

From: [Marie Chiaino](#)
To: [Commissioner, D2](#)
Cc: [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Opposition to Rezoning Notice 2500054 on Merrit Island
Date: Tuesday, February 3, 2026 7:17:59 PM

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

Dear Commissioner Goodson,

I am writing regarding the upcoming vote on the rezoning request for the property located at Pioneer Road and Courtenay Parkway. I am a resident of the Palmetto neighborhood, which lies north of Villa De Palmas and just south of State Road 528.

I respectfully urge you to vote **against** this rezoning request to allow multi-family development in what is currently a single-family area. My primary concern is traffic, which has already reached an unsafe and congested level along Courtenay Parkway.

As a resident who travels this corridor daily, I can attest that **turning left from the Palmetto neighborhood onto Courtenay Parkway (southbound) or turning left into the Palmetto Neighborhood onto Venetian Way from Courtenay Parkway (southbound)** is difficult at most times of day and becomes nearly impossible when the bridge is raised and traffic backs up. According to the developer, the project would include an average of 1.75 parking spaces per unit, potentially adding approximately 389 additional vehicles to Courtenay Parkway. This figure does not account for visitor traffic or service vehicles.

Anyone familiar with this corridor during **school drop-off and pick-up hours, rush hour, or Space Center shift changes** knows that Courtenay Parkway is already operating at or near capacity. Traffic has increased significantly since I moved into my home in 2017, due in part to multiple large developments approved north of SR 528. Each new project adds to an already overburdened roadway.

This raises an important question: when was the most recent traffic capacity study conducted for Courtenay Parkway, and does it adequately account for the cumulative impact of these developments? Beyond traffic, increased density places additional strain on emergency services and contributes to overcrowding that affects the safety and quality of life of existing residents.

I am also aware that the Merritt Island Redevelopment Agency (MIRA) voted against this project. I respectfully ask that you and your fellow commissioners stand with the residents of Merritt Island and vote no on this rezoning request.

Thank you for your time, consideration, and service to our community.

Sincerely,

Marie Chiaino
321-591-1663 (cell)

From: [Diane Duclos](#)
To: [Commissioner, D2](#)
Subject: Fwd: Brevard reasoning on Merritt island
Date: Monday, February 2, 2026 8:17:17 AM

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Sent from my iPhone

Begin forwarded message:

From: Diane Duclos <duclos1957@yahoo.com>
Date: February 2, 2026 at 8:16:01 AM EST
To: D1.Commissioner@brevardfl.gov
Subject: Brevard reasoning on Merritt island

Good Day Commissioner-

I am a resident of Villa de Palma neighborhood on Merritt Island.

It has come to my attention that the Brevard County commissioner's office is contemplating rezoning the area off Pioneer Road on Merritt Island for an apartment complex.

The decision to rezone would be a huge mistake. Pioneer Road is already so busy between the three neighborhoods that are adjacent to it plus the school that has daily traffic in the morning and the afternoon that Pioneer Road cannot carry this much traffic. Plus all the neighborhoods surrounding the area for rebuild are all single family homes. An apartment complex just does not go with the complexion of the area. The area for rebuild is so small for the number of apartments that you want to put in.

Let alone losing more green space on Merritt Island that has over 50,000 people now living on it and losing the green space for all the animals that inhabit the area on Pioneer, which houses the endangered gopher turtles.

Putting up more apartments on Merritt Island is going to tax on the school system, the fire department and the police department along with all of our road wear.

Please reconsider your opinion on this rezoning for Merritt Island.

Thank you
Michael Duclos
Diane Duclos

Sent from my iPhone

From: [Gayle Allenback](#)
To: [Commissioner, D2](#)
Subject: Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259
Date: Saturday, January 31, 2026 4:18:54 PM

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

Dear Commissioner Goodson,

I am writing as a concerned resident of Merritt Island to respectfully urge you not to approve the proposed zoning change (zoning application 25Z00054) that would allow medium- to high-density housing at the property located on the east side of N. Courtenay Parkway, approximately 420 feet south of Via De La Reina (parcel ID 24-36-14-00-259).

While growth can be beneficial when thoughtfully planned, this particular proposal threatens the safety, infrastructure, environmental balance, and character of the immediate neighborhood as well as the whole island in ways that are already well documented in the official reports on record.

Public safety must be paramount. One of the reports explicitly warns that this project presents a “material danger to public safety.” This is not merely a speculative concern, but a formal conclusion based on the project’s own analysis. Approving a development identified as posing such a risk would place current residents, future occupants, and first responders in jeopardy.

Traffic and infrastructure capacity are already strained. Many are familiar with the daily congestion along N. Courtenay Parkway. According to the report, local roads are operating at approximately 88% capacity, leaving very little margin for additional traffic. The proposed development exceeds the established “25% of remaining capacity” guideline; thus, rezoning this property would only exacerbate an already dangerous situation—raising the likelihood of accidents and posing increased risks to both drivers and adult and child pedestrians, particularly as the area awaits roadway redesign to place a raised median.

In addition, flooding concerns cannot be ignored. Natural drainage systems on Merritt Island are already under stress, and increased density at this location would further burden those systems. The result could be heightened flood risk for nearby homes and businesses, creating long-term consequences that are difficult and costly to reverse.

The proposal is also incompatible with surrounding land use. The report itself acknowledges that the planned 222 units are not consistent with the adjacent single-family neighborhoods. Such incompatibility threatens the stability, character, and quality of life of communities that residents, including myself, have invested in for decades.

Equally concerning is the loss of green space, especially wetlands and wildlife habitats, which would be irreversible. Our community has worked hard to preserve these areas, recognizing their importance to our ecosystem, natural drainage, and as a buffer against overdevelopment. Once lost, this land—and the balance it provides—cannot be restored. Preserving these spaces is essential to maintaining what makes Merritt Island a unique and cherished place to live.

Finally, there is clear local opposition and advisory concern. The Merritt Island Redevelopment Agency (MIRA) has already demonstrated its support for preserving our community by voting against the rezoning proposal, and even the Brevard County Planning & Zoning board was not able to reach a majority in favor of this project, after hearing both sides. As one of our elected representatives, I respectfully ask that you honor the judgment of local advisory boards and the residents they serve, rather than overriding their recommendations.

I support smart, appropriately scaled growth—but not this specific project, particularly in this specific location. The proposed density cannot be sustained without compromising safety, traffic flow, environmental resilience, and neighborhood compatibility.

For these reasons, I respectfully ask that you vote no on this zoning change and help protect the safety, environment, and long-term well-being of Merritt Island and its residents.

Thank you for your time, consideration, and service to our community.

Respectfully,

Gayle Allenback

2405 Raintree Lake Circle

Merritt Island, FL 32953

From: [Karie Hanselman](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: STOP THE DEVELOPMENT!
Date: Saturday, January 31, 2026 9:42:18 AM

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

Over the past 40 years, the once-quiet drive from Cocoa into Merritt Island has transformed dramatically. What used to be a peaceful, natural sanctuary has become increasingly congested, especially on weekends, when out-of-town visitors crowd the unpaved shoulders as if they were public parks—camping, grilling, selling items, and often interfering with traffic flow.

Simultaneously, Port Canaveral has expanded from a small cruise hub into the largest port in Florida, yet the surrounding infrastructure has not kept pace. Weekend traffic jams on the Beachline are now almost guaranteed as thousands of cruise passengers rush to the port, frequently causing accidents or gridlock. Much of the remaining open land has been converted into cruise parking lots, further intensifying traffic pressures without meaningful road improvements.

As drivers exit the Beachline onto Courtney Parkway, they encounter additional congestion from Kennedy Space Center traffic, daily launch activity, and drivers racing to beat poorly timed lights. The nearby drawbridge often rises at the worst possible moment, pushing traffic backups well beyond the Pioneer/Courtney intersection. In the immediate vicinity of the proposed apartment development, three residential neighborhoods, an elementary school, a nursing home, Starbucks, a car wash, a bank, and a medical plaza all share a single narrow roadway. This road already struggles with backups, lacks turn lanes, and experiences frequent accidents as drivers take risks to avoid delays. It sits within half a mile of both the chronically congested Beachline interchange and the drawbridge that routinely traps vehicles for miles.

Adding a 225-unit apartment complex—introducing more than 250 additional vehicles—would create dangerous conditions for residents, schoolchildren, parents, teachers, and emergency responders. It would further complicate evacuation routes and increase risks in an area already beyond its infrastructure and environmental capacity.

After four decades of living on this small island, it is clear that Merritt Island has exceeded sustainable growth. Recent developments have already caused flooding in older neighborhoods, degraded water quality, and strained natural systems. Approving another high-density project in a location unable to support it is not progress—it is a failure of responsible urban planning and a decision driven purely by profit, not community well-being.

Apartments are not an ideal fit for this area due to several key factors related to infrastructure capacity, community character, and long-term planning considerations. I would strongly recommend you go to this area at 7:30-7:45am, 2:30pm or 5:30 pm and experience the congestion and craziness yourself before you vote for this madness.

Regards,
Karie Hanselman, concerned resident of area

From: [Rebecca Hauser](#)
To: [Commissioner, D2](#)
Subject: Opposition to Rezoning Case #25Z00054 – Public Safety Danger, Flooding Risks, & 1,800+ Residents Opposed
Date: Friday, January 30, 2026 5:34:15 PM

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

Dear Commissioner Tom Goodson,

I am writing to formally request that you **DENY Rezoning Application #25Z00054** (RangeWater/Pioneer Rd). This proposal is not merely a "neighborhood concern"; it is a documented risk to the infrastructure, environmental stability, and life safety of the Merritt Island community.

As a resident and taxpayer, I urge you to consider the following critical facts:

1. Staff Report Warning: "Material Danger to Public Safety" The County's own Staff Report (page 10) explicitly warns that this project creates a **"material danger to public safety."** It is rare for staff to use such definitive language. For the Commission to override this warning would be to knowingly ignore a documented safety hazard regarding traffic flow and emergency access in a failing corridor.

2. Extreme Risk to School Zone Safety (Lewis Carroll Elementary) Pioneer Road is a primary corridor for children walking and biking to Lewis Carroll Elementary. During drop-off and pick-up, this area already experiences severe congestion and gridlock. Adding **400+ cars** (approx. 1,379 to 3,000 daily trips) into this specific intersection creates an unacceptable safety crisis.

3. Environmental Hazard: Myakka and Anclote Hydric Soils The project site consists of **Myakka and Anclote hydric soils**, which serve as a critical natural "sponge" for the area due to their high water table. Paving over 11 acres of these soils will displace massive volumes of groundwater, forcing runoff into surrounding low-lying neighborhoods that are **already prone to flooding**. We cannot replace a natural drainage basin with 11 acres of asphalt without causing major flooding for existing homeowners.

4. Overwhelming Community Opposition (1,800+ Signatures) The community has spoken with a unified voice. I have initiated a petition that currently has **over 1,800 residents** (online and on paper) who are formally opposed to this project. This number grows daily, reflecting the deep-seated concern of your constituents.

5. Violation of Administrative Policy #3 & Infrastructure

Failure Under Administrative Policy #3, the County must protect the quality of life of existing residents from "Land Use Shocks." North Courtenay Parkway is already at **88% capacity**. This project alone would consume **24.95% of the total remaining capacity**, violating the spirit of our concurrency rules and diminishing the safety of our neighborhoods through noise and transient traffic.

6. Unanimous Denial by MIRA (7-0) The Merritt Island Redevelopment Agency (MIRA) board—the local body that best understands our island's unique constraints—voted **unanimously (7-0)** to recommend denial.

The Planning and Zoning Board's **7-7 tie** reflects the deep flaws in this application. With 1,800 residents standing in opposition, a Staff Report warning of "**material danger to public safety**," and the severe risks to our school children and environment, there is no justification for approval.

I urge you to follow the recommendation of MIRA and Staff and **deny this rezoning**.

Sincerely,

Rebecca Hauser

815-608-8451

Petition can be found here: <https://www.change.org/p/urge-brevard-county-commissioners-to-oppose-rezoning-on-merritt-island>

From: [Kathy Brandt](#)
To: [Commissioner, D2](#)
Subject: rezoning on Merritt Island
Date: Friday, January 30, 2026 10:19:18 AM

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

Please oppose the rezoning on Merrit Island. The area at Pioneer Rd. and Courtenay Parkway will be harmfully impacted if this goes through. The high density apartment complex in single family neighborhoods will compromise safety and traffic flow.

Thank you,
Kathleen Brandt

From: [Erica Miller Cochran](#)
To: [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Rezoning Pioneer/Courtenay Pkwy
Date: Thursday, January 29, 2026 8:04:47 PM

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

I plead with you all to deny the rezoning of the property at Pioneer and N. Courtenay Pkwy in Merritt Island. Courtenay cannot support this influx of growth. With the apartments being built behind the Merritt Island mall we're looking at 100's of more cars on the road already. This large project of multi-family units would be devastating to this island. I know growth is inevitable but this isn't the right project for this specific area. This would not be beneficial to the small island community that Merritt Island has been known for since as long as I've lived here.

Thank you for your time.

[Erica Cochran](#)

Subject: Comprehensive Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259

Dear Members of the Planning and Zoning Board,

I am writing to formally and respectfully request denial of **Zoning Application No. 25Z00054**, which seeks a change in zoning classification for the property identified as **Parcel ID 24-36-14-00-259 (Tax Account No. 2412106)**, located on North Courtenay Parkway in Merritt Island.

I am a former Chairman of a Local Development Finance Authority in Huron Township, Michigan, where I worked closely with planning staff, zoning boards, and elected officials on land-use, redevelopment, and zoning matters. I am also a Merritt Island resident who owns property in close proximity to the subject parcel. I submit these comments based on that experience and on a careful review of the application materials, staff analyses, mapped resource data, and Brevard County's adopted Comprehensive Plan and zoning framework.

This letter is not an objection to growth or development in principle. Rather, it is a request that the County apply its zoning standards consistently, as it has done in prior cases, and deny a rezoning that is not supported by the record and that raises significant concerns related to plan consistency, compatibility, precedent, and long-term land-use integrity.

I. Inconsistency with the Comprehensive Plan and Classic Spot Zoning Indicators

The requested rezoning from **AU to RU-2-15**, with an associated development intensity of approximately **220 multi-family dwelling units**, represents a substantial increase in density and intensity that is not consistent with the intent, structure, or expectations established by the adopted Comprehensive Plan for this area.

Rezoning actions are intended to **implement** the Comprehensive Plan, not to override it or create parcel-specific exceptions that function as de facto policy changes. When a rezoning request introduces a use or density that materially departs from what the surrounding area has been planned to accommodate, it raises classic **spot zoning** concerns.

Spot zoning is not defined by size alone. It is identified by context: whether a single parcel is being singled out for preferential treatment that is inconsistent with surrounding zoning and land-use patterns, and whether the change advances a broad public purpose or primarily benefits a particular development proposal. In this case, the requested rezoning would single out one parcel for a level of intensity that is not reflected in the surrounding zoning framework, undermining the predictability and coherence of the Comprehensive Plan.

Approval under these circumstances would weaken the Plan's role as a guiding document and invite further requests that rely on exception rather than compliance.

II. Incompatibility with Surrounding Uses and Established Development Pattern

The subject property is located within an area characterized by lower-density residential development and long-established neighborhood patterns. These patterns reflect decades of zoning decisions and planning expectations that residents and property owners have relied upon.

Introducing multi-family development at the proposed density would significantly alter the character of the area and create incompatibilities related to:

- Scale and massing
- Intensity of use
- Traffic generation and circulation impacts
- Long-term land-use expectations

These impacts are not speculative. They are the predictable and cumulative effects of inserting a higher-intensity zoning district into an area that has not been planned, zoned, or built to support it.

In prior zoning cases, the County has routinely cited incompatibility with surrounding uses as a valid and sufficient basis for denial, particularly where a proposal represents a clear departure from the established development pattern.

III. Consistency with Prior Planning and Zoning Board Denials

Brevard County has a well-documented history of recommending and issuing denials where rezoning requests are inconsistent with adopted policy, incompatible with surrounding uses, or likely to set problematic precedent. The current request aligns closely with scenarios in which the Board has previously recommended denial.

A. Merritt Island Rezoning Denial (22Z00033 – August 15, 2022)

On August 15, 2022, the Planning and Zoning Board **unanimously recommended denial** of a rezoning request (**Application 22Z00033**) involving a change from **AU to RU-1-13** for a property located on **North Tropical Trail in Merritt Island**.

In that case, the Board heard testimony that the requested zoning was **out of character, incompatible with the surrounding area**, and would set a precedent encouraging similar requests. A Board member specifically noted that approving the request would “open the door” to additional rezonings and concluded that the proposal was “not conducive to this particular area.” The motion to recommend denial passed unanimously.

