financial institutions, child care centers, group homes and optical stores. An area of not less than 7,500 sq. ft. is required, having a width and depth of not less than 75-feet.

The SR classification is devoted to single-family residential development of relatively spacious land character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings. An area of not less than one-half acre is required, having a width of not less than 100-feet and having a depth of not less than 150-feet. The minimum floor area is 1,300 sq. ft..

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 41,790 trips per day, a Level of Service (LOS) of D, and currently operates at 34.29% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.11%. The corridor is anticipated to operate at 34.401% 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 site falls below the minimum number of new residential lots that would require a formal review.

The parcel is directly to the west of the main line for Brevard County potable water and sewer. This parcel has access to both water and sewer on the west side of N. Courtenay Parkway which is approx. 25-feet away.

Environmental Constraints

- Hydric Soils/Wetlands Protection
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Overlay
- Protected and Specimen Trees
- Protected Species

The subject parcel contains mapped wetlands and hydric soils; indicators that wetlands may be present on the property. A wetland determination will be required prior to any land clearing activities, site plan design or building permit submittal. Section 62-3695(d) states public facilities may be located within wetland areas if the facilities are found to be in the public interest and there is no feasible alternative. Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts, and will require mitigation in accordance with Section 62-3696.

The western portion of the property is mapped as being within the floodplain 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. 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."

The property is located on North Merritt Island north of Hall Road (Area), thus, is subject to the flood protection criteria contained in Section 62-3724(4), including compensatory storage. Additionally, all development, land alteration, or grading in the Area requires certification by the engineer of record that the proposed development will not increase flood stages, and will not increase the duration of the peak flood stages.

The parcel is mapped within the Indian River Lagoon Nitrogen Reduction Overlay per Chapter 46, Article II, Division IV - 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. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

For Board Consideration

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

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Rezoning Review & Summary**

Item # 23Z00030

Applicant: Brevard County Board of County Commissioners

Zoning Request: AU to GML(I)

Note: New Brevard County Fire Station

P&Z Hearing Date: 06/12/23; **BCC Hearing Date:** 07/13/23

Tax ID No: 2318407

- 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:

- Hydric Soils/Wetlands Protection
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Overlay
- Protected and Specimen Trees
- Protected Species

The subject parcel contains mapped wetlands and hydric soils; indicators that wetlands may be present on the property. A wetland determination will be required prior to any land clearing activities, site plan design or building permit submittal. Section 62-3695(d) states public facilities may be located within wetland areas if the facilities are found to be in the public interest and there is no feasible alternative. Any permitted wetland impacts must meet the requirements of Section 62-

3694(e) including avoidance of impacts, and will require mitigation in accordance with Section 62-3696.

The western portion of the property is mapped as being within the floodplain 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. 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."

The property is located on North Merritt Island north of Hall Road (Area), thus, is subject to the flood protection criteria contained in Section 62-3724(4), including compensatory storage. Additionally, all development, land alteration, or grading in the Area requires certification by the engineer of record that the proposed development will not increase flood stages, and will not increase the duration of the peak flood stages.

The parcel is mapped within the Indian River Lagoon Nitrogen Reduction Overlay per Chapter 46, Article II, Division IV - 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. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Land Use Comments:

Wetlands/Hydric Soils

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Samsula muck, frequently ponded, 0 to 1 percent slopes) – indicators that wetlands may be present on the property. A wetland determination will be required prior to any land clearing or land alteration activities, site plan design, or building permit submittal. Section 62-3695(d) states public facilities may be located within wetland areas if the facilities are found to be in the public interest and there is no feasible alternative. Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts, and will require mitigation in accordance with Section 62-3696. The applicant is encouraged to contact NRM at (321) 633-2016 prior to any site plan design or permit submittal.

Floodplain Protection

The western portion of the property is mapped as being within the floodplain (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. 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."

The property is located on North Merritt Island north of Hall Road (Area), thus, is subject to the flood protection criteria contained in Section 62-3724(4), including compensatory storage. Additionally, all development, land alteration, or grading in the Area requires certification by the engineer of record that the proposed development will not increase flood stages, and will not increase the duration of the peak flood stages.

Indian River Lagoon Nitrogen Reduction Overlay

The parcel is mapped within the Indian River Lagoon Nitrogen Reduction Overlay per Chapter 46, Article II, Division IV - 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. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Protected and Specimen Trees

Aerials indicate that Protected (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) may be present on subject property. A tree survey will be required at time of a site plan submittal. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, 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 tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

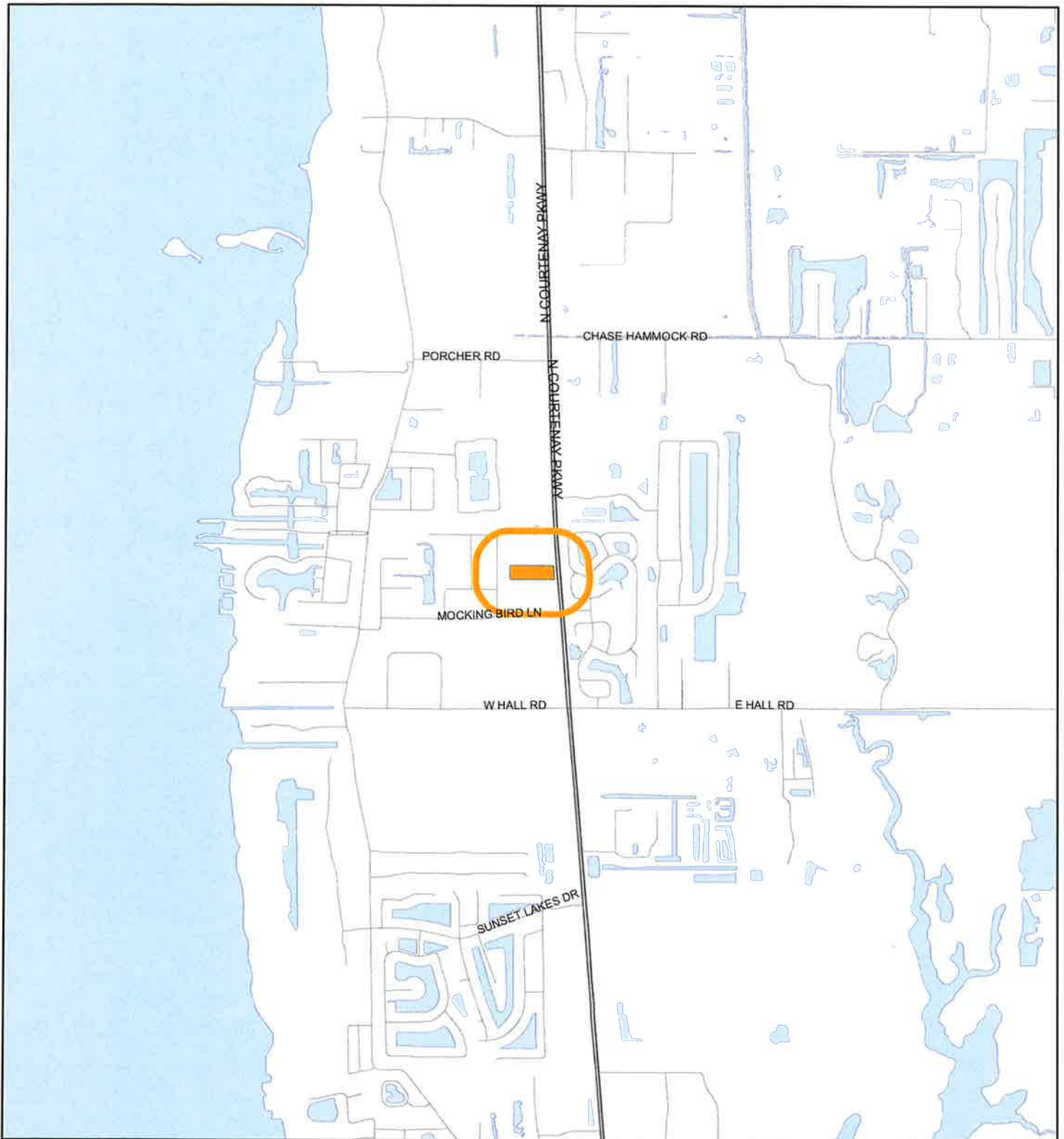
Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. 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.

LOCATION MAP

BLAND, ROBIN

23Z00030





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

Buffer Distance: 500 feet

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

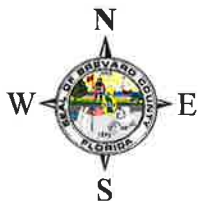
Produced by BoCC - GIS Date: 5/2/2023

-  Buffer
-  Subject Property

ZONING MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 5/2/2023

Subject Property

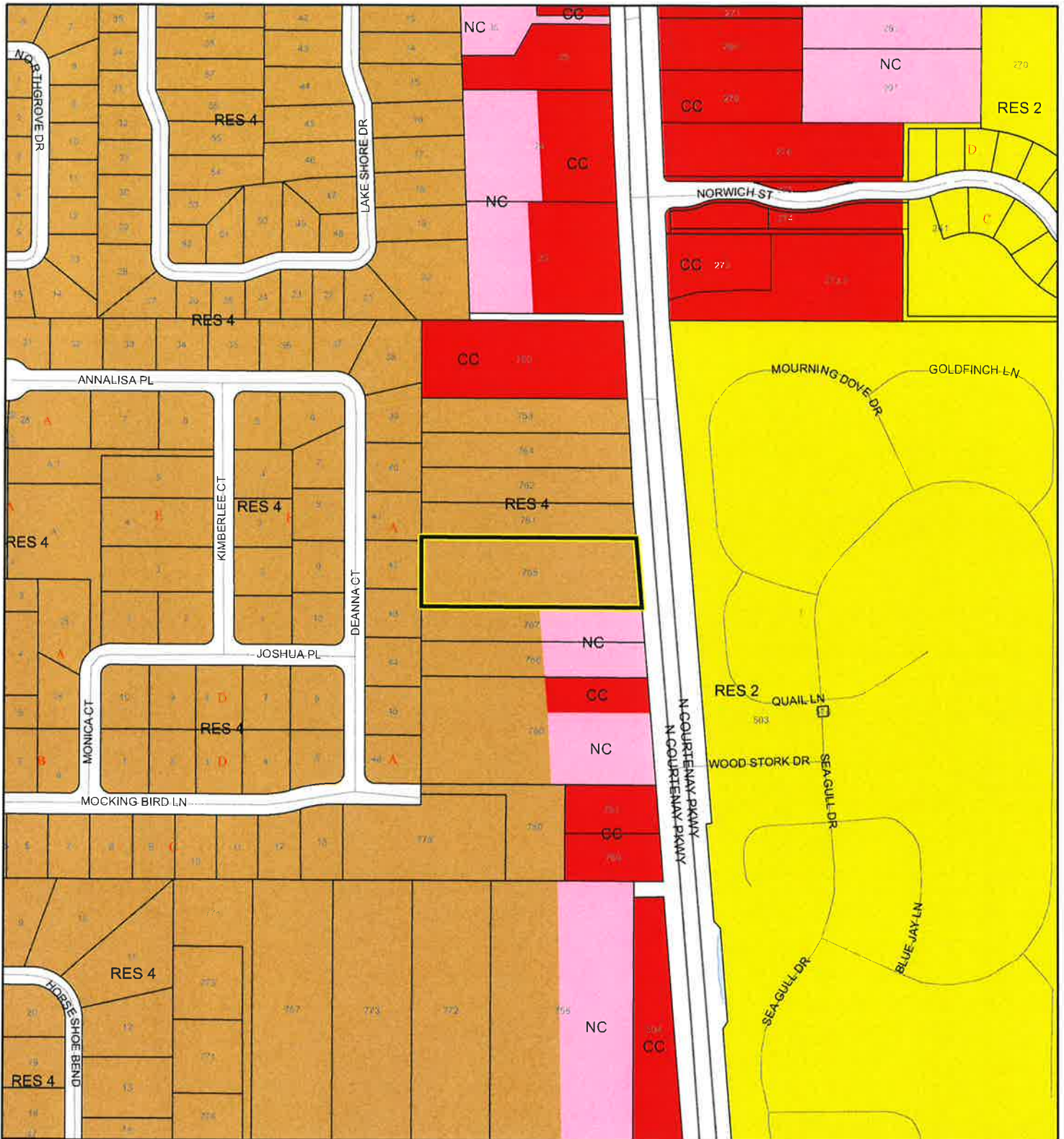
Parcels

Zoning

FUTURE LAND USE MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

Subject Property

Parcels

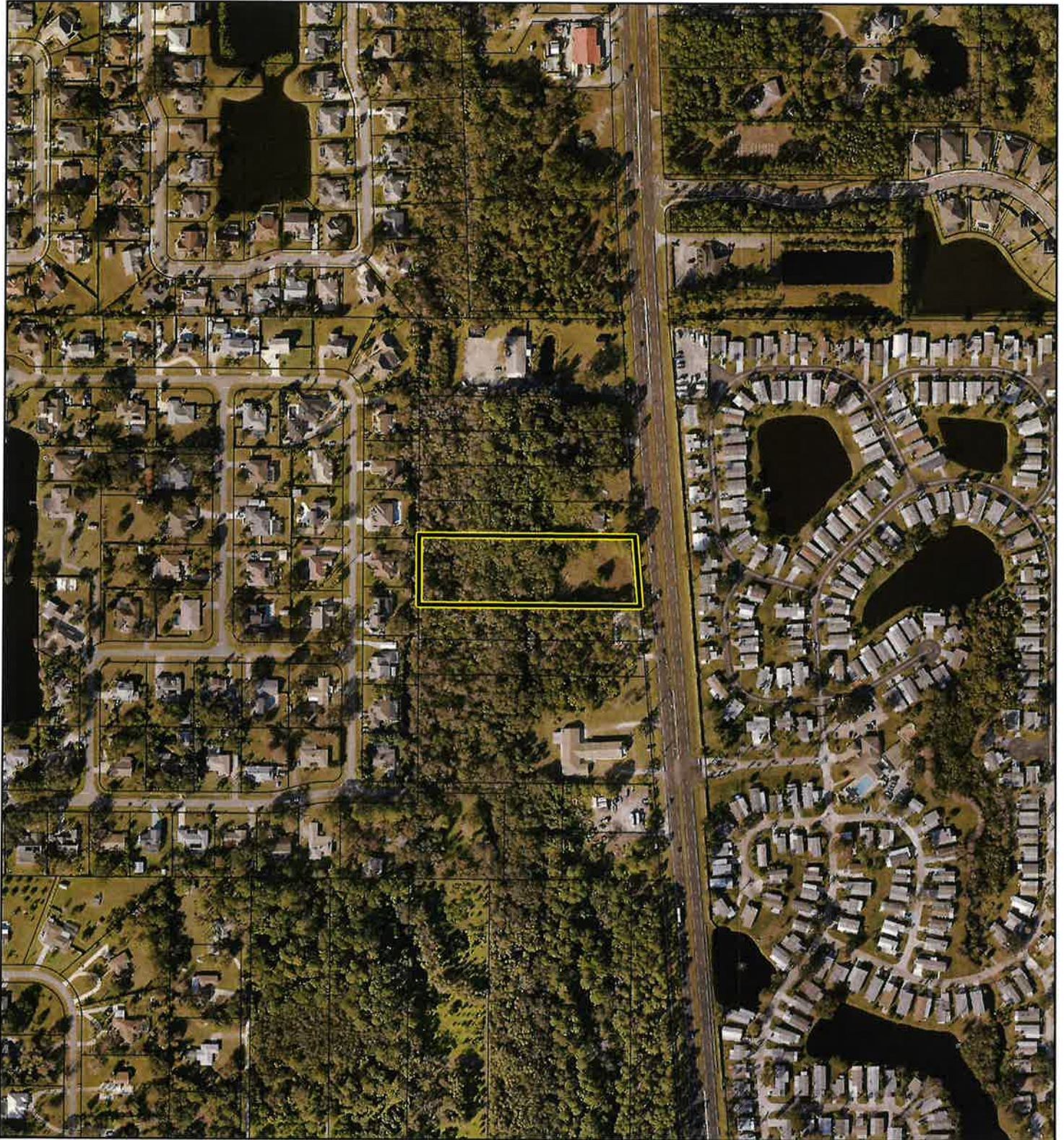
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 4/13/2023

AERIAL MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2023

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Produced by BoCC - GIS Date: 4/13/2023