This case is directly relevant. It demonstrates the Board’s willingness to recommend denial where increased residential intensity would disrupt established land-use patterns and create precedent pressures—precisely the concerns raised by Application 25Z00054.

B. PUD Rezoning Denial (23PUD00001 – October 14, 2024)

Similarly, on October 14, 2024, the Planning and Zoning Board **unanimously recommended denial of Application 23PUD00001**, which sought to rezone property from **BU-1 and RU-2-10 to PUD**.

The minutes reflect that the request had been previously considered and that the Board had already recommended denial. Upon reconsideration, the Board again voted unanimously to recommend denial, reinforcing the principle that rezoning should not be approved simply because it is requested or resubmitted.

This case underscores that the Board consistently applies its standards and does not hesitate to recommend denial when the record does not support approval.

C. Broader Pattern of Denials to Preserve Plan Integrity

In addition to zoning cases, the Planning and Zoning Board has also recommended denial of **small-scale Comprehensive Plan amendments** where proposals were inconsistent with adopted policy or premature. For example, on August 12, 2024, the Board unanimously recommended denial of multiple plan amendment items, reinforcing the broader principle that the County prioritizes plan consistency over ad hoc changes.

Together, these actions demonstrate a clear and consistent history: when a request undermines adopted planning policy, compatibility, or long-term land-use coherence, **denial is not only appropriate but expected**.

IV. Reasonable and Economically Viable Use Exists Under Current Zoning

Denial of this application does not deprive the property of reasonable or economically viable use. The existing zoning designation allows lawful development that is consistent with surrounding land uses and long-standing planning objectives.

Rezoning is not intended to maximize development yield on a parcel-by-parcel basis, particularly where such maximization conflicts with adopted land-use policy. The existence of viable development options under current zoning weighs strongly against approval of the requested change.

V. Infrastructure Availability Does Not Cure the Land-Use Conflict

It is acknowledged that the subject property is served by an existing sewer system, eliminating the need for septic-based nitrogen mitigation. However, infrastructure availability alone does not

justify a zoning change that is otherwise inconsistent with the Comprehensive Plan or incompatible with surrounding development.

Environmental considerations—including wetlands, protected species, and tree preservation requirements—remain applicable. More importantly, zoning decisions must be based on land-use compatibility and policy consistency, not solely on the presence or absence of utilities.

VI. Public Interest, Precedent, and Long-Term Consequences

Zoning decisions are cumulative. Each approval sets expectations and shapes future requests. Approving this rezoning would:

- Signal that parcel-specific exceptions are acceptable
- Encourage similar requests in the surrounding area
- Weaken the County's ability to defend future denials

Denial, by contrast, reinforces predictability, fairness, and adherence to adopted policy. It protects both nearby property owners and the County's long-term planning framework.

Conclusion

For the reasons outlined above—including inconsistency with the Comprehensive Plan, classic spot zoning concerns, incompatibility with surrounding uses, a clear history of similar denials by the Planning and Zoning Board, the availability of reasonable use under current zoning, and the absence of a demonstrated public benefit—I respectfully request that **Zoning Application No. 25Z00054** be denied and that the existing zoning classification for **Parcel ID 24-36-14-00-259** remain unchanged.

Such a decision would be consistent with prior County actions, preserve the integrity of the zoning map, and uphold the principles that guide responsible land-use planning in Brevard County.

Respectfully submitted,

John C. Golovich
2540 Raintree Lake Circle
Merritt Island, FL 32953

I. Findings of Fact – Outline Supporting Denial

(Zoning Application No. 25Z00054 | Parcel ID 24-36-14-00-259)

A. Jurisdiction and Application

1. The Board has jurisdiction over **Zoning Application No. 25Z00054**, which requests a change in zoning classification for **Parcel ID 24-36-14-00-259**, located on North Courtenay Parkway, Merritt Island.
 2. The application requests a rezoning from **AU to RU-2-15**, allowing a significant increase in residential density and intensity.
-

B. Comprehensive Plan Consistency

3. The Brevard County Comprehensive Plan serves as the controlling policy framework for zoning decisions.
 4. Rezoning actions are intended to implement the Comprehensive Plan and are not intended to create parcel-specific exceptions or de facto plan amendments.
 5. The requested rezoning would allow a residential density and intensity that is not consistent with the intent and expectations of the adopted Comprehensive Plan for this area.
 6. Approval of the requested rezoning would undermine the role of the Comprehensive Plan as a predictable, guiding document for land-use decisions.
-

C. Spot Zoning Considerations

7. The requested rezoning would single out one parcel for treatment that is materially different from the surrounding zoning framework.
 8. The surrounding area is characterized by lower-density residential development and established land-use patterns.
 9. The requested zoning change exhibits characteristics of **spot zoning**, including preferential treatment of a single parcel without a corresponding public benefit or plan amendment.
 10. Approval of the request would weaken the consistency and integrity of the County's zoning map.
-

D. Compatibility with Surrounding Uses

11. The proposed rezoning would introduce a higher-intensity residential use that is incompatible with surrounding land uses in terms of scale, intensity, and character.
 12. Increased traffic, development intensity, and land-use impacts are foreseeable consequences of the proposed rezoning.
 13. The surrounding infrastructure and neighborhood pattern were not designed to accommodate the level of development intensity proposed.
-

E. Precedent and Consistency with Prior Board Actions

14. The Planning and Zoning Board has previously recommended denial of rezoning requests where increased intensity was incompatible with surrounding uses or inconsistent with adopted planning policy.
 15. Prior Board actions, including unanimous recommendations of denial for similar rezoning requests, demonstrate a consistent application of zoning standards.
 16. Approval of the requested rezoning would depart from this established pattern and make future denials of similar requests more difficult to defend.
-

F. Reasonable Use Under Existing Zoning

17. The subject property retains reasonable and economically viable use under its current zoning classification.
 18. Denial of the requested rezoning does not deprive the property owner of all reasonable use of the land.
 19. Rezoning is not required to ensure reasonable use of the property.
-

G. Infrastructure and Environmental Context

20. The property is served by an existing sewer system; however, infrastructure availability alone does not justify a zoning change that is inconsistent with adopted policy.
 21. Environmental considerations, including wetlands, protected species, and tree preservation requirements, remain applicable to the property.
 22. These considerations further support cautious, plan-consistent land-use decision-making.
-

H. Public Interest and Long-Term Planning

23. Zoning decisions have cumulative impacts and set expectations for future land-use requests.

24. Approval of the requested rezoning would encourage similar requests and erode predictability in the zoning process.
 25. Denial of the application is consistent with the public interest, long-term planning objectives, and the County's responsibility to apply zoning regulations uniformly.
-

I. Conclusion

26. Based on the foregoing findings, the requested rezoning is not consistent with the Comprehensive Plan, is incompatible with surrounding uses, raises spot zoning concerns, and is not required to ensure reasonable use of the property.
27. Denial of **Zoning Application No. 25Z00054** is supported by competent, substantial evidence in the record.

Good Day,

I hope this email finds you well. This email is a response to the proposed rezoning of land at the intersection of N. Courtenay & Pioneer. Adding a structure that could potentially house 100's of additional people in an already very congested area is a terrible deal for the residents of Merritt Island. As a resident of North Merritt Island , PTO President at Lewis Carroll Elementary and Mom to 3 students attending LCE// the safety of the school's students & their families is of the utmost importance. This is a terrible idea and should be denied.

- **Public Safety:** The Staff Report (p. 10) explicitly warns that this project creates a "Material Danger to Public Safety."
- **Infrastructure:** Our roads are already at 88% capacity. This project exceeds the "25% of remaining capacity" rule.
- **Incompatibility:** The report admits 222 units is "not consistent" with our surrounding single-family neighborhoods.
- **Local Opposition:** The local advisory boards (MIRA/P&Z) could not find a majority to support this. As our representatives, we ask that you do not override the local experts and residents.

I hope you take time to review the 1000's of concerned residents and take the appropriate action on this item.

Thank you for your time

Caitlyn Winn

From: [John Golovich](#)
To: [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Fw: Public Hearing - Zoning Application No. 25Z00054
Date: Wednesday, February 4, 2026 10:27:07 AM
Attachments: [Zoning Board Letter.pdf](#)

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

Please accept this letter in regards to the Zoning Application 25Z00054 which is on the agenda for February 5th, 2026. While I intended to attend in person to voice my concerns, with the failure of the Artemis 2 Wet Dress Rehearsal, I will be on site at Kennedy Space Center while the meeting is being held.

Thank You

John Golovich
2540 Raintree Lake Circle
Merritt Island, FL 32953

From: [Rebecca Hauser](#)
To: [AdministrativeServices](#)
Cc: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Opposition to Continuance & Request for Denial – Item 25Z00054, Lack of Competent Substantial Evidence
Date: Wednesday, February 4, 2026 3:41:24 PM

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

Dear Commissioners,

I am writing as a concerned Merritt Island resident to express my opposition to a continuance for Item 25Z00054. While the applicant has requested more time, the significant late-hour submission of 480 pages of technical data suggests the original application was incomplete and, more importantly, **lacks Competent Substantial Evidence** to support a change in zoning.

This project faces fundamental challenges that more time and paperwork cannot resolve:

- **Unanimous Local Opposition:** The **Merritt Island Redevelopment Agency (MIRA)** voted 7-0 to recommend **Denial**. This was followed by a 7-7 deadlock at the Planning & Zoning board. The local bodies most familiar with this land have already found the project unsuitable.
- **Infrastructure at a Breaking Point:** The surrounding roads are already failing. The SR 528 westbound ramps are expected to drop to a precarious state by next year, and the **southbound approach is projected to hit LOS F (Total Failure)**. Currently, North Courtenay and the SR 528 ramps operate at **LOS E** in the morning.
- **Illegal Access & Signal Conflict:** The proposed median break on SR 3 is roughly **600 feet** from the Pioneer Road signal. **Under FDOT Rule 14-97, this is not permitted** (1,320-foot spacing required).
- **Pioneer Road:** If FDOT denies the median break—which is highly likely given the proximity to the light—the North Courtenay exit becomes a **"Right-In, Right-Out" only**. This means 100% of the residents wanting to go South or toward the 528 will be forced to exit onto **Pioneer Road** to use the traffic light. This creates a massive, dangerous bottleneck on a residential street that cannot handle that volume.
- **Fiscal Deficit & Violation of County Code 62-16:** P&Z minutes (pages 4 & 5) show staff agrees the impact is actually ~3,000 trips, yet the applicant's study cites only 1,379. Under **Brevard County Code Section 62-16**, the developer must pay for the capacity they consume. By under-reporting traffic by over 50%, the applicant avoids their legal obligation to fund road repairs, leaving taxpayers to fix the resulting gridlock.
- **Fundamentally Flawed Traffic Data:** The study notes a 2:00 PM school dismissal, but **December 11th was a 1:30 PM Early Release**. By starting their counts 30 minutes late, the applicant missed 100% of the peak school-zone traffic.

Because the applicant's data is based on incorrect school times, unpermitted road access, and under-counted trip volumes, the application lacks the Competent Substantial Evidence required for approval. Rather than granting a continuance to review eleventh-hour data, I respectfully ask the Board to follow the recommendations of MIRA and P&Z and Deny this application today.

Sincerely,

Rebecca Hauser 815-608-8451

From: [Greg McClasky](#)
To: [AdministrativeServices](#); [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: I Oppose Continuance & Request for Denial – Item 25Z00054, Lack of Competent Substantial Evidence
Date: Wednesday, February 4, 2026 4:28:25 PM

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

Dear Commissioners,

I am writing as a concerned Merritt Island resident to express my opposition to a continuance for Item 25Z00054. While the applicant has requested more time, the significant late-hour submission of 480 pages of technical data suggests the original application was incomplete and, more importantly, **lacks Competent Substantial Evidence** to support a change in zoning.

This project faces fundamental challenges that more time and paperwork cannot resolve:

- **Unanimous Local Opposition:** The Merritt Island Redevelopment Agency (MIRA) voted 7-0 to recommend Denial. This was followed by a 7-7 deadlock at the Planning & Zoning board. The local bodies most familiar with this land have already found the project unsuitable.
- **Infrastructure at a Breaking Point:** The surrounding roads are already failing. The SR 528 westbound ramps are expected to drop to a precarious state by next year, and the **southbound approach is projected to hit LOS F (Total Failure)**. Currently, North Courtenay and the SR 528 ramps operate at **LOS E** in the morning.
- **Illegal Access & Signal Conflict:** The proposed median break on SR 3 is roughly **600 feet** from the Pioneer Road signal. **Under FDOT Rule 14-97, this is not permitted** (1,320-foot spacing required).
- **Pioneer Road:** If FDOT denies the median break—which is highly likely given the proximity to the light—the North Courtenay exit becomes a **"Right-In, Right-Out" only**. This means 100% of the residents wanting to go South or toward the 528 will be forced to exit onto **Pioneer Road** to use the traffic light. This creates a massive, dangerous bottleneck on a residential street that cannot handle that volume.
- **Fiscal Deficit & Violation of County Code 62-16:** P&Z minutes (pages 4 & 5) show staff agrees the impact is actually ~3,000 trips, yet the applicant's study cites only 1,379. Under **Brevard County Code Section 62-16**, the developer must pay for the capacity they consume. By under-reporting traffic by over 50%, the applicant avoids their legal obligation to fund road repairs, leaving taxpayers to fix the resulting gridlock.

- **Fundamentally Flawed Traffic Data:** The study notes a 2:00 PM school dismissal, but **December 11th was a 1:30 PM Early Release.** By starting their counts 30 minutes late, the applicant missed 100% of the peak school-zone traffic.

Because the applicant's data is based on incorrect school times, unpermitted road access, and under-counted trip volumes, the application lacks the Competent Substantial Evidence required for approval. Rather than granting a continuance to review eleventh-hour data, I respectfully ask the Board to follow the recommendations of MIRA and P&Z and Deny this application today.

Sincerely,

Greg McClasky

Tel: 321-302-2844

From: [Tina McClasky](#)
To: [AdministrativeServices](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Commissioner, D1](#)
Subject: My Opposition to a Continuance & a Request for Denial – Item 25Z00054, Lack of Competent Substantial Evidence
Date: Wednesday, February 4, 2026 4:36:39 PM

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

Dear Commissioners,

I am writing as a concerned Merritt Island resident to express my opposition to a continuance for Item 25Z00054. While the applicant has requested more time, the significant late-hour submission of 480 pages of technical data suggests the original application was incomplete and, more importantly, **lacks Competent Substantial Evidence** to support a change in zoning.

This project faces fundamental challenges that more time and paperwork cannot resolve:

- **Unanimous Local Opposition:** The **Merritt Island Redevelopment Agency (MIRA)** voted **7-0 to recommend Denial**. This was followed by a 7-7 deadlock at the Planning & Zoning board. The local bodies most familiar with this land have already found the project unsuitable.
- **Infrastructure at a Breaking Point:** The surrounding roads are already failing. The SR 528 westbound ramps are expected to drop to a precarious state by next year, and the **southbound approach is projected to hit LOS F (Total Failure)**. Currently, North Courtenay and the SR 528 ramps operate at **LOS E** in the morning.
- **Illegal Access & Signal Conflict:** The proposed median break on SR 3 is roughly **600 feet** from the Pioneer Road signal. **Under FDOT Rule 14-97, this is not permitted** (1,320-foot spacing required).
- **Pioneer Road:** If FDOT denies the median break—which is highly likely given the proximity to the light—the North Courtenay exit becomes a **"Right-In, Right-Out" only**. This means 100% of the residents wanting to go South or toward the 528 will be forced to exit onto **Pioneer Road** to use the traffic light. This creates a massive, dangerous bottleneck on a residential street that cannot handle that volume.
- **Fiscal Deficit & Violation of County Code 62-16:** P&Z minutes (pages 4 & 5) show staff agrees the impact is actually ~3,000 trips, yet the applicant's study cites only 1,379. Under **Brevard County Code Section 62-16**, the developer must pay for the capacity they consume. By under-reporting traffic by over 50%, the applicant avoids their legal obligation to fund road repairs, leaving taxpayers to fix the resulting gridlock.

- **Fundamentally Flawed Traffic Data:** The study notes a 2:00 PM school dismissal, but **December 11th was a 1:30 PM Early Release.** By starting their counts 30 minutes late, the applicant missed 100% of the peak school-zone traffic.

Because the applicant's data is based on incorrect school times, unpermitted road access, and under-counted trip volumes, the application lacks the Competent Substantial Evidence required for approval. Rather than granting a continuance to review eleventh-hour data, I respectfully ask the Board to follow the recommendations of MIRA and P&Z and Deny this application today.