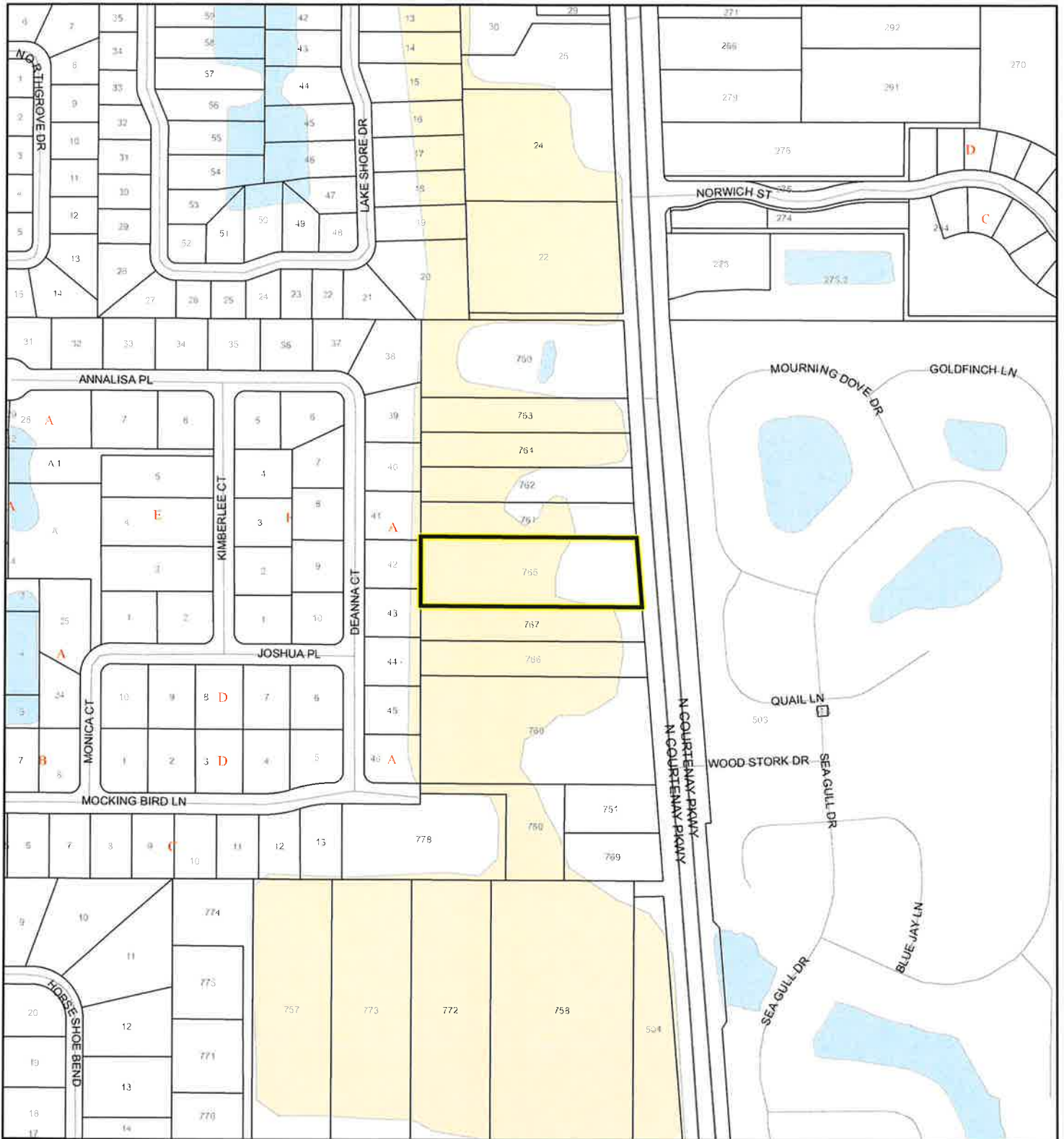
— Subject Property

□ Parcels

NWI WETLANDS MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/13/2023

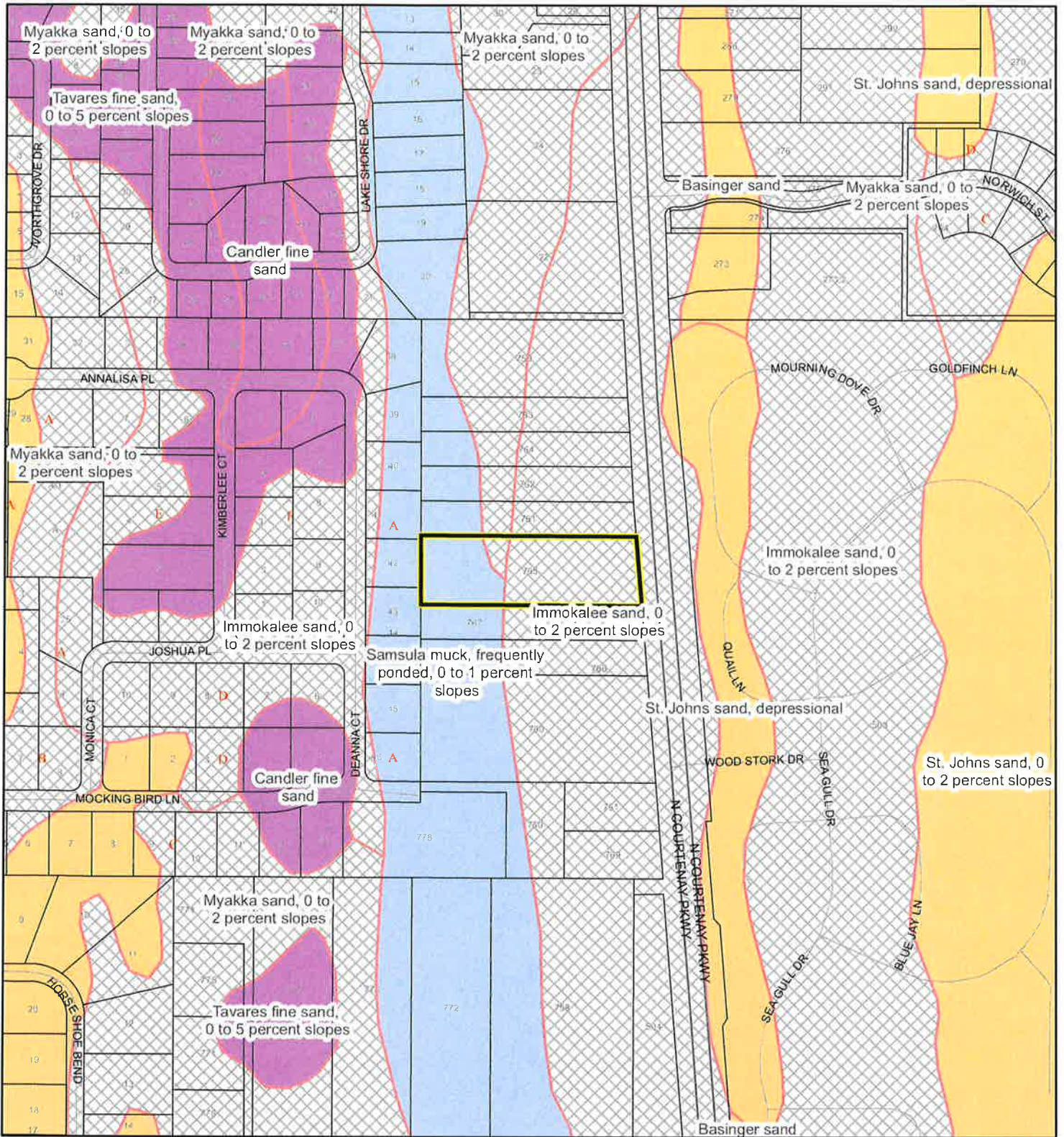
National Wetlands Inventory (NWI)

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

USDA SCSSS SOILS MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/13/2023

USDA SCSSS Soils

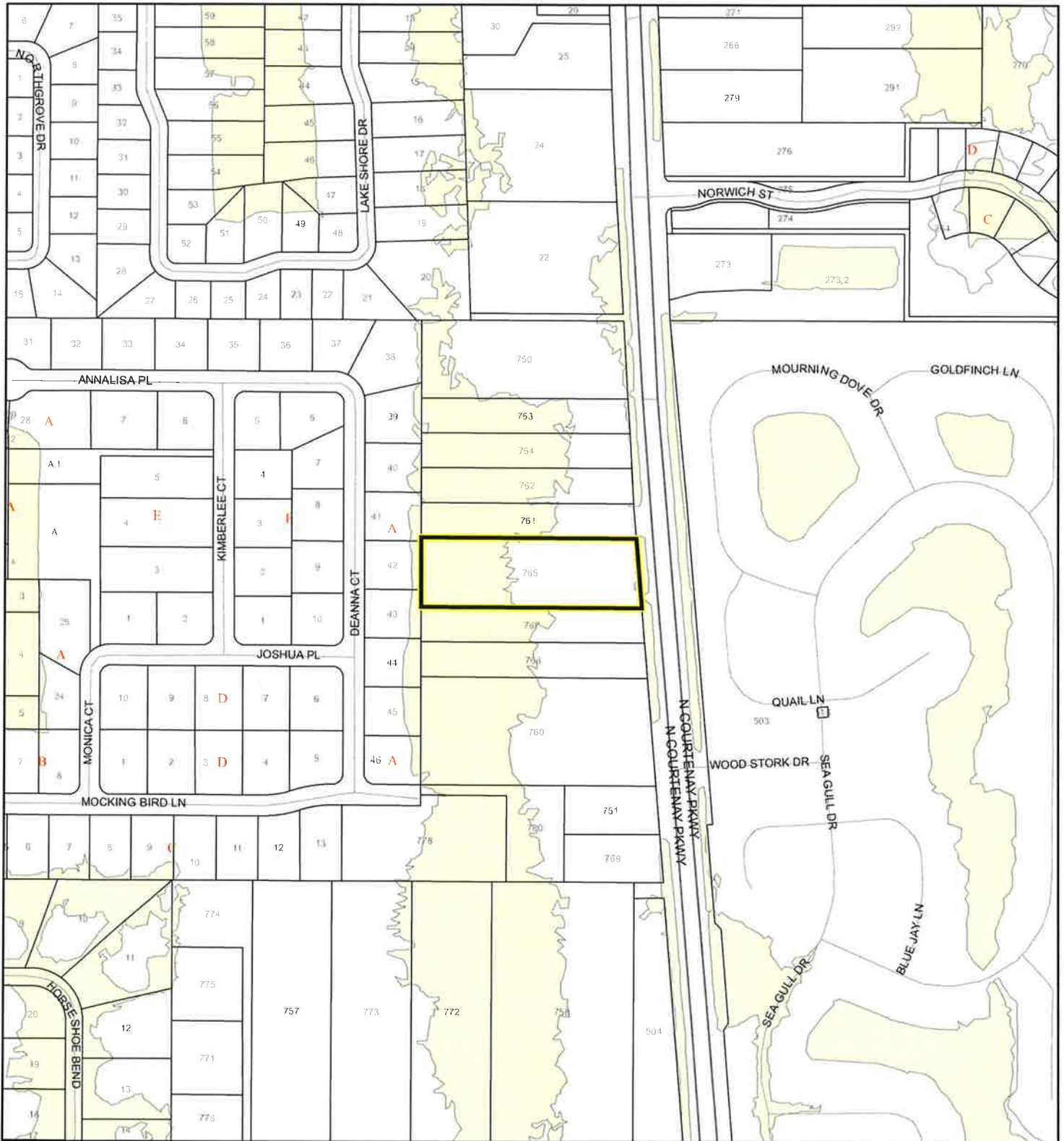
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/13/2023