Sincerely,

Tina McClasky

Home Phone: 321-449-4014

From: [Chelsey Bjork](#)
To: [AdministrativeServices](#)
Cc: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Public record submission - zoning item 25Z00054
Date: Thursday, February 5, 2026 8:08:28 AM

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

Good morning Commissioners and Administrative Staff,

For record purposes, I respectfully submit the following comments regarding the proposed continuance of zoning item 25Z00054.

I understand and respect the rationale for a continuance when new information is introduced and the record requires additional review. However, based on the materials already submitted, including the staff analysis and documented compatibility, safety, and traffic concerns, I believe there is already substantial evidence indicating that this project, at its proposed location and scale, is deficient.

In an effort to better understand assumptions made in the traffic analysis, I contacted FDOT permit and project staff regarding the potential access configuration referenced in the report, including the use of the SR-3 median. At this time, I was informed that there is no known application or request on file related to this development. While I am awaiting written confirmation, this raises significant questions as to whether the “preferred” access scenario relies on improvements or access points that are neither approved nor guaranteed.

Rezoning at this stage would lock in density, rights, and entitlements before concurrency is verified. The FDOT project is independent, safety driven, and already in the design stage. It cannot be assumed as mitigation for this development and may, in fact, further constrain access. Rezoning now would require the County to speculate on future access permissions, turn movement restrictions, queuing impacts, and additional mitigation needs. Concurrency cannot be evaluated based on preferred, but unapproved scenarios, tied to a separate state project.

Additionally, the existence of theoretical by-right uses does not justify approval of a rezoning that removes existing safeguards while increasing intensity. The decision before you is not whether other uses might be permitted today, but whether removing a binding site plan while increasing density is compatible and supported by infrastructure. The current binding site plan provides enforceable protections related to access, circulation, buffering, and vegetation. Those protections would be lost with this rezoning, and future boards would lose leverage. The traffic analysis continues to rely on access patterns tied to the existing binding site plan, yet those assumptions are no longer guaranteed if it is removed.

Whether the density is achieved through a bonus or split designation does not change the real world impact. 222 units on approximately 11 acres represents an intense residential use at this intersection given existing traffic and safety constraints. The math may differ on paper, but the

impacts on the ground are the same.

The staff analysis notes the developer's willingness to pursue proportionate fair share; however, there is no agreement, no defined project, and no assurance that mitigation would occur prior to impacts. This is not a completed concurrency solution, but a placeholder. Impact fees, while valuable, are not project specific mitigation and do not replace concurrency or guarantee improvements on Pioneer Road.

While Florida Statute 163.3180 allows proportionate fair share to address concurrency, it does not override conditions that present a material danger to public safety. A financial contribution alone does not resolve site specific safety issues, particularly within an active school zone. Payment does not physically reduce queuing, improve sight lines, or make the Lewis Carroll Elementary corridor safer for the increased traffic volumes associated with this proposal.

Additionally, I want to note that proportionate fair share functions as a financial contribution, not a physical transportation solution. While payment may be offered, it does not widen North Courtenay Parkway, resolve queuing near the school zone, or improve safety conditions on its own. This concern is heightened by the fact that FDOT is already advancing a state funded safety project on this corridor that limits turning movements and lane configurations. Accepting proportional fair share under these circumstances risks allowing additional traffic to be approved on a roadway the State is actively redesigning to reduce conflicts, not accommodate new access. That disconnect underscores why concurrency cannot be satisfied by payment alone in this case.

I appreciate the Board's attention to maintaining a complete and accurate record. My intent in submitting these comments is not to challenge the process, but to ensure that unresolved issues related to traffic, concurrency assumptions, and compatibility are formally noted as this item moves forward.

While I respect the request for a continuance, I wish to state clearly for the record that the existing evidence already demonstrates that this rezoning is incompatible and unsupported. A continuance should not be interpreted as a lack of information, but rather as additional time to review concerns that are already well established.

Kindly,
Chelsey True
Merritt Island Resident

Dear Commissioners/Board Members,

We are writing to express our strong opposition to the proposed rezoning (Case #25Z00054) for the Maronda/Strada Homes development on East Crisafulli Road in Merritt Island. I am concerned about increased traffic congestion on already overburdened local roads, worsening flooding and stormwater issues, loss of natural wetlands, and the impact on the character and safety of the community. We respectfully urge you to deny this rezoning request and ensure proper studies and public input are completed before any land-use changes are considered.

Thank You For Your Consideration Of This Matter!

William and Sarah Hodge

390 Sanders Lane

Merritt Island, Florida 32953

Phone: 321-452-3340

Email: billhodge@juno.com

sarahkiserhodge@gmail.com

25Z00054

Dear Commissioner,

Please do not approve the proposed apartments at Pioneer and N. Courtenay. I live in Palmetto neighborhood a few blocks down. I have lived here for 15 years, and know that there have been at least 3 deaths from car accidents at the entrance to my neighborhood, possibly 4. The traffic is so bad at times, that I cannot get out of my neighborhood, and mostly cannot get in. The traffic has tripled in the past 6 years. We cannot sustain anymore traffic. These apartments will overload an already overcrowded street.

Thank you for your time!

Sincerely,

Rose Bray

3222 Glenridge Circle

Merritt Island FL 32953

Good evening,

Question, do you live on Merritt Island? If not have you visited the proposed site of the 220 unit apartment complex you will allow to be built there? If not, I suggest you do.

This is a area of single family homes. There are no apartment complexes there.

Besides bringing down property values, it will add a possible 220 to 440 plus cars at an already outdated and inadequate intersection of Pioneer and hwy 3. You are relying on a 16 year old traffic study. That intersection has no left turn lanes or traffic lights. Pioneer is a 2 lane road. Nearly everyday, there are near misses and or accidents. People line the Pioneer road in am and pm for the Elm school.

The 528 and hwy 3 intersection is about 1/4 mile from the Pioneer intersection. This 528 one way was not designed for this level of traffic when built 40+ years ago. This intersection absorbs North Merritt Island, South Merritt Island traffic. Add in the cruise parking you approved and built 2 yrs ago along with the busiest cruise terminal in the world. Disaster.

The FDOT has in their master plan to add a street light at Via De La Reina. Its not going to help. They also have a proposed plan to widen 528 to the port and to modernize the 528 hwy intersection as well as build new bridges. Until these are done, I insist that the project be re-examined and relocated.

I cannot leave my house on Via De La Reina. It is too dangerous. There isn't a county sheriff's presence for traffic enforcement anywhere on MI. People speed through my neighborhood whether they live there or not. People drink and drive, smoke dope so bad I get high driving down hwy 3 not because I smoke, rather whoever is doing it blows out the window in clouds.

I believe that the commissioners made up their mind a few years ago that they would do this apartment project. Otherwise they would not have put in a new lift station off courtenay next door to the project. It started in 2022 and has been going on for 3 years. Finally done. It caused damage to my house due to incompetence and laziness by the contractor.

I also believe that deception was used by putting a 1x1 sign about the first meeting for residents on the Stewart health site. No one knows what this project is. They won't till the trees come down. I didn't find out until very recently for a petition gathering.

No commissioner should vote yes. There will be opposition to those who do come voting time.

Respectfully,

Ted Howley

144 Via De La Reina

Merritt Island, FL 32953

4076151456

25Z00054

Please vote NO on the proposal for rezoning a property on the east side of N. Courtenay Parkway to make it suitable for an apartment complex to go in.

I live at 2605 Raintree Lake Circle, and struggle with major flooding from large storms. The neighborhood behind us was built at least a half a foot higher than ours so we get their runoff already. If the proposed rezoning is allowed to take place, it's going to negatively affect my home. I can't imagine how devastating the impact will be for the residents of Raintree by the Lake.

PLEASE VOTE NO!

Thank you sincerely,
Reina Dalton
(321)745-0596
Sent from my iPhone

25Z00054

I plead with you all to deny the rezoning of the property at Pioneer and N. Courtenay Pkwy in Merritt Island. Courtenay cannot support this influx of growth. With the apartments being built behind the Merritt Island mall we're looking at 100's of more cars on the road already. This large project of multi-family units would be devastating to this island. I know growth is inevitable but this isn't the right project for this specific area. This would not be beneficial to the small island community that Merritt Island has been known for since as long as I've lived here.

Thank you for your time.

25Z00054

Please oppose the rezoning on Merrit Island. The area at Pioneer Rd. and Courtenay Parkway will be harmfully impacted if this goes through. The high density apartment complex in single family neighborhoods will compromise safety and traffic flow.

Thank you,

Kathleen Brandt

Over the past 40 years, the once-quiet drive from Cocoa into Merritt Island has transformed dramatically. What used to be a peaceful, natural sanctuary has become increasingly congested, especially on weekends, when out-of-town visitors crowd the unpaved shoulders as if they were public parks—camping, grilling, selling items, and often interfering with traffic flow.

Simultaneously, Port Canaveral has expanded from a small cruise hub into the largest port in Florida, yet the surrounding infrastructure has not kept pace. Weekend traffic jams on the Beachline are now almost guaranteed as thousands of cruise passengers rush to the port, frequently causing accidents or gridlock. Much of the remaining open land has been converted into cruise parking lots, further intensifying traffic pressures without meaningful road improvements.

As drivers exit the Beachline onto Courtney Parkway, they encounter additional congestion from Kennedy Space Center traffic, daily launch activity, and drivers racing to beat poorly timed lights. The nearby drawbridge often rises at the worst possible moment, pushing traffic backups well beyond the Pioneer/Courtney intersection. In the immediate vicinity of the proposed apartment development, three residential neighborhoods, an elementary school, a nursing home, Starbucks, a car wash, a bank, and a medical plaza all share a single narrow roadway. This road already struggles with backups, lacks turn lanes, and experiences frequent accidents as drivers take risks to avoid delays. It sits within half a mile of both the chronically congested Beachline interchange and the drawbridge that routinely traps vehicles for miles.

Adding a 225-unit apartment complex—introducing more than 250 additional vehicles—would create dangerous conditions for residents, schoolchildren, parents, teachers, and emergency responders. It would further complicate evacuation routes and increase risks in an area already beyond its infrastructure and environmental capacity.

After four decades of living on this small island, it is clear that Merritt Island has exceeded sustainable growth. Recent developments have already caused flooding in older neighborhoods, degraded water quality, and strained natural systems. Approving another high density project in a location unable to support it is not progress—it is a failure of responsible urban planning and a decision driven purely by profit, not community well-being.

Apartments are not an ideal fit for this area due to several key factors related to infrastructure capacity, community character, and long-term planning considerations. I would strongly recommend you go to this area at 7:30-7:45am, 2:30pm or 5:30 pm and experience the congestion and craziness yourself before you vote for this madness

Regards,

Karie Hanselman, concerned resident of area

Dear Commissioner Delaney,

I am writing as a concerned resident of Merritt Island to respectfully urge you not to approve the proposed zoning change (zoning application 25Z00054) that would allow medium- to high-density housing at the property located on the east side of N. Courtenay Parkway, approximately 420 feet south of Via De La Reina (parcel ID 24-36-14-00-259).

While growth can be beneficial when thoughtfully planned, this particular proposal threatens the safety, infrastructure, environmental balance, and character of the immediate neighborhood as well as the whole island in ways that are already well documented in the official reports on record.

Public safety must be paramount. One of the reports explicitly warns that this project presents a “material danger to public safety.” This is not merely a speculative concern, but a formal conclusion based on the project’s own analysis. Approving a development identified as posing such a risk would place current residents, future occupants, and first responders in jeopardy.

Traffic and infrastructure capacity are already strained. Many are familiar with the daily congestion along N. Courtenay Parkway. According to the report, local roads are operating at approximately 88% capacity, leaving very little margin for additional traffic. The proposed development exceeds the established “25% of remaining capacity” guideline; thus, rezoning this property would only exacerbate an already dangerous situation—raising the likelihood of accidents and posing increased risks to both drivers and adult and child pedestrians, particularly as the area awaits roadway redesign to place a raised median.

In addition, flooding concerns cannot be ignored. Natural drainage systems on Merritt Island are already under stress, and increased density at this location would further burden those systems. The result could be heightened flood risk for nearby homes and businesses, creating long-term consequences that are difficult and costly to reverse.

The proposal is also incompatible with surrounding land use. The report itself acknowledges that the planned 222 units are not consistent with the adjacent single-family neighborhoods. Such incompatibility threatens the stability, character, and quality of life of communities that residents, including myself, have invested in for decades.

Equally concerning is the loss of green space, especially wetlands and wildlife habitats, which would be irreversible. Our community has worked hard to preserve these areas, recognizing their importance to our ecosystem, natural drainage, and as a buffer against overdevelopment. Once lost, this land—and the balance it provides—cannot be restored. Preserving these spaces is essential to maintaining what makes Merritt Island a unique and cherished place to live.

Finally, there is clear local opposition and advisory concern. The Merritt Island Redevelopment Agency (MIRA) has already demonstrated its support for preserving our community by voting against the rezoning proposal, and even the Brevard County Planning & Zoning board was not able to reach a majority in favor of this project, after hearing both sides. As one of our elected representatives, I respectfully ask that you honor the judgment of local advisory boards and the residents they serve, rather than overriding their recommendations.

I support smart, appropriately scaled growth—but not this specific project, particularly in this specific location. The proposed density cannot be sustained without compromising safety, traffic flow, environmental resilience, and neighborhood compatibility.

For these reasons, I respectfully ask that you vote no on this zoning change and help protect the safety, environment, and long-term well-being of Merritt Island and its residents.

Thank you for your time, consideration, and service to our community.

Respectfully,

Gayle Allenback

2405 Raintree Lake Circle

Merritt Island, FL 32953

25Z00054

Dear Commissioner:

I want to email to let you know that I live in Villa de Palmas and I am very much against changing the zoning for the proposed 222 apartments at Pioneer and N. Courtney.

It would add so much traffic to an already crowded and dangerous intersection and road and impede traffic, which is already a mess at certain times a day.

Additionally, the purchaser of the property knew the zoning when they purchased it. So, I see no reason to change it to fit in with their plans.

Please keep the current residents in mind when you cast your vote.

Sincerely

Ute Steigerwald

241 Mariah Court

Merritt Island

From: 116mongo@gmail.com
To: [Commissioner, D2](#)
Subject: N.Courtney add Pioneer Housing
Date: Thursday, February 5, 2026 12:39:48 PM

25Z00054

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

Vote NO on this preposterous housing project. We don't want it. Period.

Jeff Wilson,
Resident of North Merritt Island

Sent from my iPhone

From: [Gayle Allenback](#)
To: [AdministrativeServices](#)
Subject: Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259
Date: Wednesday, March 11, 2026 9:10:37 AM

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

Dear Members of the Planning and Zoning Board,

I am writing as a concerned resident of Merritt Island to respectfully urge you not to approve the proposed zoning change (Zoning Application 25Z00054) that would allow medium- to high-density housing at the property located on the east side of N. Courtenay Parkway, approximately 420 feet south of Via De La Reina (parcel ID 24-36-14-00-259).

While growth can be beneficial when thoughtfully planned, this particular proposal threatens the safety, infrastructure, environmental balance, and character of the immediate neighborhood as well as the whole island in ways that are already well documented in the official reports on record.

Public safety must be paramount. One of the reports explicitly warns that this project presents a “material danger to public safety.” This is not merely a speculative concern, but a formal conclusion based on the project’s own analysis. Approving a development identified as posing such a risk would place current residents, future occupants, and first responders in jeopardy.

Traffic and infrastructure capacity are already strained. Many are familiar with the daily congestion along N. Courtenay Parkway. According to the report, local roads are operating at approximately 88% capacity, leaving very little margin for additional traffic. The proposed development exceeds the established “25% of remaining capacity” guideline; thus, rezoning this property would only exacerbate an already dangerous situation—raising the likelihood of accidents and posing increased risks to both drivers and adult and child pedestrians, particularly as the area awaits roadway redesign to place a raised median.

In addition, flooding concerns cannot be ignored. Natural drainage systems on Merritt Island are already under stress, and increased density at this location would further burden those systems. The result could be heightened flood risk for nearby homes and businesses, creating long-term consequences that are difficult and costly to reverse.

The proposal is also incompatible with surrounding land use. The report itself acknowledges that the planned 222 units are not consistent with the adjacent single-family neighborhoods. Such incompatibility threatens the stability, character, and quality of life of communities that residents, including myself, have invested in for decades.