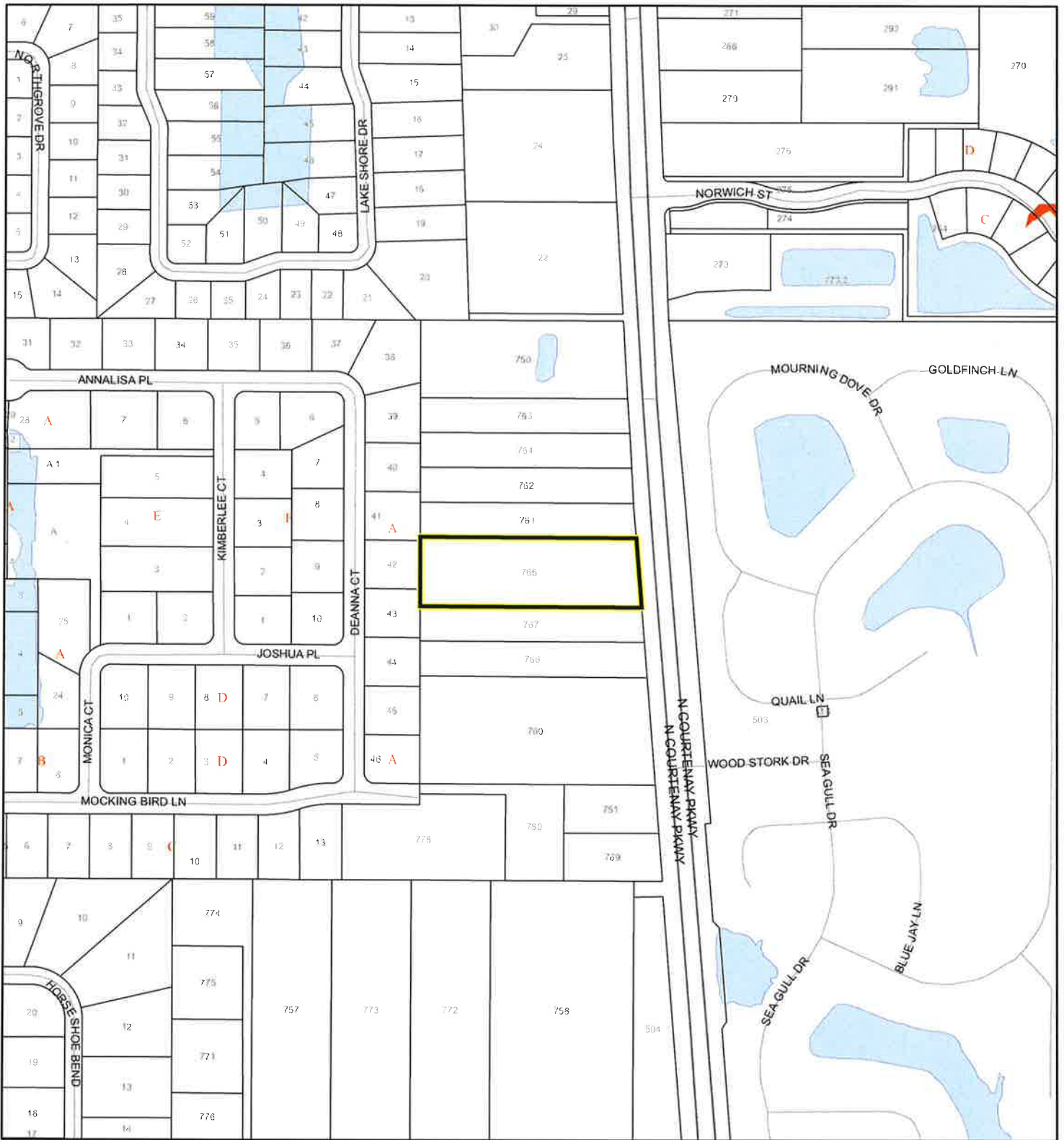
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

COASTAL HIGH HAZARD AREA MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/13/2023

 Subject Property

 Parcels

Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/13/2023

 Subject Property

 Parcels

Septic Overlay

 40 Meters

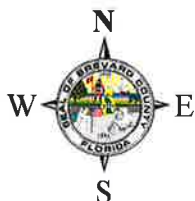
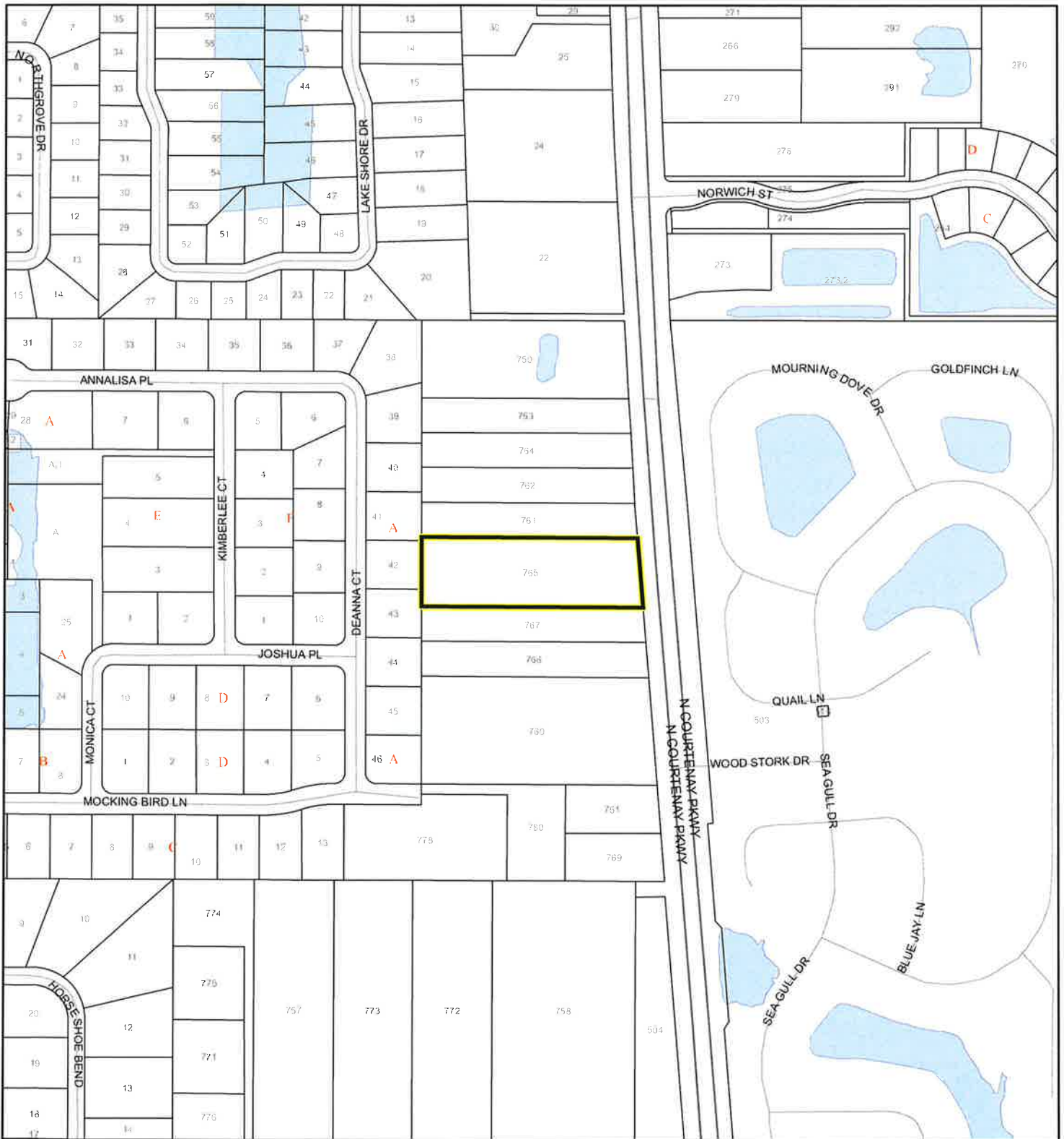
 60 Meters

 All Distances

EAGLE NESTS MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/13/2023

 Subject Property

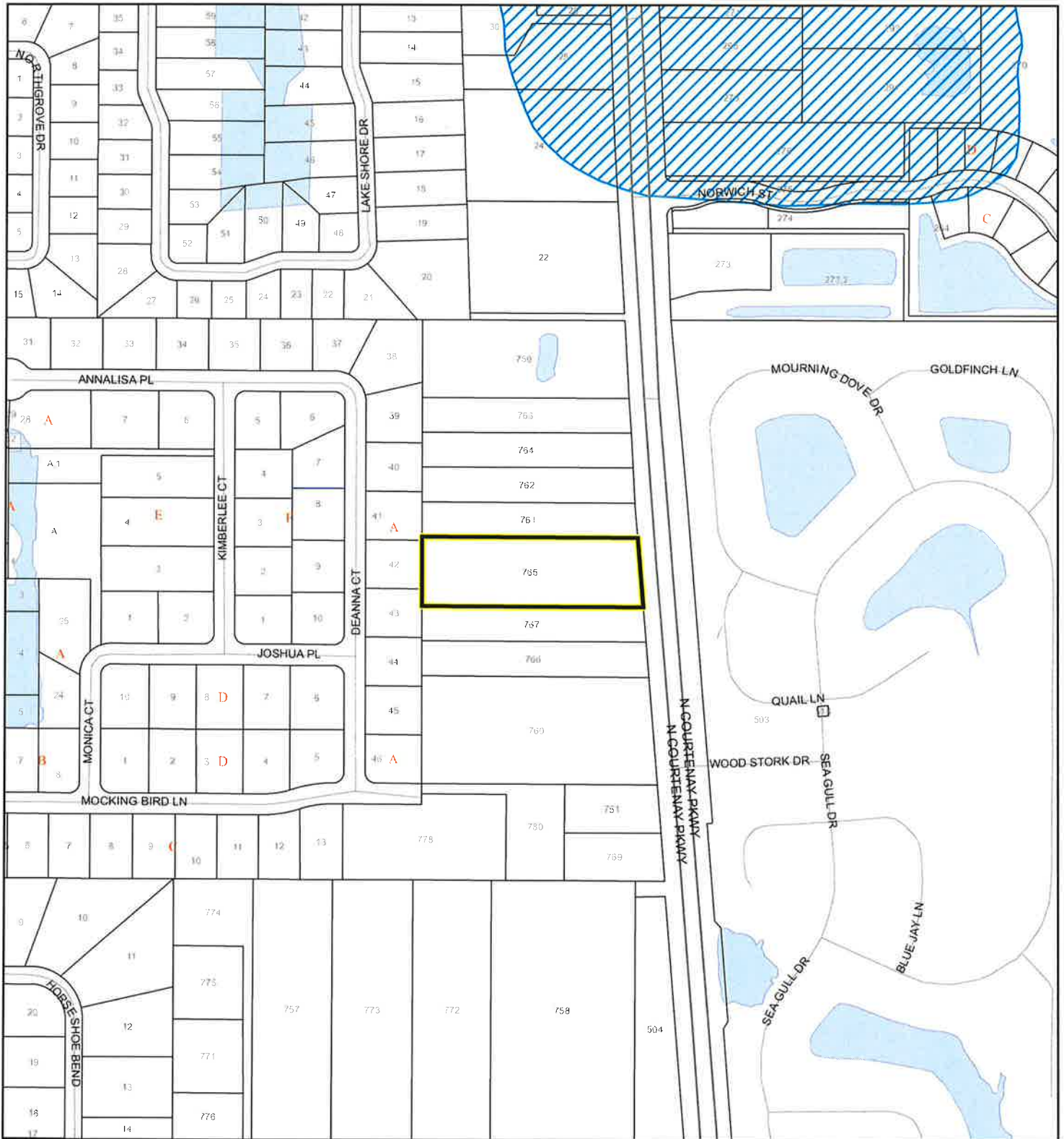
 Parcels

 Eagle Nests
FWS

SCRUB JAY OCCUPANCY MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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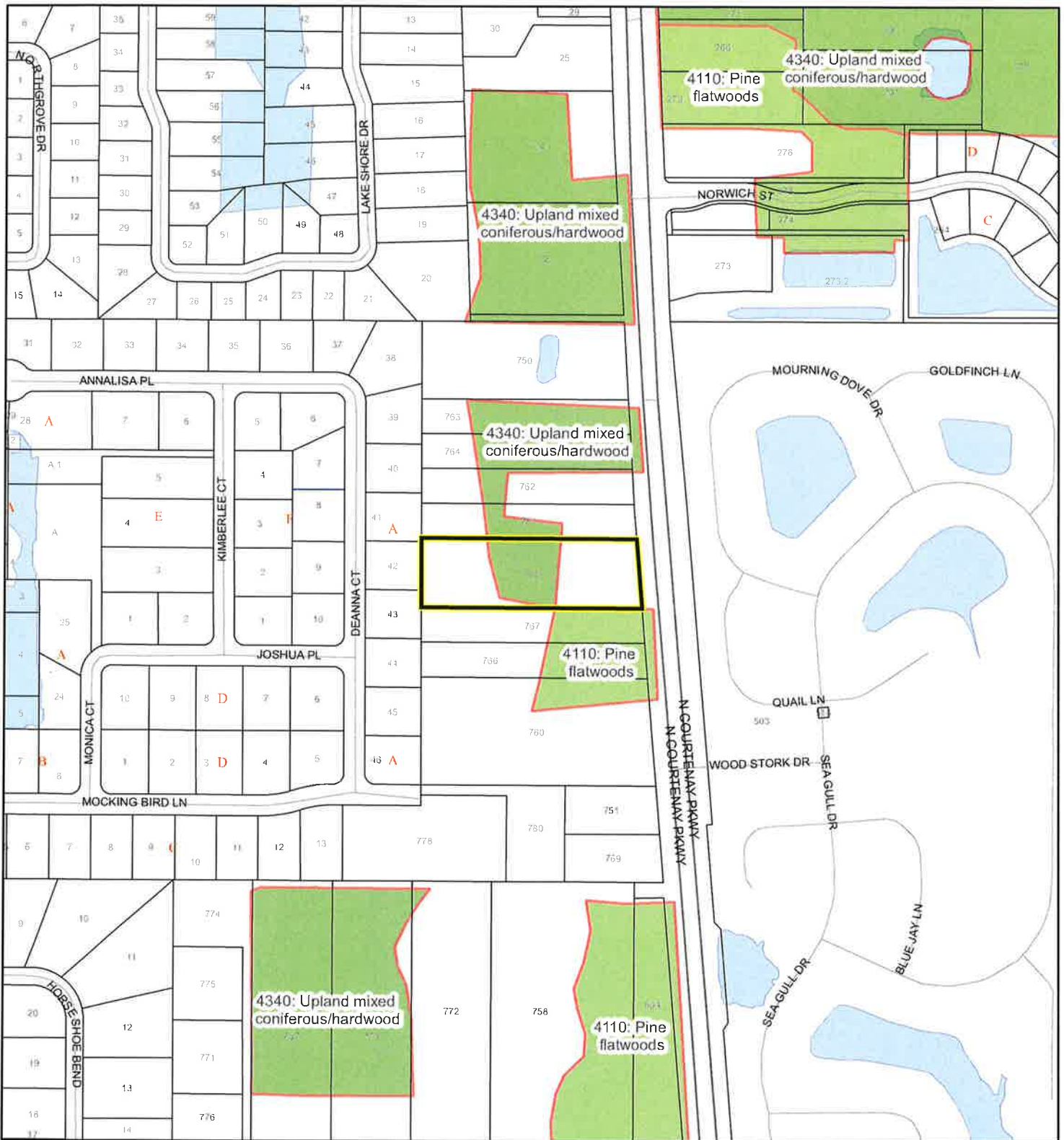
Produced by BoCC - GIS Date: 4/13/2023