Equally concerning is the loss of green space, especially wetlands and wildlife habitats, which would be irreversible. Our community has worked hard to preserve these areas, recognizing their importance to our ecosystem, natural drainage, and as a buffer against overdevelopment. Once lost, this land—and the balance it provides—cannot be restored. Preserving these spaces is essential to maintaining what makes Merritt Island a unique and cherished place to live.

Finally, there is clear local opposition and advisory concern. The Merritt Island Redevelopment Agency (MIRA) has already demonstrated its support for preserving our community by voting against the rezoning proposal. There is also a Change.org petition with many residents who have signed to indicate they are against the zoning change. I respectfully ask that you honor the judgment of local advisors and residents, rather than overriding their recommendations and wishes.

I support smart, appropriately scaled growth—but not this specific project, particularly in this specific location. The proposed density cannot be sustained without compromising safety, traffic flow, environmental resilience, and neighborhood compatibility.

For these reasons, I respectfully ask that you vote against this zoning change and help protect the safety, environment, and long-term well-being of Merritt Island and its residents.

Thank you for your time, consideration, and service to our community.

Respectfully,

Gayle Allenback

2405 Raintree Lake Circle

Merritt Island, FL 32953

(702) 378-2167

From: [Gary Olsen](#)
To: [D1.Commissioner@brevardfl.gov](#); [D2.Commissioner@revard.gov](#); [D3.Commissioner@brevard.gov](#);
[D4.Commissioner@brevardfl.gov](#); [D5.Commissioner@brevard.gov](#); [AdministrativeServices](#)
Subject: Proposed zoning change, Merritt Island
Date: Thursday, March 12, 2026 7:28:23 AM

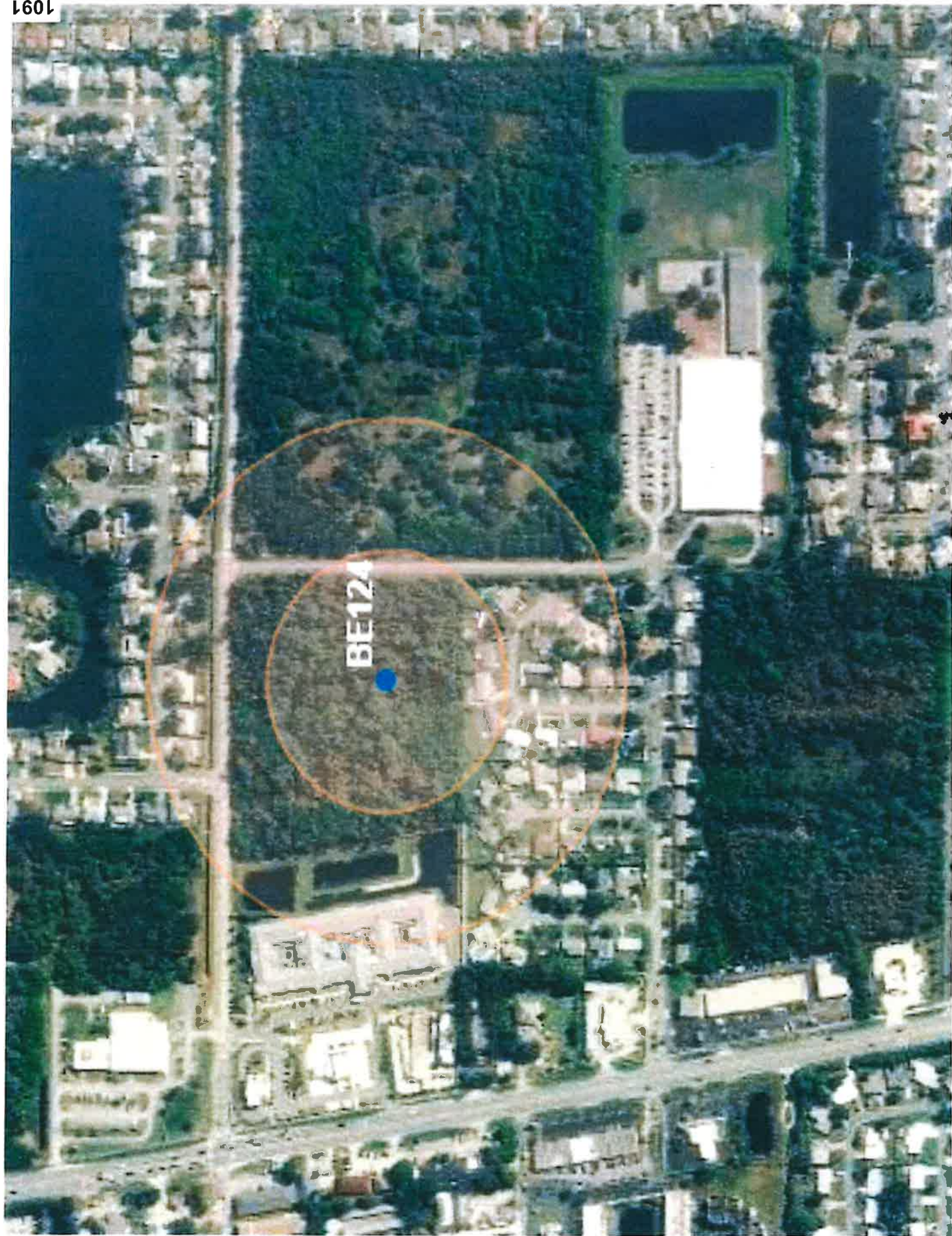
[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner,

I strongly urge you to reject the proposed zoning change on Pioneer road on Merritt Island. As a nearby property owner I don't believe existing infrastructure can handle a traffic or wastewater increase of such magnitude. This dense addition to the area would change the entire nature of the neighborhood. Please leave the existing zoning as is. Thank You for your attention to this matter.

Yours, Gary Olsen





March 16, 2026

To: Brevard County Planning and Zoning Board

- Commissioner **Katie Delaney**
- Commissioner **Tom Goodson**
- Commissioner **Kim Adkinson**
- Commissioner **Rob Feltner**
- Commissioner **Thad Altman**

From: Barbara K. Giles, concerned North Sykes Creek Dr. Development
(Villa de Palmas/Sykes Cove) Resident

Re: **Letter Re Foreseeable Adverse Impacts of Proposed Zoning
Change in Merritt Island at Pioneer Road and North Courtenay
Pkwy**

Dear Commissioners:

I am writing to express my concern that the zoning commission is apparently still considering a drastic change of zoning restrictions that **it knows** could negatively impact the north Sykes Creek Drive residential development area of Merritt Island (Villa de Palmas/Sykes Cove) and endanger the many users of Pioneer Road and North Courtenay Pkwy.

1. **Background.**

Google Maps indicates that the north Sykes Creek Drive development area in Merritt Island (Villa de Palmas/Sykes Cove) currently has approximately 800-plus single-family homes. I cannot vouch for the accuracy of the map, but the zoning commission can surely get accurate statistics. My husband and I have a home and live here, as do thousands of other residents, including but not limited to couples, families with children of all ages, and elderly retirees.

At present, Pioneer Road (one lane ingress, one lane egress) is the only ingress and egress road *with a stoplight* in and around the entire north Sykes Creek Drive development area. The stoplight is at Pioneer and North Courtenay. Thus,

drivers, pedestrians, and bike riders primarily use this road and the stoplight to get into and out of the area at Courtenay as safely as possible.

In addition, drivers from all over can and do use Pioneer to access and exit a busy Starbucks, a medical center, a carwash, an assisted living community, and a financial institution-- all of which are located on the corners of Pioneer and North Courtenay Parkway-- as well as a public elementary school located off Pioneer, namely Lewis Carroll, which reportedly has in excess of 600 students. As the Commission is aware, the ingress and egress lanes on Pioneer are already seriously strained in the mornings and afternoons, when parents and multiple school buses take children to and from the elementary school, and parents and multiple school buses take older children to and from the middle and high schools.

Presently, the green spaces on Pioneer provide invaluable storm water absorption and flood protection for the entire area. Even so, like other coastal communities Merritt Island routinely gets flood warnings and evacuation orders directing residents to leave during severe weather events, and the safe and orderly way out for our neighborhoods and the school is on Pioneer Road, at the Courtenay traffic light.

In other words, the busy Pioneer Road /North Courtenay intersection is the major ingress/egress lifeline for thousands of Sykes Creek Drive development residents; school personnel, parents and children; local businesses; school buses; police, fire and medical vehicles and personnel responding to emergency calls; and others.

2. Proposed Drastic Zoning Change.

Notwithstanding all the above, it appears that for some reason the Commission is still considering a drastic and dangerous zoning change on Pioneer at North Courtenay which would allow the construction of **7 massive three-story multi-family apartment buildings, with a planned total of 222 1-3 bedroom apartments and likely upwards of 400 parking spaces**, on the green and wetland space by the existing medical building. The consideration appears ongoing even though for months the Commission has had a Staff Comment report (25Z00054) that reached the following troubling conclusions:

“The proposed use is not consistent with the existing pattern of surrounding development, which is characterized as single-family residential to the east, a medical facility to the west, and an assisted living facility to the south.” P. 8

“The proposed development has the potential to cause traffic capacity issues that potentially could impact design capabilities or a de facto change in functional classification.” P. 10

“The proposed development has the potential to produce 2,308 trips daily. The physical deterioration of the surrounding roadway has not been evaluated at this time.” P. 11

“This development has the potential to cause traffic impacts that could adversely impact the safety or welfare of residents in the existing surrounding residential neighborhoods.” P. 11 (bold emphasis added)

In other words, the Commission’s own reports acknowledge that this proposed development is inconsistent with existing land use and negatively impacts the safety and welfare of thousands of current residents in the nearby neighborhoods.

Obvious Question: Why would the zoning commission knowingly vote to drastically change zoning laws in a residential area near a busy elementary school in a manner that foreseeably endangers thousands of current Merritt Island residents?

It certainly isn’t that this is the only available location, or that it is a perfect location for high density apartment buildings. It obviously isn’t. There are lots of other far more suitable locations in Merritt Island that do not present the same disruptive problems, dangers, and neighborhood infringement issues. For example, the apartment development presently being constructed on Harbor Woods Blvd, near the Merritt Island mall, has a start to finish estimate of years, but there appears to be plenty of space for builders, machinery, apartment buildings, new roads, and parking. That type of access and space does NOT exist at Courtenay and Pioneer.

3. **Conclusion.** The Commission is being asked to approve a drastic zoning change that the Commission knows “*could adversely impact the safety or*

welfare” of thousands of residents in the existing surrounding residential neighborhoods.

Under the circumstances, allowing this unusual and risky zoning change appears patently unnecessary and reckless.

Under the circumstances, it appears the only responsible vote on this project is no.

Respectfully,

A handwritten signature in black ink that reads "Barbara K. Giles". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Barbara K. Giles

203 Cove Loop Drive, Merritt Island, FL

Dear Commissioner,

I am writing to urge you not to approve the rezoning of the property at N Courtenay and Pioneer Rd to put in a 220 unit apartment building. The amount of congestion and traffic backup in that area is already quite heavy, especially at peak times and that type of development seems like it would create not only a nuisance but a more dangerous traffic area. I've seen the aftermath of a few accidents there and witnessed many more close calls. Thank you for considering this matter.

Best,

Charlie

Charlie Amrich

321-266-8209

charlieamrich@gmail.com

Dear Board of County Commissioners,

As a full time homeowner off Pioneer and Sykes Creek Drive, rezoning the area in front of Pioneer would not provide a positive impact to the surrounding neighborhood. With Starbucks and the elementary school in the area, high delays already accrue with high level of traffic and accidents on N. Courtenay Parkway, congestion will be at its peak.

Moving in this neighborhood in 2019, we wanted a slower, peaceful living. Many homes are for sell and sold in the area, there for multiple families have also arrived to enjoy the quiet area. Kids are still currently able to ride their bikes and play outside safety. I have seen animals live in these areas too, bunnies and raccoons, birds, even domesticated cats.

I ask, you please to vote NO for the rezoning.

Hello

My name is William Cauffman. I have lived at 2265 Sykes Creek Drive since 1999. I have enjoyed it greatly. The area under consideration is jam packed with very little extra space for expansion. The infrastructure simply cannot support that increase in traffic density.

My subdivision, Villa De Palmas, and neighboring Sykes Cove have roughly 300 expensive water front homes. The remaining homes in those subdivisions are \$500K plus. I understand there is a desire to increase the tax base, but how about responsible planning where the new development adds to the quality of life rather than detract.

North of the barge canal there are many undeveloped acres where an apartment complex might be better suited. Please reject this proposal to rezone the 10 acres for a 200 plus apartment building.

Best regards

William Cauffman

Please do NOT approve the rezoning for Merritt Island - That intersection is already a nightmare! This is not the place to approve high density housing!

Sincerely,

Patty Bender

Bacardi Drive

Merritt Island

--

Patty Bender

Producer

Renaissance Entertainment

407-222-0064

From: [Patricia Bender](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Re: Merritt Island Rezoning
Date: Tuesday, March 17, 2026 8:26:23 PM

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

Patty Bender
465 Bacardi Drive,
Merritt Island, FL 32953

407-222-064

On Mar 17, 2026, at 6:42 PM, Patricia Bender <pgb8@icloud.com> wrote:

Dear Commissioner,

Please do NOT approve the rezoning in Merritt Island. That intersection is already a nightmare - this is NOT the place to put high density housing!

Please help keep our Island a well-functioning place to live!

Sincerely,

Patty Bender
465 Bacardi Drive
Merritt Island

From: [Charlie Amrich](#)
To: [Commissioner, D1](#)
Subject: Apartments on N. Courtenay
Date: Tuesday, March 17, 2026 4:42:01 PM

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

Dear Commissioner,

I am writing to urge you not to approve the rezoning of the property at N Courtenay and Pioneer Rd to put in a 220 unit apartment building. The amount of congestion and traffic backup in that area is already quite heavy, especially at peak times and that type of development seems like it would create not only a nuisance but a more dangerous traffic area. I've seen the aftermath of a few accidents there and witnessed many more close calls. Thank you for considering this matter.

Best,
Charlie

Charlie Amrich
321-266-8209
charlieamrich@gmail.com

From: [Patricia Bender](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Merritt Island Rezoning
Date: Tuesday, March 17, 2026 6:42:52 PM

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

Dear Commissioner,

Please do NOT approve the rezoning in Merritt Island. That intersection is already a nightmare - this is NOT the place to put high density housing!

Please help keep our Island a well-functioning place to live!

Sincerely,

Patty Bender

465 Bacardi Drive

Merritt Island

From: wcauffman@cfl.rr.com
To: [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Merritt Island rezoning to allow apartment complex
Date: Wednesday, March 18, 2026 8:50:15 AM

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

Hello

My name is William Cauffman. I have lived at 2265 Sykes Creek Drive since 1999. I have enjoyed it greatly. The area under consideration is jam packed with very little extra space for expansion. The infrastructure simply cannot support that increase in traffic density.

My subdivision, Villa De Palmas, and neighboring Sykes Cove have roughly 300 expensive water front homes. The remaining homes in those subdivisions are \$500K plus. I understand there is a desire to increase the tax base, but how about responsible planning where the new development adds to the quality of life rather than detract.

North of the barge canal there are many undeveloped acres where an apartment complex might be better suited. Please reject this proposal to rezone the 10 acres for a 200 plus apartment building.

Best regards

William Cauffman

From: [Danielle Dulude](#)
Cc: [AdministrativeServices](#)
Subject: Public Comment – File 8588 / 25Z00054 – Opposition to Merritt Bidco / RangeWater 222-Unit Rezoning on Merritt Island
Date: Monday, March 30, 2026 11:32:22 AM
Attachments: [File 8588.docx](#)
[FOF 1245 - Special Report Impact Fees 2-22 v2# PAGES 2-6.pdf](#)
[INVENTORY OF EXISTING REVENUE SOURCES C&D.pdf](#)
[INVENTORY OF EXISTING REVENUE SOURCES QBJ 3.pdf](#)
[INVENTORY OF EXISTING REVENUE SOURCES POLICY 4.5.pdf](#)
[merritt_island_cdp_florida_playbook PAGE 9.pdf](#)
[merritt_island_cdp_florida_playbook PAGES6-7.pdf](#)
[Microsoft Word - East Merritt Island SAS.doc 44-45.pdf](#)
[Microsoft Word - East Merritt Island SAS.doc 50-53.pdf](#)
[Microsoft Word - East Merritt Island SAS.doc PAGE 63.pdf](#)
[Microsoft Word - East Merritt Island SAS.doc PAGES 5-6.pdf](#)
[Microsoft Word - East Merritt Island SAS.doc PAGES 28-31.pdf](#)

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

Dear Commissioners,

Attached please find my written public comment regarding File 8588 / 25Z00054, the proposed rezoning for the 222-unit multi-family development on Merritt Island. I will also be speaking at the April 2, 2026 Board of County Commissioners meeting. Due to the 7-7 deadlock at the Planning & Zoning Board and serious unresolved concerns regarding infrastructure concurrency, taxpayer subsidies, PFAS contamination, sewer capacity, and mandatory evacuation risks in Zone A (Red), I respectfully urge you to deny this rezoning or approve it only with strict, binding conditions that require the developer to fully fund all necessary improvements. Thank you for your time and service to Brevard County residents.