- Subject Property
- Parcels
- Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

BLAND, ROBIN

23Z00030



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 4/13/2023

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

From: [Bob and Mary](#)
To: [Jones, Jennifer](#)
Subject: Zoning Mtg 6/8
Date: Saturday, June 3, 2023 4:25:01 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Jennifer,

I live at 3475 Savannahs Trail and had my homeowners insurance cancelled for 2023 due to being .01 miles too far from the nearest Fire Station. My insurance agent even tried to persuade the insurance company to continue my coverage, but was not successful.

Therefore, I strongly request that the zoning change request, item H.1. under Public Hearings on the agenda for the June 8 meeting be approved.

Respectfully,
Mary Hollister

Mary

From: David Strock
To: Jones, Jennifer
Subject: June8 Zoning Meeting
Date: Sunday, June 4, 2023 12:59:31 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Please approve the rezoning request for a fire station on N. Courtenay Pkwy; it is much needed, especially if the Barge Canal bridge is lowered & an emergency occurs....

Dave & Barbara Strock
4215 Savannahs Trail
Merritt Island

Sent from my iPhone

From: [Phyllis Scott](#)
To: [Jones, Jennifer](#)
Subject: Rezoning for a Fire Station RE: Agenda item H.1
Date: Sunday, June 4, 2023 5:09:48 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

We are current residents in the community called The Savannahs, located on Merritt Island off Hall Road. We understand that you are considering a rezoning of our area to accommodate the building of a fire station.

As residents we are in favor of this rezoning and proceeding with the building of a new fire station in our area. Currently, the closest fire station is more than 6 miles away and a second one more than 7 miles away. Our homeowners insurance coverage is impacted by this situation and given that we are surrounded by an abundance of natural underbrush growth it would be more than prudent to have this additional service closer to our community.

We support the rezoning effort and recommend this decision be positive to create a better safety barrier for our community and surrounding neighbors.

Thank you for your consideration,

Ted & Phyllis Scott
3230 Savannahs Trail
Merritt Island

NORTH MERRITT ISLAND

DEPENDENT SPECIAL DISTRICT BOARD MINUTES

The North Merritt Island Dependent Special District Board met in regular session on **Thursday, June 8, 2023**, at 6:00 p.m., at the Merritt Island Service Complex, 2575 N. Courtenay Parkway, 2nd Floor, Merritt Island, Florida.

Board members present were: Mary Hillberg, Chair; Gina Lindhorst; Chris Cook; Jack Ratterman, Vice Chair; Jim Carbonneau; and John Speck, Jr.

Planning and Development staff present were: Jeffrey Ball, Planning and Zoning Manager; and Jennifer Jones, Special Projects Coordinator.

Excerpt of Complete Agenda

Robin Bland (Scott Gold / Scott Jurgensen, Brevard County Fire Rescue)

A change of zoning classification from AU (Agricultural Residential) to GML(I) (Government Managed Lands, Institutional). The property is 2.86 acres, located on the west side of N. Courtenay Pkwy., approx. 0.34 mile north of Hall Rd. (4615 N. Courtenay Pkwy., Merritt Island) (Tax Account 2318407) (District 2)

Deputy Chief Scott Jurgensen, Brevard County Fire Rescue – This evening, the property owner, Robin Bland, and Brevard County is requesting a change of zoning classification from AU to GML(I), for the purpose of building a fire station. The subject property is currently undeveloped and located at 4615 N. Courtenay Parkway. The County is currently in a contingent contract to purchase the property. The fire station would be relocated from the intersection of N. Tropical Trail and MacGruder, 2.4 miles south, in order to provide better service to North Merritt Island residents. The existing fire station was built in 1965.

Gina Lindhorst – What will happen to the old building?

Mr. Jurgensen – Originally, in 1984, the old building was deeded over to the County for \$10 from the Merritt Island Volunteers. I am currently in talks with the County Attorney's Office to see exactly what we have to do with the property and if it will be deeded back to the volunteers, or if it will be sold. My preference would be to give it back to the volunteers, but that will be a decision for the Board of County Commissioners.

Jim Carbonneau – But it will no longer be a fire station?

Mr. Jurgensen – No, it will no longer be a fire station. If the Merritt Island Volunteers choose to do something with it, that will be up to them.

Mary Hillberg – How did you land upon this piece of property?

Mr. Jurgensen – We looked at a number of different properties in the central Merritt Island area along N. Courtenay Parkway, and the goal was to have a more centralized location to get everyone on North Merritt Island within a five-mile radius, to allow everyone to get reasonable homeowners insurance. There are homes that are currently outside the five-mile radius that can't get insurance, so the proposed station will provide a much needed service to the area.

Mary Hillberg – Why would you not have chosen any of the commercial properties?

Mr. Jurgensen – Within the code, a fire station falls specifically under the GML(I) zoning.

Mary Hillberg – So, the commercially zoned properties would have to be changed as well?

Mr. Jurgensen – Correct.

Gina Lindhorst – There is a large portion of the property that is wetlands.

Mr. Jurgensen – Yes, and that is something we won't be touching. The idea is to build it as close to N. Courtenay Parkway as possible, which will give us the best access with the least impact on the neighbors.

Jack Ratterman – Have you gotten any feedback from Citrus River Groves?

Mr. Jurgensen – We've had three letters of support, and I've been in conversation with the property owner directly behind us.

Mr. Ratterman – How tall will it be?

Mr. Jurgensen – It will be single-story, and 5,500 square feet, with two drive-through bays, and it will be staffed exactly how the current fire station is staffed.