Respectfully,
Danielle Dulude
450 East Crisafulli Rd Merritt Island, Florida
407-430-3821
d.dulude87@gmail.com

Re: File #8588 / 25Z00054 – Merritt Bidco SPV, LLC (Kim Rezanka, attorney) / RangeWater Real Estate – Rezoning Request from AU (with Binding Site Plan) to RU-2-15 and RU-2-30 with Removal of BSP

Tax Parcel 2412106, District 2, Merritt Island (approx. 11.24 acres near Pioneer Road / North Courtenay Parkway)

Date: March 30, 2026

Brevard County Board of County Commissioners

2725 Judge Fran Jamieson Way, Building C

Viera, FL 32940

Dear Commissioners,

I write on behalf of the existing homeowners and taxpayers of Merritt Island and Brevard County. The Planning & Zoning Board deadlocked 7-7 on March 16, 2026, with no recommendation forwarded to you. This tie vote reflects deep, unresolved concerns about infrastructure shortfalls and taxpayer subsidies. We urge you to deny this rezoning — or approve it only with ironclad, binding conditions requiring the developer to pay 100% of all infrastructure upgrades concurrent with development, with no burden shifted to existing residents.

Exact Details from March 16, 2026, P&Z Meeting (Item H.3)

The applicant, represented by attorney Kim Rezanka (on behalf of Merritt Bidco SPV, LLC and contract purchaser RangeWater), along with RangeWater representative Mike Oliver, engineer Kyle Chastine, and traffic engineer Trent Ebersole (earlier references also noted Daniela Jurado), presented the following:

- Rezoning from Agricultural Use (AU) with an existing Binding Site Plan (BSP for a former hospital conditional use) to RU-2-15 (7.5 acres) and RU-2-30 (3.66 acres), removing the BSP entirely.
- Concept plan: **222 multi-family units** (reduced from 240), three stories maximum, average density 19.75 units/acre, one-story clubhouse.
- Binding Development Plan modifications offered: extension of a right-turn lane on Pioneer Road (to 400 ft), reduced building height, increased eastern setbacks to 100 ft, maintained 50-ft north landscape buffer, cross-access easement, and a proportionate fair share (PFS) **agreement “if necessary.”**

- Traffic Impact Study claims: 1,379 daily vehicle trips (85 AM / 115 PM peak). Courtenay Parkway segments at 95% capacity in the 2027 no-build scenario; the project adds “only 2%” capacity. Courtenay/Pioneer intersection: **“no change in Level of Service (LOS)”**; delay increases by only **“one additional vehicle every two minutes... you wouldn’t notice any change whatsoever.”** They compared it favorably to the old hospital use (which would generate 4x daily trips).
- Attorney Rezanka stated: **“We’re not changing the level of service from D to something else”** and **“This project will not introduce traffic into identified boundaries of [nearby neighborhoods].”** Impact fees were projected at >\$500,000 plus \$200–300k PFS. They argued full consistency with the Comprehensive Plan’s Merritt Island Redevelopment Area (MIRA) policies.

County staff noted the TIS was preliminary for rezoning (full concurrency review occurs at site-plan stage) and referenced that the project could exceed 25% of remaining capacity on certain Courtenay Parkway segments under Brevard County Code §62-602(F)(6)(b). The applicant’s team repeatedly deferred fixes: **“phased improvements possible,” “PFS if necessary,”** and **“site plan issue, not rezoning.”**

These Claims Fail Under Brevard County’s Own Policies

The applicant’s own language — particularly the repeated use of **“if necessary”** — proves the infrastructure is inadequate now. Yet the **Capital Improvements Element (Chapter 13)** requires the opposite:

“Brevard County should consider financing needed capital improvements with ... impact fees and other forms of development exactions to ensure that new development pays a pro rata share of infrastructure development costs” (Policy 4.5, p. XIII-7).

“Brevard County shall continue to utilize a concurrency management system ... to ensure that service levels are not degraded below acceptable level of service standards” (Policy 5.1, p. XIII-6).

“Building permits may be approved if the developer agrees to construct all improvements necessary ... concurrent with its development” (Policy 5.2 Criteria D, p. XIII-9).

“Limit future public expenditures for infrastructure and service facilities which serve to subsidize growth” (Objective 3, p. XIII-6). Transportation facilities must be in place or under actual construction no more than three years after certificate of occupancy (Policy 5.2 Criteria C).

Transportation impact fees have not been updated since 2007 — the fee for a new single-family home remains at \$4,353. When these outdated fees fall short, existing homeowners subsidize new development through property taxes and deferred maintenance. The 1000 Friends of Florida report confirms: **“Without the fees, existing residents would in effect subsidize the costs of new development” (p. 2);** residents **“may face increased taxes to subsidize new development” (p. 3).**

The East Merritt Island Small Area Study (2008) and North Merritt Island Small Area Study (2018) explicitly warned against high-density redevelopment on this barrier island: it would drop LOS to “F,” degrade evacuation times in **Zone A (Red)**, and worsen chronic flooding due to limited outfalls. The studies recommend **reducing** densities, not increasing them. The applicant’s **“2% add, one car every two minutes”** claim **ignores cumulative growth** and the fact that their own TIS shows the corridor is already at **95% capacity pre-development.**

Even more concerning is the strain on our failing water and sewer systems. Brevard County faces **nearly \$800 million** in mandated upgrades (Florida Today, March 22, 2026). **PFAS, forever chemicals,** exceed the EPA’s 4-ppt limit in drinking water at the Mims/North Brevard and Barefoot Bay plants (finished water up to 5.9 ppt, some wells 13 ppt PFOS). Wastewater treatment removes less than 10% of PFAS, and leaky pipes have already caused major sewage discharges. The staff report confirms the project will connect to county sewer and that the **developer must pay for lift-station improvements “if capacity is not sufficient.”**

This site lies entirely in **mandatory Evacuation Zone A (Red)**. Brevard County Emergency Management states: **“Zone A (Red) ... includes the barrier islands, Merritt Island ... due to storm surge which can affect causeway and bridge approaches.”** The North Merritt Island Small Area Study (p. 43) warns that **“any additional increase in residential density may further degrade the evacuation times for the area.”**

Call to Action

I respectfully request that you deny this rezoning. Alternatively, approve it only if the applicant executes a **binding agreement before any vote** that:

1. Requires the developer to fund and construct **100%** of all traffic, drainage, water/sewer, and concurrency improvements at their sole cost.
2. Proves no degradation below adopted LOS standards and full concurrency **(including safe evacuation times)** at certificate of occupancy.
3. **Waives any future taxpayer bailout or subsidy.**

We are not against growth. We are against **subsidized growth** that violates your own Comprehensive Plan policies and places unacceptable burdens on the families who already paid for Brevard's infrastructure. The people of Merritt Island and Brevard County deserve better.

Thank you.

I have attached key excerpts from Chapter 13 (Capital Improvements Element), both Small Area Studies, the 1000 Friends of Florida report, PFAS testing data, the official Evacuation Zone A policy, and the P&Z meeting video link for the record. I am available to answer any questions.

Attachments:

- Capital Improvements Element (pp. XIII-6 to XIII-9)
- East Merritt Island Small Area Study (2008) – key excerpts (pp. 4–5, 30, 51–52)
- North Merritt Island Small Area Study (2018) – key excerpts (pp. 40–43, 62)
- 1000 Friends of Florida Impact Fees Report (2022) – pp. 2, 3, 6
- Florida Today – “Brevard needs \$800 million worth of water and sewer upgrades” (March 22, 2026):
<https://www.floridatoday.com/story/news/local/environment/2026/03/22/sewer-water-most-taxing-on-brevard-future-budgets/89242416007/>
- Brevard County Official PFAS page (current test results):
<http://www.brevardfl.gov/UtilityServices/drinking-water/PFAS>
- County staff report for 25Z00054 (lift-station responsibility):
<https://brevardfl.legistar.com/gateway.aspx?M=F&ID=e082f63b-07b3-4f36-b2dc-944a176151bd.pdf> (pages on Utilities Services comments)
- “Brevard County Evacuation Zone A (Red) – Official Policy” Direct link:
<https://www.brevardfl.gov/EmergencyManagement/BePrepared/Step3HaveAPlan/Evacuation>
- Direct PDF link (Florida Disaster / Brevard County evacuation zone map):
https://maps.floridadisaster.org/county/EVAC_BREVARD.pdf

Introduction

Population growth stimulated by new development strains existing infrastructure including roads, water and sewer systems, fire and rescue services, as well as schools and libraries. Local governments in Florida have a tool to help offset the costs of such development. Impact fees help to pay for new or expanded infrastructure necessitated by the construction of new residential or commercial development.

In 2021, however, the Florida Legislature passed a bill, later signed by the Governor, that placed limits on the rate and frequency at which local governments could increase impact fees. That action, its results, and the possibility of further impact fee bills passing during the 2022 Florida legislative session are the impetus for this study of those fees in counties throughout Florida.

An Overview of Impact Fees

Impact fees are one-time fees municipal and county governments and some special districts in Florida may charge a developer to cover a portion of the anticipated cost of additional infrastructure and public facilities needed to support a new development. The fees are charged to help pay for the “impact” of new development on roads, parks, schools and other critical infrastructure. The rationale is that new development necessitates new or expanded infrastructure to accommodate new residents. Without the fees, existing residents would in effect subsidize the costs of new development.

Impact fees are considered allowable under the precept of police powers, the ability of local governments to act to preserve the health and safety of their citizens. The Florida Impact Fee Act (*Section 163.31801, F.S.*) notes:

The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction.

In order to assess impact fees, a local government must adopt an ordinance that meets a series of requirements identified in the Act. The Act defines infrastructure as “a fixed capital expenditure or fixed capital outlay, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of at least 5 years; related land acquisition, land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the public facility into service.”

continued on next page

An Overview of Impact Fees *continued*

The Act also allows certain vehicles and associated equipment as needed for law enforcement, emergency medical services and schools.

Impact fees must meet the criteria of the dual rational nexus test to be considered legal. This means that impact fees must have a reasonable connection (rational nexus) between:

1. The proposed new development and the need for additional capital facilities; and,
2. The expenditure of funds and the benefits accruing to the proposed new development.

The concept of impact fees evolved nationally over decades. In Florida, local governments began adopting them as early as the 1960s, with the courts substantiating and validating this approach. Florida's 1985 Growth Management Act required local governments to identify sources of funding for capital improvements such as new roads and schools. As existing tax revenue alone was insufficient to cover infrastructure costs, especially those associated with new development, local governments increasingly turned to impact fees. Impact fees are more widely used in low-tax states which do not have sufficient revenue through income tax and other means to pay for growth.

Impact fees are only to be used to fund new infrastructure necessitated by the new development and may not be used for maintenance or repair, making it especially important for local governments to consider the long-term costs they are shouldering when they approve new development and associated infrastructure. Impact fees also cannot be used to pay off debts or fund previously approved projects. If a developer provides land for road right-of-way or other public contributions, then this value is taken off their impact fee assessment in what is known as a proportionate fair share agreement.

As noted, impact fees cover a portion of the cost of growth and in some instances can discourage unsustainable, sprawling development which requires considerable public investment in roads and other infrastructures. While some maintain that impact fees slow or discourage growth, Florida has experienced some of its highest rates of growth after the advent of impact fees.

Developers often indicate that they pass the cost of impact fees on to their customers, making new construction more expensive and less affordable. Alternatively, residents throughout the municipality or county may face increased taxes to subsidize new development or live with increasingly stressed critical infrastructure and services. New development is far less appealing to prospective consumers if they lack good roads, a quality school system, or reliable fire and EMS services, all of which can be supported by impact fees. People are less likely to want to live or do business in an area that lacks well-maintained essential infrastructure and services.

Purpose of Study

As noted, HB 337, passed during the 2021 Florida legislative session, curtails both the frequency and rate with which local governments are permitted to increase impact fees. Its provisions include:

1. An increase to a current impact fee rate of not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted.
2. An increase to a current impact fee rate which exceeds 25 percent but is not more than 50 percent of the current rate must be implemented in four equal installments beginning with the date the increased fee is adopted.
3. An impact fee increase may not exceed 50 percent of the current impact fee rate.
4. An impact fee may not be increased more than once every 4 years.

Local governments may only exceed these limits if they demonstrate “extraordinary circumstances,” hold two public workshops, and approve the increase by at least a two-thirds vote.

New bills introduced in the 2022 legislative session would further erode the power of county and municipal governments to address growth through impact fees. SB 1030 (Taddeo) and HB 681 (Rodriguez) would expand the area where impact fee credits for a development could be transferred from an adjoining impact fee zone to the entire municipality or county.

Put plainly, growth could occur in an area while the increase in the capacity of critical infrastructure and services paid for by impact fees could occur in an entirely different area of the county. 1000 Friends of Florida opposes this bill because such a change would further limit the ability of local governments to manage growth responsibly, leaving taxpayers to foot the bill for growth through increasing taxes or face growing deficiencies in critical infrastructure and services.

This project primarily intends to provide a baseline evaluation of the frequency and the magnitude of impact fee schedules across county governments in Florida that utilize this growth management tool.

The use of impact fees varies across counties. While some counties do not levy any impact fees, those that do implement impact fee schedules do so for varying purposes. Because each county’s growth management scheme is as unique as its development characteristics, the magnitude of impact fees varies significantly across counties.

continued on next page

Purpose of Study *continued*

This paper provides data on each county in Florida, including minimum, maximum, mean, median, and gross values for total impact fee per square foot of development. Further, the data examines the components of each county's impact fee structure by purpose (i.e., transportation, schools, etc.). It does not survey municipal impact fees.

Method

1000 Friends of Florida collected data on the impact fees of each county in Florida by visiting each county's planning or growth management website. The URLs of the websites from which data was collected are listed in the "Source" column of the spreadsheet. Many governments hosted the information in text or in the form of a pdf link on their websites, while other governmental websites linked to Municode websites. The information on impact fees was transcribed to an Excel spreadsheet for analysis.

Key Findings

Given the complexity and variability of the type of structures (addressed below) between counties, the data in Attachment 1- 4 addresses the impact fees collected for the development of a single-family detached residential structure of approximately 2000 - 2500 square feet in area.

The average rate (\$) per square foot of residential development is \$3.83 / sq. ft. or \$9,564.25 per unit (single-family detached, 2500 sq. ft.)

- 24 of Florida's 67 counties do not implement impact fees. Most of these counties, but not all, have experienced negative or relatively little amounts of growth in the last 10 years (as per the 2010 and 2020 Census Reports).
- 43 of Florida's 67 counties do utilize impact fees. The implementation of fees varies significantly by county.
- Counties with relatively larger population growth (2010 – 2020) assess larger fees.
- Typical purposes for which impact fees (for residential development) are collected:
 - Transportation (37 counties)
 - Schools (32 counties)
 - Parks (27 counties)
 - Fire departments (29 counties)
 - Public buildings and libraries (23 counties)
 - Law enforcement departments (18 counties)
 - Water (3 counties)

Implications of Legislation

Impact fees are an integral tool for local governments in Florida. Revenues accrued from impact fees must be spent on infrastructure improvements that directly benefit the development that pays the fee. Therefore, impact fees allow local governments to fund specific components of their infrastructure in an intentional fashion. For this reason, impact fees address the needs of a growing community in a more targeted way than a general fund derived from ad valorem taxes. Additionally, the flexibility to adjust impact fee schedules to account for rising construction prices and property values makes impact fees an invaluable tool for counties in Florida.

HB 337 decreases the capability of local governments in Florida to pay for the growth of their communities. It limits the frequency and magnitude with which local governments can increase impact fee amounts and allows freer transferability of impact fee credits. With their approval of HB 337, the Governor and legislative leaders asserted that county and municipal governments have had too much power to change impact fee schedules and to raise money for capital infrastructure projects through impact fees, leading to excessive and unpredictable increases that make housing and other construction less affordable.