Chris Cook – Is Robin Bland the owner?

Mr. Jurgensen – Yes, Robin Bland is the owner, and he has owned the property for quite some time.

Mr. Cook – Is he also with the fire department?

Mr. Jurgensen – No, he is an individual property owner.

Mr. Ratterman – It's directly across from Island Lakes and there is no divide there.

Mr. Jurgensen – Correct, at this point there is no divide. We will be contacting the Department of Transportation to put in an emergency access divide before the station is built.

Ms. Hillberg – I'm trying to imagine a day of traffic there when there is a fire. There is a lot of traffic there coming from the Space Center. Is there a plan to have a light there, or anything else, to let everybody know that a fire truck is coming?

Mr. Jurgensen – Currently, out of our 33 fire stations in the County, none of them have lights outside; they do have FDOT signage at the proper placements.

Ms. Hillberg – So the answer is no?

Mr. Jurgensen – The answer is no, there not be a light.

Ms. Hillberg – If there is bumper-to-bumper traffic moving south, and you have to get out?

Mr. Jurgensen – We will wait until traffic slows enough that we get a break. We do have stations on A1A, on U.S. 1, and other very high traffic areas, and we do rather well leaving the stations.

Public Comment.

Don Barker, 4540 Deanna Court, Merritt Island – I am the homeowner directly behind the proposed fire station. I have talked to Chief Jurgensen and he has lessened my concern over the noise, but I am still concerned about the wetlands. My primary concern is that there is a very large canal bordering my property next to the fire station, and it holds at the very least, several million gallons of water. It used to rise and fall, but it doesn't anymore. Chief Jurgensen told me the plan is to keep all of the water on the fire station property.

Kim Smith, North Merritt Island Homeowner's Association, PO Box 542372, Merritt Island – I'm here representing the Homeowners Association, which represents thousands of people on North Merritt Island. The Association has no objections to the request.

Darlene Hunt, 125 W. Crisafulli Road – I think the proposed fire station has been professionally thought out and well-designed, and the land selected will benefit all of North Merritt Island with minimal impact on neighboring property owners, and will be a valuable asset to our community.

Ms. Hillberg – Do you have any comments on the concerns you've heard?

Mr. Jurgensen – No.

Ms. Hillberg – Can you tell me how you expect to build a fire station on half of the property and hold your own water and not impact the people behind you?

Mr. Jurgensen – We will follow the codes as far as water retention, and we are required to keep our own water; whether it requires a pond or other type of drainage will be up to the developers.

Jeffrey Ball – The next stage after the zoning is approved is the site plan process, which is reviewed by all County departments, plans are drawn by a professional engineer, and they will design the stormwater conveyance system that accounts for existing drainage patterns, and they will have to retain all of the water that is on site. The pond in the back will be addressed at the site plan stage.

Ms. Hillberg – It is in a FEMA flood zone.

Ms. Lindhorst – The majority of the property is in a flood plain/wetland.

Mr. Ball – That will be addressed during the site plan process.

Mr. Cook – Is there a requirement for compensatory storage?

Mr. Ball – I believe that if building within the 100-year floodplain, compensating storage is required.

Ms. Hillberg – So there is no plan right now?

Mr. Jurgensen – Yes, it will be determined by the engineers.

Ms. Hillberg – We've had a couple of items that have been here before, that have been proposed in some of these areas, and the folks along Deanna Court have that water behind them, and it's a real concern for them.

Mr. Ratterman – If everything goes well, when do you think you will start construction?

Mr. Jurgensen – The plan is to be able to get it underway in late 2024 or early 2025.

Mr. Ratterman – How long to finish?

Mr. Jurgensen – Typically, it takes 150 days from breaking ground.

Mr. Ratterman – What is the cost?

Mr. Jurgensen – The cost with the land and everything will be approximately \$4 million.

Ms. Lindhorst – I have a question about lighting that hasn't come up yet. The lighting provided for the station, is it going to impact the neighborhood behind it?

Mr. Jurgensen – The only exterior lighting we will be having at the station will be for the security of our crews and our employees, and that will be facing down, onto our property, and not onto our neighbors.

Ms. Hillberg – The majority of the property is a wetland, and between the wetland and the water, and the hydric soils, it's a much smaller footprint for the trucks.

Mr. Jurgensen – Originally, we were going to go with a bigger station, and when we came back from the initial plan, they recommended a 5,500 square-foot station.

Mr. Ratterman – Will you get new equipment to go with the new fire station?

Mr. Jurgensen – That's one of the challenges we have with the North Merritt Island station; we actually have to buy a shorter fire truck because the bay is not deep enough.

Mr. Speck – What is the square footage of the current station?

Mr. Jurgensen – It is approximately 3,000 square feet.

Mr. Ratterman – Will the crew be increased?

Mr. Jurgensen – No, the crew size will remain the same. Last year, we ran 927 calls on North Merritt Island, but by moving it south we hope to add another 98 calls per year, because they will run all the way down to the barge canal. It's roughly 2.5 calls per day.

Mr. Carbonneau – Is there capacity in the new design to increase the staffing?

Mr. Jurgensen – Yes, absolutely.

Motion by Jim Carbonneau, seconded by John Speck, to approve a change of zoning classification from AU (Agricultural Residential) to GML(I).

Ms. Lindhorst – I'm hoping they can make their footprints right inside the dry area and not on the wetlands.

Ms. Hillberg – Having heard from a lot of people about a lot of things that occur right along this stretch of land, this is residential, the Future Land Use map is Residential 4, and it doesn't go with that. The people who live behind here have nowhere to go and there is no way to reduce that for them. It's also a noise pollution, which is a factor. When you live in a development, having a fire truck near is nice, but having it right in your neighborhood is a little different. I'm all for not having fires, and I'm all for everyone being affected, but it seems like we would be looking for more community commercial or neighborhood commercial, or something farther up, something more in the industrial type of area rather than in a residential area that is going to necessarily impact in some way the community around them.

Mr. Speck – Have they considered putting in noise abatement wall?

Mr. Barker – It is a wooded area.

Mr. Speck – You're comfortable with the permitting process?

Mr. Barker – Yes, what Chief Jurgensen told me is that the plan is to leave that area alone and not develop the back.

Ms. Hillberg – Somewhere closer to the middle of the area is the best idea, but there is a lot of water and we're not going to get less water. Personally, I feel I wouldn't like it, and I wouldn't want to say it was okay for somebody else. I think there should be other avenues of looking for a different place.

Mr. Carbonneau – Don't forget the geographical requirement, which is five miles. That has to be taken into consideration as well.

Ms. Lindhorst – Another mile down the road wouldn't be a big deal.

Mr. Cook – There are three other fire stations on Merritt Island and they are all in residential areas.

Ms. Hillberg – I think the one on S.R. 520 is not. They build homes around them.

Mary Watkins – I own property less than 400 feet from the current fire station and I've never had any problems.

Mr. Cook – There is a station on N. Banana River Drive at the triangle next to a subdivision. I think the proposed station is a good location, it is central, and we haven't heard any strong disagreements from anybody, so I would support this.

Mary Hillberg called for a vote on the motion as stated, and it passed 5:1, with Hillberg voting nay.