But this message warrants an essential question: How should local governments raise money for infrastructure investments? Property tax rates are already severely limited by a state law implemented in 2007 (*Section 200.065, F.S.*), while sales and gas taxes are collected by the state and local governments must be allocated money from these funds. As politically unpopular as having to pay money to the government is, funding is necessary to a local government's ability to provide adequate infrastructure to its communities. The provisions of HB 337 certainly reduce the revenue of county governments in Florida, which may cause governments to trim back on critical infrastructure programs and services. Meanwhile, the Legislature is considering additional measures that could reduce revenue from impact fees.

So, What's the Plan?

How are local governments in Florida supposed to invest in meeting the needs of growing communities if they can't raise or obtain the funds necessary? If not through impact fees or taxes, how can local governments provide their citizens with critical infrastructure and services? The concept behind impact fees is for new development to pay for at least part of the cost of new public infrastructure or improvements needed to support that new development. The increasing restrictions on impact fees place local governments in an increasing financial bind, with local taxpayers left to either cover an increased portion of the direct costs of new development, or accept a declining quality of life with more crowded roads, schools and strains on other public infrastructure.

Policy 4.2

When adequate funding is not available for a high priority project from existing sources of revenue and the consequences of delaying the project would adversely impact the economy, environment, or public health, safety and welfare, Brevard County should consider enactment of the infrastructure sales tax by referendum.

Policy 4.3

Brevard County should continue to seek funding from State and Federal sources and pursue interlocal agreements with private and public agencies to ensure sufficient money is available to provide necessary public facilities and services.

Policy 4.4

Brevard County should periodically readdress its budget and fiscal policies to ensure debt management practices such as limitations on the use of revenue bonds as a percentage of total debt, maximum ratio of total debt service to total revenue, and maximum ratio of outstanding capital indebtedness to property tax base are adequate and effective.

Policy 4.5

Brevard County should consider financing needed capital improvements with Municipal Service Benefit Units, Municipal Service Taxing Units, Community Development Districts, impact fees and other forms of development exactions to ensure that new development pays a pro rata share of infrastructure development costs when it can be determined that these financing methods are not in conflict with Brevard County's economic development and affordable housing goals.

Objective 5

Brevard County may approve development orders consistent with the acceptable level of service standards adopted as part of this Comprehensive Plan for public facilities, including transportation, potable water, sanitary sewer, solid waste disposal, surface water management, and recreation and open space.

Policy 5.1

Brevard County shall continue to utilize a concurrency management system to review the impacts of all development proposals on existing public facilities to ensure that service levels are not degraded below acceptable level of service standards as adopted in this Comprehensive Plan.

Policy 5.2

Brevard County may approve rezoning applications, subdivision plats, site plans, and building permits if the potential impact of the proposed development does not decrease the level of service below acceptable standards for any existing public facility or a facility listed in this Element's Schedule of Improvements. If evaluation of the development application indicates a potential decrease in the level of service below the acceptable standards, approval of a development order may be granted based on the following conditions:

Criteria:

- A. For review of zoning applications, a preliminary concurrency evaluation shall be completed as part of the zoning review process to illustrate the relationship between the proposal and the availability of services and facilities for the Planning and Zoning Board and the Board of County Commissioners. All approvals of zoning applications shall be conditional and shall require a formal concurrency evaluation prior to site plan, subdivision plat or building permit approval.
- B. Subdivision plats and site plans may be approved if the Schedule of Improvements in the Capital Improvements Element includes a facility improvement that will

provide sufficient capacity to accommodate the potential impact of the proposed project based on acceptable level of service standards. These approvals are subject to the following conditions:

1. All development orders pursuant to this criterion are conditional and shall not be considered vested; they will be revisited upon application for building permits in accordance with Criteria C and D below, to determine their impact upon established or programmed acceptable levels of service.
 2. If the impact evaluation indicated that the conditional development order will cause the level of service of a public facility to fall below the adopted standard, or if the development order will further increase an existing deficiency in the adopted levels of service, Brevard County will maintain the authority to modify the development order to achieve the acceptable levels of service.
- C. Building permits may be approved if the concurrency review determines that the following conditions are met:
1. Potable water, supplies and facilities, sanitary sewer, solid waste, and drainage facilities with adequate capacity to accommodate the impacts of the development based on adopted level of service standards will be in place at the time the certificate of occupancy is issued; and
 2. Parks and recreation facilities with adequate capacity to accommodate the impacts of the development based on adopted level of service standards will be in place or are scheduled to be under actual construction in the Schedule of Recreation and Open Space Improvements in this Element not more than one year after the certificate of occupancy is issued; and
 3. Transportation facilities with adequate capacity to accommodate the impacts of the development based on adopted level of service standards will be in place or are scheduled to be under actual construction in the Schedule of Transportation Improvements in this Element not more than three years after the certificate of occupancy is issued or one of the following conditions is met:
 - a. At the time that a development order or permit is issued, the necessary transportation facilities or services are subject to a binding executed agreement which requires such facilities to be in place or under actual construction not more than three years after the certificate of occupancy is issued; or
 - b. At the time that a development order or permit is issued, the necessary transportation facilities or services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than three years after the certificate of occupancy is issued; or
 - c. For the purpose of issuing a development order or permit, a development may be deemed to have a de minimis impact and may

not be subject to the concurrency requirements of all applicable State Statutes and Florida Administrative Codes if all of the following conditions are met:

- i. The development proposal is for an increase in density or intensity of less than or equal to twice the density or intensity of the existing development, or for the development of a vacant parcel of land, at a residential density of less than four dwelling units per acre or, for nonresidential use, at an intensity of less than 0.1 floor area ratio. Isolated vacant lots in predominantly built residential subdivisions where construction of a single family house would be the most suitable use, may be developed for single family residential under the de minimis exception even if smaller than one quarter acre in size; and
 - ii. The transportation impact of the proposed development alone does not exceed 0.1 percent of the maximum service volume at the adopted level of service standard for the peak hour of the affected transportation facility; and
 - iii. The cumulative total transportation impact from the de minimis exceptions does not exceed three percent of the maximum service volume at the adopted level of service standard for the peak hour of the affected transportation facility if the facility does not meet the minimum level of service standard.
4. A comprehensive plan amendment shall be required to eliminate, defer, or delay construction of any road or public transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the Schedule of Transportation Improvements in this Element.
- D. Building permits may be approved if the developer agrees to construct all improvements necessary to accommodate the specific impacts of the proposed project concurrent with its development.

Policy 5.3

Brevard County may approve development orders if the proposed development is phased to ensure that the necessary public facilities and services are available prior to the completion of the proposed development.

Policy 5.4

Brevard County shall coordinate with public and private agencies to identify public facility improvements made necessary by growth in the Viera Development of Regional Impact in order to ensure that needed improvements are incorporated into the Schedule of Improvements and that the developer continues to fund its fair share of the costs of needed infrastructure pursuant to the terms of the DRI Development Order.

Policy 5.5

Brevard County shall coordinate the provision of potable water from the Cities of Cocoa,

Policy 2.10

Brevard County shall not extend public facilities and services to Suburban and Rural Density Areas for new development, unless there is an overriding public benefit which accrues to an area larger than the specific Suburban or Rural Density Area. However, the County will accept facilities through dedication, and provide services and facilities through MSBUs, MSTUs and other means through which the recipients pay for the service or facility.

Objective 3

Limit future public expenditures for infrastructure and service facilities which serve to subsidize growth within the coastal high hazard area of Brevard County. Expenditures for public land acquisition or enhancement of natural resources shall be encouraged.

Policy 3.1

Brevard County shall designate coastal high hazard areas as defined in Chapter 163, Florida Statutes

Policy 3.2

Brevard County shall not support or finance new local transportation corridors which lie within the coastal high hazard zone or areas zoned as Environmental Area, except where there are no other cost-feasible alternatives.

Policy 3.3

Brevard County should not locate sanitary sewer and water transmission lines within the coastal high hazard zone, except where there is no cost-feasible alternative and where practical due to engineering, safety and cost considerations, and where necessary utilizing existing rights-of-way.

Policy 3.4

If County utility lines are relocated for any purpose, they should be located outside of the coastal high hazard zone, except where there is no cost-feasible alternative.

Policy 3.5

Public facilities, except for recreational facilities, shall not be located by Brevard County within of the coastal high hazard zone, except where there are no other cost-feasible alternatives.

Objective 4

Brevard County shall maintain adequate fiscal resources and policies to fund necessary public facility improvements, including transportation, potable water, sanitary sewer, surface water management, solid waste, parks and recreation, public libraries, law enforcement, correctional facilities, fire protection, and emergency medical services.

Policy 4.1

Brevard County should periodically review the fiscal requirements of needed transportation system improvements and adjust the local option gas tax as may be necessary.

Policy 4.2

When adequate funding is not available for a high priority project from existing sources of revenue and the consequences of delaying the project would adversely impact the economy, environment, or public health, safety and welfare, Brevard County should consider enactment of the infrastructure sales tax by referendum.

Policy 4.3

Brevard County should continue to seek funding from State and Federal sources and pursue interlocal agreements with private and public agencies to ensure sufficient money is available to provide necessary public facilities and services.

Policy 4.4

Brevard County should periodically readdress its budget and fiscal policies to ensure debt management practices such as limitations on the use of revenue bonds as a percentage of total debt, maximum ratio of total debt service to total revenue, and maximum ratio of outstanding capital indebtedness to property tax base are adequate and effective.

Policy 4.5

Brevard County should consider financing needed capital improvements with Municipal Service Benefit Units, Municipal Service Taxing Units, Community Development Districts, impact fees and other forms of development exactions to ensure that new development pays a pro rata share of infrastructure development costs when it can be determined that these financing methods are not in conflict with Brevard County's economic development and affordable housing goals.

Objective 5

Brevard County may approve development orders consistent with the acceptable level of service standards adopted as part of this Comprehensive Plan for public facilities, including transportation, potable water, sanitary sewer, solid waste disposal, surface water management, and recreation and open space.

Policy 5.1

Brevard County shall continue to utilize a concurrency management system to review the impacts of all development proposals on existing public facilities to ensure that service levels are not degraded below acceptable level of service standards as adopted in this Comprehensive Plan.

Policy 5.2

Brevard County may approve rezoning applications, subdivision plats, site plans, and building permits if the potential impact of the proposed development does not decrease the level of service below acceptable standards for any existing public facility or a facility listed in this Element's Schedule of Improvements. If evaluation of the development application indicates a potential decrease in the level of service below the acceptable standards, approval of a development order may be granted based on the following conditions:

Criteria:

- A. For review of zoning applications, a preliminary concurrency evaluation shall be completed as part of the zoning review process to illustrate the relationship between the proposal and the availability of services and facilities for the Planning and Zoning Board and the Board of County Commissioners. All approvals of zoning applications shall be conditional and shall require a formal concurrency evaluation prior to site plan, subdivision plat or building permit approval.
- B. Subdivision plats and site plans may be approved if the Schedule of Improvements in the Capital Improvements Element includes a facility improvement that will

A Path to Housing Abundance: Implementation Strategy

The three most important things in addressing housing abundance and affordability: “**small lots, small lots, small lots.**” Smaller lots allow more homes to be built on the same amount of land. This reduces land costs, leads to smaller, but usually still family-sized homes, and promotes townhomes, which cost less to build than a similarly sized detached home. They also provide home-sharing opportunities for service workers.

Across the country—and around the world—[case studies](#) consistently reveal a formula for successful housing supply reform:

- **Allow small lot flexibility for new subdivisions, home dwelling type and lot split flexibilities on existing lots, and the flexibility to build homes near jobs** by adopting one or more of the reform options outlined above,
- **Enable by-right zoning**, so projects don’t get delayed or killed by discretionary reviews,
- **Follow the Keep it Short and Simple (KISS) principle** instead of micromanaging the process.

How Does the KISS Principle Unlock Housing Supply?

The KISS principle refers to eliminating unnecessary complexity in the homebuilding process. Simplicity brings certainty, lowers costs, and makes small-scale infill and larger-scale development both feasible and attractive. See *Full List of KISS Reforms to Consider* for more details.

Others Are Doing it, and Model Legislation Is Available

Several states—including Texas, California, Montana, Vermont, Oregon, and Washington—have recently enacted legislation to support housing abundance.

The key to successful reform lies in adhering to the Housing Abundance Success Sequence while avoiding unnecessary micromanagement. A range of legislative templates and model bills are readily available to guide this process. [Texas SB-15](#) (lot size flexibility for new residential subdivisions in larger cities) and [Texas SB-840](#) (residential and mixed-use housing on all commercial and light industrial land in larger cities) were enacted in mid-2025. Taken together, these two bills implement Playbook Options 1 and 3. Implementation of Option 1 and 2 can be accomplished through a single model bill: the [AEI Model Starter Homes Act](#), which sets minimum lot sizes for both residential subdivisions and home dwelling type and lot split flexibilities on existing lots. A second model bill, [AEI Model Multifamily and Mixed-Use Residential in Certain Zoning Classifications](#), covers Option 3. It would allow for a residential overlay by-right in commercial, industrial, and mixed use zones.

Why Allow for Lot Size and Location Flexibility?

This gives owners the right to build homes that most people can afford—whether in new neighborhoods, existing communities, or near jobs. It increases supply and affordability by allowing people to build starter homes on **smaller lots in new residential subdivisions**, and by **allowing duplexes, triplexes, fourplexes, townhomes, or ADUs** on single-family lots. It also refers to location – allowing **homes near jobs** and amenities in commercial and other non-residential areas.

It creates more affordable starter homes by using land more efficiently. This approach reduces sprawl, infrastructure costs, and energy use. By building smaller homes on smaller lots, we can significantly increase the supply of lower-priced, family-sized homes while freeing up existing housing stock.

It creates more workforce housing since single-family detached homes and townhomes average about 3.5 and 2.8 bedrooms respectively and are suitable for raising a family and naturally affordable shared living arrangements (42% of renters live in single-family homes).

What is the flexibility to build homes near jobs?

Legalizing single-family, multifamily, and mixed-use residential by right in all commercial, industrial, and mixed-use areas. This allows people to live near their jobs and amenities if they choose.

By-right housing can transform underused commercial and industrial properties into owner-occupied and rental homes, helping cities make better use of land and infrastructure. Combined with small lots, this helps give people of all incomes greater choice in where and how they choose to live.

The Housing Affordability Trifecta: Why Smaller Lots Mean Lower Home Prices

- **Smaller lots** → lower land costs
- **Smaller homes** with standard finishes → more affordable per home
- **More townhomes** → efficient land use, lower cost per square foot

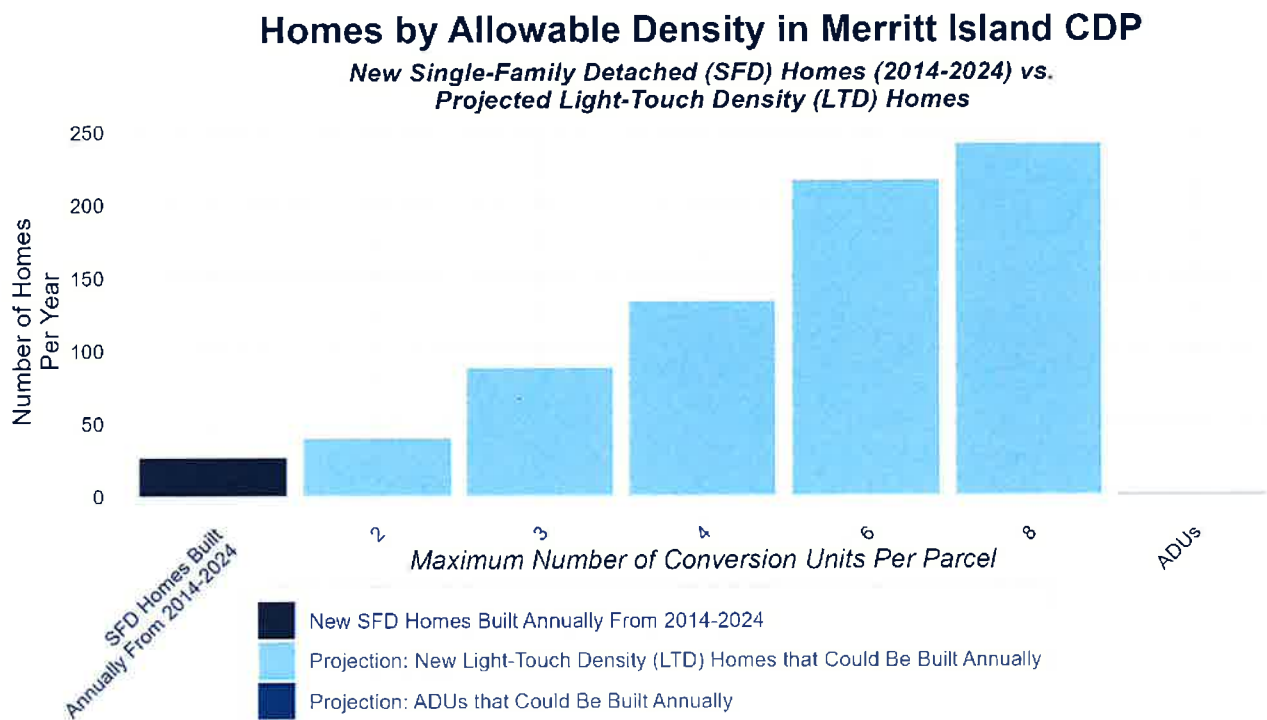


Diving Deeper: Option 1: Home Dwelling Type and Lot Split Flexibilities on Existing Lots

Allowing home dwelling type and lot split flexibilities on existing lots in single-family neighborhoods in Merritt Island CDP could add 240 homes per year, or about 9.2 times more than the current rate of SFD construction in Merritt Island CDP.

These new homes are created through the legalization of home dwelling types or by splitting existing lots into smaller parcels. They can take the form of smaller lot SFD homes, townhomes, 2–8 home multiplexes, and ADUs in neighborhoods currently restricted to single-family detached homes.² To achieve this outcome, Merritt Island CDP should set a minimum lot size of no more than 1,200 sq.ft. for new lots created through single-family lot splits.

This bar chart compares the number of new SFD homes built in Merritt Island CDP from 2014-2024 (shown in dark blue) to the potential number of homes that could be created by these flexibilities.



Source: First American and AEI Housing Center, https://heat.aeihousingcenter.org/toolkit/ltd_chart.

² Projections for ADUs are given only in cases when they are the highest and best use of land. In areas with high land values, duplex, triplex, and townhome conversions are typically the higher and better land use. If both ADUs and small multiplexes make financial sense, we assume the option that produces the most homes on that lot. [Light-Touch Density: Housing Supply and Affordability Estimates](#).

Emergency Management

The Brevard County Emergency Management Department is responsible for the coordination of emergency operations and maintaining the Comprehensive Emergency Management Plan which addresses disasters including hurricanes and their storm surges.

Hurricanes

Hurricanes are the most likely natural disaster to affect Brevard County. Damage from hurricanes takes two primary forms, wind damage and flooding from the storm surge. Of the two, the storm surge is the most dangerous resulting in the majority of deaths associated with hurricanes. Storm surge is the water pushed toward the shore by the force of the hurricane winds. This advancing surge combines with the normal tides to create the hurricane storm tide, which can increase the mean water level 15 feet or more. In addition, wind driven waves ride on top of the storm tide. This rise in water level can cause severe flooding in coastal areas, particularly when the storm tide coincides with the normal high tides. Because much of the County's coastline lie less than 10 feet above mean sea level, the danger from storm tides is tremendous.



One of the most crucial aspects of emergency management is the calculation of a hurricane's storm surge and its effect on people, evacuation routes, and property. One tool used to evaluate the threat from storm surge is the SLOSH model. Emergency managers use this data from SLOSH to determine which areas must be evacuated for storm surge. Storm surge also affects rivers and inland lakes, potentially increasing the area that must be evacuated.

During the least intense Category One event the storm surge still affects the coastal residences. Because of the area's vulnerability all of East Merritt Island study area is included in the evacuation zone for a storm of any category (1 – 5).

Evacuation Routes

The northern portion of the study area has three roadways to the west to evacuate the East Merritt Island area. One of these routes, Sykes Creek Parkway, travels for a limited distance before merging reducing the western evacuation routes to two. The southern portion of the study area has only one western evacuation route, SR 520 which also acts as an evacuation route for the north area.

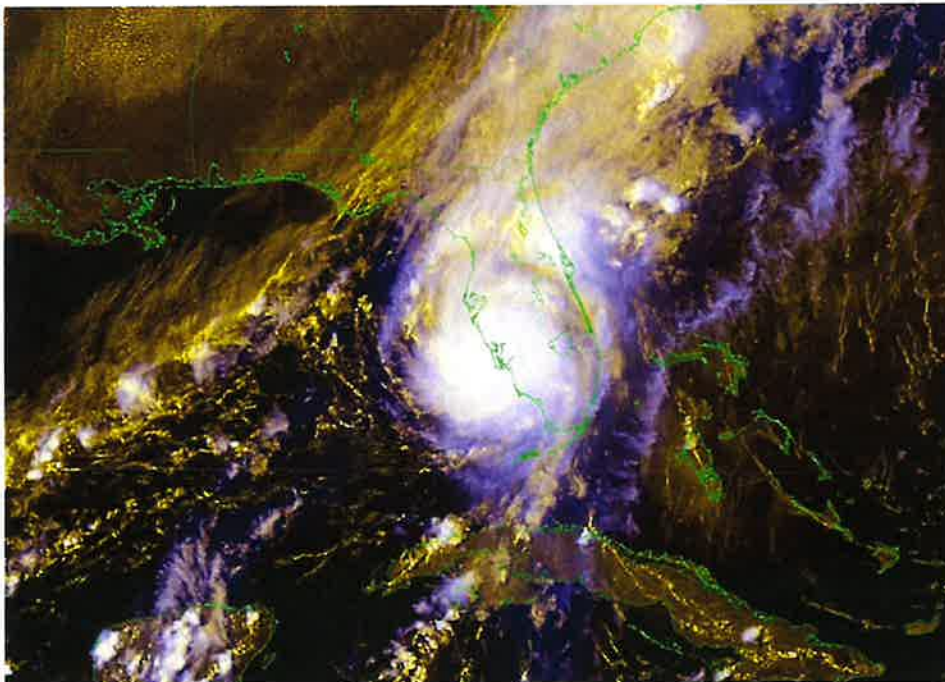
The limited transportation routes increase the time necessary for residents to evacuate prior to a storm event. Any additional increase in residential density may further degrade

the evacuation times for the area. A recent change in state law also now requires local governments to adopt and maintain a Level of Service for evacuation times.

Coastal High Hazard Area

In the past, Brevard County has undertaken and adopted substantial reductions in density within the unincorporated portions of the Coastal High Hazard Area (CHHA). This effort proved to be invaluable when the County successfully evacuated the barrier islands during the hurricanes of 2004. Up until 2006, the Coastal High Hazard Area was defined as the Category 1 Hurricane Evacuation Zone under state law and affected approximately 55,000 acres in the County. State laws also emphasized reducing residential densities and reducing capital expenditures within the CHHA except for improving evacuation routes.

In 2006, the State Legislature amended Chapter 163.3178, Florida Statutes, to change the definition of the Coastal High Hazard Area. The new definition is the area affected by the storm surge from a Category 1 hurricane and has resulted in substantially less area designated as the CHHA (25,745 acres) within Brevard County. All local governments have to amend their comprehensive plans to comply with this new CHHA definition. The following maps show the old and new Coastal High Hazard Areas for Brevard County. The pre and post maps are located in the attached map series.



Hurricane Charley strikes Florida in 2004

COMMUNITY INPUT AND DISCUSSION

Background:

The East Merritt Island community has been active in their participation in public hearings for the Board of County Commissioner's and the different advisory boards when an issue of local interest has arisen.

With the formation of the East Merritt Island study committee, residents made recommendations through the Small Area Study process. The recommendations are included in the study along with other public comment to be presented to the Board of County Commissioners for adoption.

Community Assessment Methods for this Small Area Study:

The assessment of the East Merritt Island community began with the collection of the baseline data to determine public infrastructure and level of service capabilities. The data collection included meeting with the various service providers, including several Brevard County agencies. This data was utilized to produce build-out and redevelopment models for the area. The study area was divided into north and south areas to facilitate assessments more attuned to the particular area needs.

The data and models were presented to north and south area committees composed of residents of the study area appointed by the Board of County Commissioners to provide a cross section of the community.

Over a series of publicly noticed committee meetings, public input was sought to provide depth to the study sections and gain insight to the community's vision. The final draft of the small area study was presented to the committees jointly to reach a consensus for recommendation to the Board of County Commissioners.

Results of Community Input – General:

In general the public input demonstrated the desire of the community to preserve its current lifestyle. The committee members of both the north and south areas stressed quality of life issues as a priority.

Results of Community Input – Land Use:

The community expressed its desire to maintain the status quo, or the current character of development in the study area. Previous project requests by developers had met with opposition during public hearings. As a result of the community input, the study included

the recommendation of “right-sizing” some areas where the adopted Future Land Use exceeded the actual density that the land was developed at.

Results of Community Input – Other Factors:

Other major factors brought forward by the citizen committees for consideration was limitations of the transportation network to meet new development.

NEXT STEPS IN IMPLEMENTING THE SMALL AREA STUDY AND ITS RECOMMENDATIONS

The SAS's recommendations will be presented to the Local Planning Agency in a public hearing. Following public discussion the LPA will make a recommendation to the Board of County Commissioners regarding the SAS's analysis. The Board of County Commissioners will also accept public comment during its deliberations on the SAS. Once the Board accepts the study, staff will be directed to implement recommendations of the study in the formal Comprehensive Plan amendments. Implementation is anticipated to begin in the Spring of 2009 and continue for approximately one year.

A large part of implementation will involve amendments to right-size the Future Land Map and elimination of zoning inconsistencies.

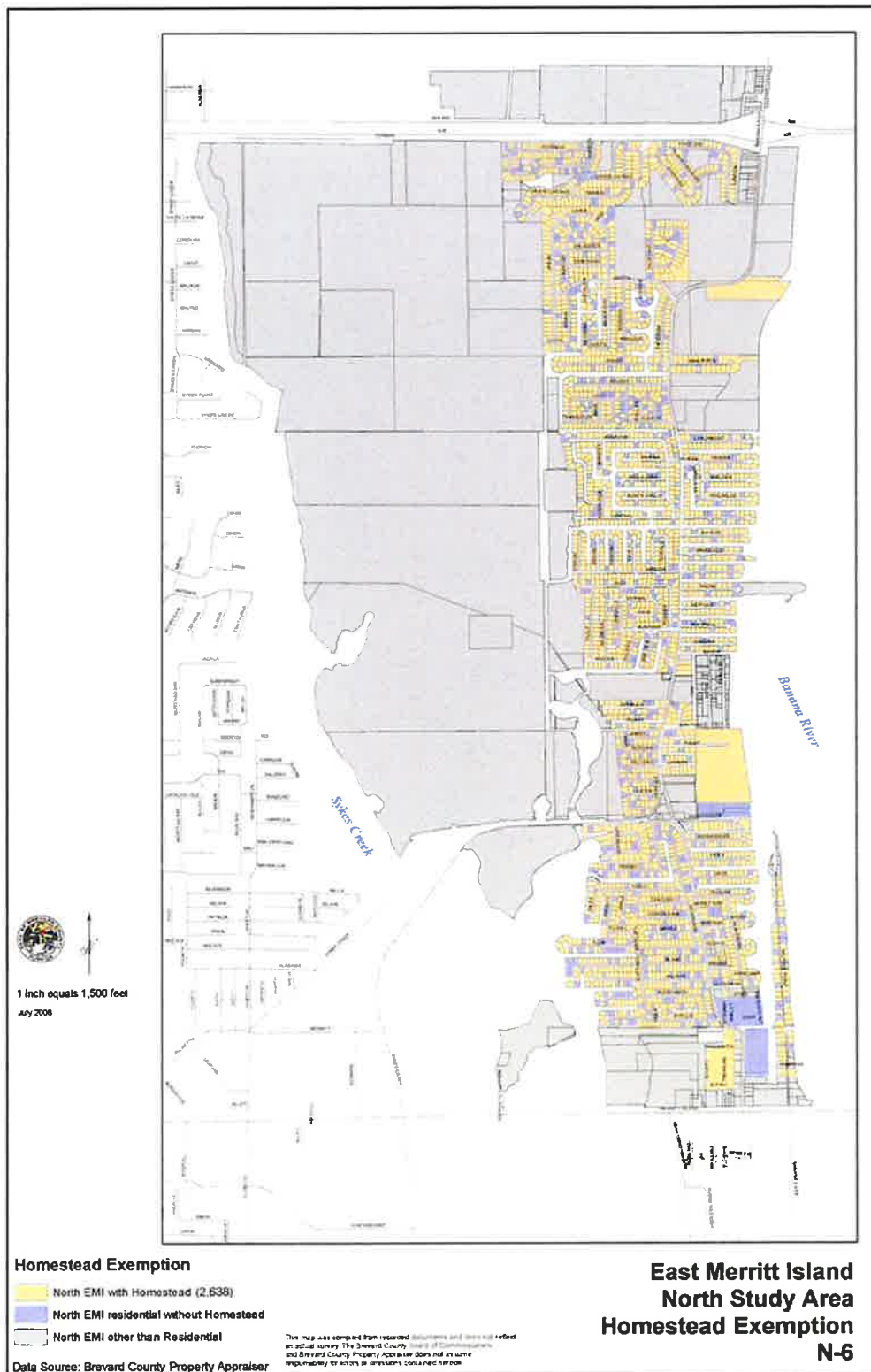
RECOMMENDATIONS OF THE EAST MERRITT ISLAND SMALL AREA STUDY

The North Area and South Area Citizen Committees for the East Merritt Island Small Area Study adopted these recommendations:

- Recommendation 1: Brevard County should initiate Comprehensive Plan amendments to the Future Land Use Map to reduce residential densities on developed residential properties in the study areas to reflect established residential densities on developed parcels. The recommended densities should be based on the lowest residential land use designation established in the Future Land Use Element of the Comprehensive Plan that would be required in order to achieve consistency with established residential development patterns and the existing zoning classification(s).
- Recommendation 2: Brevard County should initiate Comprehensive Plan amendments to the Future Land Use Map to reduce residential densities on undeveloped properties in the study areas that have zoning other than GU to ensure that future development on said vacant properties will be consistent with their current zoning classification and be compatible with established residential densities on adjacent properties.
- Recommendation 3: No additional Neighborhood Commercial FLUM designations should be permitted in the South study area.
- Recommendation 4: No additional Community Commercial FLUM designations should be permitted outside of the Merritt Island Redevelopment Area.
- Recommendation 5: South Banana River Drive should not be reconstructed to increase roadway capacity because currently adopted design standards for collector roadways are likely to result in adverse impacts to the aesthetic character of the surrounding neighborhood.

- Recommendation 6: Brevard County should perform a preliminary engineering analysis of the actual capacity of South Banana River Drive based on existing conditions. In the event that the preliminary engineering analysis indicates that South Banana River Drive has a lower capacity than reflected in the Concurrency Management database, the County should retain a qualified traffic engineer to determine the capacity of South Banana River Drive based on actual conditions. The conclusions of the analysis should be adopted for use in the County's Concurrency Management System.
- Recommendation 7: Brevard County should construct any missing sections to the existing bicycle/pedestrian transportation system within the study areas subject to funding availability.
- Recommendation 8: The Board of County Commissioners should implement the study recommendations through the Comprehensive Plan amendment process during the spring amendment cycle of 2009.

These right-sizing amendments are reflected in the Prospective Future Land Use Maps at the end of this study.



**East Merritt Island
Small Area Study
Draft Review**

EXECUTIVE SUMMARY

The East Merritt Island Small Area Study (SAS) was initiated at the direction of the Board of County Commissioners in response to community requests due to the number of applications for higher density/intensity rezonings in the East Merritt Island area. Its purpose was to take an in-depth look at the area, its infrastructure, and the community's vision and develop a study that would be a tool for planning and growth management.

For the purposes of managing the study, East Merritt Island had been split into two areas, north and south, each with their own committee. The Board of County Commissioners appointed residents to serve on one of two study area committees. This was due to the north and south areas having distinct communities and different planning considerations. The dividing line for the two study areas was SR 520, an arterial roadway. Public participation included a series of publicized workshops at Kiwanis Island Park located on SR 520.

An analysis of the land uses has shown that there are large areas of existing single family residential subdivisions that have an adopted Future Land Use of a much greater density. Although rezonings would be required to achieve the densities that are currently adopted on the Future Land Use Map, the study lends support toward revisiting adopted densities so that they align with development patterns in the area. Otherwise, the Future Land Use Map could requests for encourage redevelopment that may not be compatible with the surrounding land-use patterns and be in conflict with the single-family residential nature of the community. Additionally, some administrative rezoning and land use changes were identified for the Planning and Zoning staff to initiate.

The existing infrastructure of the area was found to be adequate for existing development. Modeling of impacts that could occur from the build-out of vacant parcels was performed. Additional modeling was undertaken to show the effects of the redevelopment of the area using the maximum density allowances under the current Future Land Use Map. Both of these models showed impacts to desired service levels of the infrastructure, particularly transportation and evacuation times during storm events. Some of these impacts would cause the infrastructure to exceed the adopted level of service standards.

The North Area and South Area Citizen Committees for the East Merritt Island Small Area Study adopted these recommendations:

- Recommendation 1: Brevard County should initiate Comprehensive Plan amendments to the Future Land Use Map to reduce residential densities on developed

residential properties in the study areas to reflect established residential densities on developed parcels. The recommended densities should be based on the lowest residential land use designation established in the Future Land Use Element of the Comprehensive Plan that would be required in order to achieve consistency with established residential development patterns and the existing zoning classification(s).

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- Recommendation 3: No additional Neighborhood Commercial FLUM designations should be permitted in the South study area.
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- Recommendation 6: Brevard County should perform a preliminary engineering analysis of the actual capacity of South Banana River Drive based on existing conditions. In the event that the preliminary engineering analysis indicates that South Banana River Drive has a lower capacity than reflected in the Concurrency Management database, the County should retain a qualified traffic engineer to determine the capacity of South Banana River Drive based on actual conditions. The conclusions of the analysis should be adopted for use in the County's Concurrency Management System.
- Recommendation 7: Brevard County should construct any missing sections to the existing bicycle/pedestrian transportation system within the study areas subject to funding availability.
- Recommendation 8: The Board of County Commissioners should implement the study recommendations through the Comprehensive Plan amendment process during the spring amendment cycle of 2009.

These right-sizing amendments are reflected in the Prospective Future Land Use Maps at the end of this study.

INFRASTRUCTURE AND SERVICE DEMAND ANALYSIS

Transportation Network & Build-out:

For both the North and South study areas the existing Average Daily Trips (ADT) on the roadways were compounded with the number of trips that could be generated from the development of vacant property. The density for the development of this vacant property was based upon the adopted Future Land Use (FLU) for the property. The resulting traffic generation projection is based upon the maximum development allowance scenario for these vacant parcels. In actuality, a number of constraints could restrict the final density for any project on these parcels. By using the maximum density allowed by the FLU, the greatest impact possible is demonstrated.

North Area

The north area transportation network includes two collector roadways and numerous local streets. Traffic is carried north to SR528, south to SR520, and west along Sykes Creek Parkway. The north area is divided into three road segments for the purposes of traffic generation and trip distribution. These segments are listed on Table 7 along with the existing Average Daily Trips (ADT) and the potential ADT in a total build-out scenario of the vacant buildable property under current FLU designations. The data demonstrate the cumulative impact of these trips on the affected roadway segments.

**Table 7.
Build-out Scenario for North Area Road Segments**

North Study Area Transportation Facility Road Segments								
Segment	Max Volume	Current ADT	Potential ADT	Current Volume	Potential Volume	Current LOS	Adopted LOS	Potential LOS
035B	15,600	7,401	11,853	47.44%	75.98%	D	E	E
035A	15,600	12,248	19,886	78.51%	127.47%	D	E	F
345C	15,600	10,394	14,424	66.63%	92.46%	C	E	E
Segment	Segment Description							
035B	North Banana River Drive from SR520 north to Sykes Creek Parkway							
035A	North Banana River Drive from Sykes Creek Parkway north to SR528							
345C	Sykes Creek Parkway from Banana River Drive west							

Source: Brevard County

As shown in Table 7, above, the North Banana River Drive road segment (035A) could exceed the allowable Level of Service (LOS) in a total build-out scenario. The other segments would both be impacted by an increase of 60% (035B) and 39% (345C) respectively.



Constricted Roadway Segments over canals

South Area

The south area transportation network includes two collector roadways and numerous local streets. Traffic is carried north to SR520 on South Banana River Drive and Newfound Harbor Drive. The south area is divided into two road segments for the purposes of traffic generation and trip distribution. These segments are listed on Table 8, along with the existing Average Daily Trips (ADT) and the potential ADT in a total build-out scenario of all vacant buildable property under adopted FLU designations. The table demonstrates these trips cumulatively for impacts on the roadways.

**Table 8.
Build-out Scenario for South Area Road Segments**

South Study Area Transportation Facility Road Segments								
Segment	Max Volume	Current ADT	Potential ADT	Current Volume	Potential Volume	Current LOS	Adopted LOS	Potential LOS
036	15,600	2,487	4,991	15.94%	31.99%	A	E	B
221	15,600	7,341	10,699	47.06%	68.58%	C	E	D
Segment	Segment Description							
036	South Banana River Drive from SR520 south to termination							
221	Newfound Harbor Drive from SR520 south to termination							

Source: Brevard County

As shown in Table 8 above, neither road segment would fail in a total build-out scenario. However, the amount of average daily trips would impact the LOS by one category for each respective segment. In the case of Segment 036, South Banana River Drive, the trip count could increase 100%, or double, in a total build-out scenario. The Newfound Harbor Drive segment could increase 46% in a similar build-out.

Transportation Network and Redevelopment

In the Transportation Network section above, the existing traffic generation and the impacts associated with build-out of the vacant acreage under the adopted Future Land Uses are evaluated. A second and different modeling examines what happens to the transportation network when the existing developed properties are redeveloped under their adopted Future Land Use.

For example, this approach evaluates traffic impacts if the platted lots in an existing single family home subdivision were assembled and redeveloped under its higher density. The single family homes could be replaced by townhouses or apartments. The tables below demonstrate the cumulative effects on study area properties being redeveloped under the highest density as allowed by the adopted FLU. From these calculations, the value of “right-sizing” future land uses on developed property can be determined. With the adoption of a Future Land Use, rezoning options would be limited to those that are more in character with surrounding land uses.



A new look for a commercial plaza

North Area

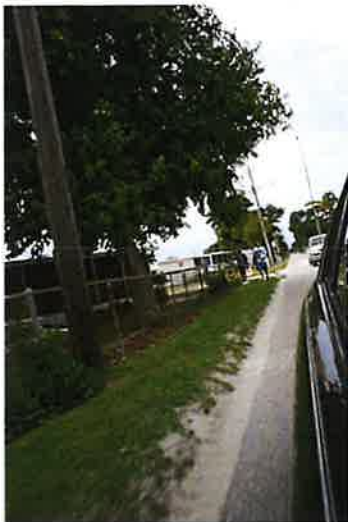
The redevelopment scenario for the North Area evaluated below assumes that all Residential 15 Future Land Use will be redeveloped at its maximum allowable density. This includes both vacant RES 15 parcels and developed RES 15 parcels that would be redeveloped.

Table 9.
Redevelopment Scenario for North Area Road Segments
North Study Area Transportation Facility Road Segments

Segment	Max Volume	Current ADT	Potential ADT	Current Volume	Potential Volume	Current LOS	Adopted LOS	Potential LOS
035B	15,600	7,401	15,743	47.44%	100.92%	D	E	F
035A	15,600	12,248	25,589	78.51%	164.03%	D	E	F
345C	15,600	10,394	17,622	66.63%	112.96%	C	E	F
Segment	Segment Description							
035B	North Banana River Drive from SR520 north to Sykes Creek Parkway							
035A	North Banana River Drive from Sykes Creek Parkway north to SR528							
345C	Sykes Creek Parkway from Banana River Drive west							

Source: Brevard County Planning & Zoning Office

As shown in Table 9. above, the redevelopment of the existing Residential 15 acreage would cause the Level of Service of the roadway to exceed allowable levels. The adopted LOS for all three road segments is “E” and the addition of these trips would cause the LOS to drop to “F”. By the roadways degrading to “F” the LOS would be exceeding the adopted allowable LOS.



Pedestrians walking on the shoulder

From: [Heike Jahner](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: 220 Apartments on North Courtenay Pkwy
Date: Friday, March 27, 2026 3:20:18 PM

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

Dear Commissioners,

Living on Merritt Island, I've witnessed firsthand the impact of rapid development and rezoning on our community. The latest proposal for rezoning a property on the east side of N. Courtenay Parkway, just 420 feet south of Via De La Reina, threatens not only the tranquility of our cherished island but also the safety and well-being of its residents.

Many of you may know the struggles we face daily with traffic congestion. Re-zoning this land would exacerbate an already dire traffic situation, increasing the likelihood of accidents and posing a serious risk to pedestrians and drivers alike. Moreover, the potential for increased flooding cannot be ignored, as the natural drainage systems that protect our land are already strained. This development would further stress these resources, leading to possible flooding disasters for our homes and businesses.

Furthermore, the loss of green spaces and land in this part of Merritt Island is irreversible. Our community has cherishingly held onto these spaces for decades, understanding the balance they provide for our ecosystem and the crucial buffer against urban encroachment. Losing this land means losing part of what makes Merritt Island unique and a beloved home for its residents.

Thankfully, during a recent vote, the Merritt Island Redevelopment Agency (MIRA) has already shown their support for preserving our community by voting no against the rezoning plan. It is now crucial for Commissioner Tom Goodson and the other district commissioners to hear our community's unified voice and follow suit by voting no.

Support smart growth—not this specific project. We petition for a more appropriately scaled development that respects our current infrastructure

and the upcoming roadway redesign. This location cannot sustain the proposed density without compromising safety and traffic flow.

Respectfully,

Heike Jahnert

6729 Mangrove Dr., Merritt Island

From: [Rebecca Hauser](#)
To: [Commissioner, D1](#)
Cc: [Commissioner, D2](#); [Commissioner, D4](#); [Commissioner, D3](#); [Commissioner, D5](#)
Subject: Vote No to REZONING #25Z00054
Date: Sunday, March 29, 2026 1:36:59 PM

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

OPPOSITION TO REZONING #25Z00054

Location: Pioneer Rd & N. Courtenay Pkwy | **Applicant:** RangeWater Residential

1. THE "PFS" DECEPTION: NO CURE FOR EXISTING FAILURE

The developer is offering a Proportionate Fair Share (PFS) payment to satisfy traffic requirements. However, this is a financial maneuver, not a physical fix.

- **The Legal Limitation:** Under Florida Law, a developer is **not responsible for fixing existing traffic problems**. They are only required to mitigate the *additional* impact they create.
- **The Mitigation Gap:** The applicant admits they cannot physically fix or widen the road due to existing **FP&L light poles** and other permanent structures. Since they cannot create more space, the traffic congestion is permanent.
- **The Safety Override:** Florida Law (163.3180) allows a PFS to satisfy concurrency, but it **DOES NOT** override a material danger to public safety.
- **The Calculation Gap:** The developer's PFS calculations are **nearly 50% less** than what the P&Z board calculated. Because of this massive discrepancy, the developer **might not be paying their true fair share** of the infrastructure burden.
- **Cost to Taxpayers:** If the true impact is 3,000 trips but they only pay for 1,379, the remaining infrastructure costs fall on the citizens. This project risks costing Merritt Island more money than it generates.
- **Ongoing "Negotiations":** The PFS is still being "negotiated" behind closed doors. The public has no guarantee that the final agreement will even cover the developer's own underestimated impact.

- **Emergency Response Crisis:** A PFS check does not get emergency vehicles to our high population of elderly neighbors any faster. On an island with limited arterial roads, adding thousands of trips to a failing system directly delays life-saving care.
- **Staff Report Warning (Page 10):** County Staff explicitly states this project creates a **material danger to public safety**.

2. SCHOOL ZONE & STUDENT SAFETY: PIONEER RD GRIDLOCK

This development sits in the immediate path of students attending **Lewis Carroll Elementary**.

- **Peak Time Backups:** During school drop-off and pick-up, traffic already backs up significantly onto **Pioneer Road**. Adding 3,000 daily trips will paralyze this corridor, making it impossible for parents and buses to navigate the school zone safely.
- **Student Pedestrians at Risk:** This intersection is already considered dangerous. Adding high-density traffic increases the risk for children who walk or bike to school.
- **Safety Failure:** Forcing an additional 222 units worth of commuter traffic into a school zone that is already failing its operational capacity is a direct threat to student safety.

3. PUBLIC SAFETY: THE FDOT SAFETY CONFLICT (PROJECTS 453311-1 & 448455-1)

The State of Florida is currently intervening at this location because the infrastructure has reached a breaking point.

- **SR-528 Interchange Fail (FDOT Project 448455-1):** This **\$10.3 Million** project targets the SR-528 (Beachline) and N. Courtenay Pkwy interchange to address the existing **Level of Service F (Failure)**.
- **N. Courtenay Median Safety (FDOT Project 453311-1):** This **\$6.6 Million** project is specifically designed to install a **raised concrete median** to eliminate dangerous mid-block left turns at the developer's proposed entrance.
- **Reversing State Progress:** Approving this high-density project would effectively reverse the impact of the **\$16.9 million** currently being spent to increase safety at

these failing intersections. Adding 3,000 trips at this exact location directly contradicts the State's safety objectives and renders these taxpayer-funded improvements obsolete.

- **40% Traffic Surge:** N. Courtenay has seen a **40% traffic increase** in just the last two years. The State's safety projects are already playing "catch up" to existing danger.

4. ENVIRONMENTAL RISKS: HYDRIC SOILS, TREES, & FLOODING

- **The Sponge Effect:** This lot currently functions as a natural sponge for the area. The combination of established trees and hydric soils absorbs significant amounts of stormwater. Overbuilding on this lot will destroy this natural drainage system.
- **Increased Flooding:** Removing the trees and paving over the soil will lead to a drastic increase in flooding that already exists in this area. Without this excess water will be displaced onto neighboring properties and into the streets.
- **Confirmed Bald Eagle Nest:** An active Bald Eagle nest is confirmed near the property. Under the **Federal Bald and Golden Eagle Protection Act**, these birds are protected by a mandatory **660-foot buffer**. Construction and high-density activity within this zone are strictly regulated.
- **Inadequate Buffers:** The claimed 100 ft buffer will actually contain **stormwater retention ponds**. It is a drainage pit, not a vegetative screen for neighbors or a habitat for protected species.
- **Sykes Creek Contamination:** Replacing 11 acres of pervious dirt with asphalt increases runoff into **Sykes Creek**, which is under strict new Nitrogen/Phosphorus rules.
- **Hydric Soil Danger:** The site consists of **Myakka and Anclote soils** (high water table). Paving this land will force groundwater into the living rooms of surrounding low-lying homes.

5. BOARD CONCERNS: ATROCIOUS & HORRENDOUS CONDITIONS

During the Planning & Zoning hearing, Board members expressed deep skepticism.

-

Intersection Failure: Multiple board members described the current state of the N. Courtenay intersection as “**atrocious**” and “**horrendous**”.

- **Density Misalignment:** Mr. Minneboo noted that **RU-2-30 (high density)** is not typical for this area. The intersection was designed for commercial use, **not high-density residential**, which creates a much higher volume of constant traffic.

6. VIOLATION OF ADMINISTRATIVE POLICY 3: THE BSP REMOVAL

- **Admitted Inconsistency:** The County Staff Report admits that 222 units is **not consistent** with the surrounding single-family neighborhoods.

- **Removing the BSP:** The applicant wants to **remove** the existing Binding Site Plan (BSP). This falls directly under a violation of **Administrative Policy 3**, as the BSP was specifically put in place to protect surrounding neighbors from over-development.

- **Diminished Quality of Life:** Getting rid of the BSP will significantly diminish the quality of life and safety of the existing neighborhood through increased noise and unmitigated traffic.

- **The Blank Check for Clear-Cutting:** The current BSP identifies exactly **10 Live Oaks, 43 Slash Pines, and 80 Wax Myrtles**. Without it, the developer can bulldoze these 130+ trees, removing our natural noise barrier and flood protection forever.

7. UNANIMOUS LOCAL REJECTION

- **MIRA Vote:** The Merritt Island Redevelopment Agency voted **7-0 (Unanimous)** to recommend denial.

- **Community Voice:** We are nearing **2,500 signatures online and on paper** & have over **50 formal comments** opposing this development.

- **P&Z Tie:** The Planning & Zoning board resulted in a 7-7 tie (TWICE), showing no mandate for this project.

SUMMARY: To approve this rezoning is to ignore the 7-0 vote of our redevelopment agency

(MIRA), the warnings of county staff, the \$16.9 million FDOT investment, Merritt Island residents, and the safety of students at Lewis Carroll. We urge the Commission to uphold the recommendations of the local experts and vote no.

Thank you,

Rebecca Hauser

Merritt Island Resident

[Petition · Urge Brevard County Commissioners to oppose rezoning on Merritt Island - Merritt Island, United States · Change.org](#)

VOTE NO ON CASE #25Z00054

From: [Kathy Gay](#)
To: [Commissioner, D3](#)
Subject: Pioneer Rd Merritt Island land development - Vote
Date: Sunday, March 29, 2026 5:55:37 PM

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

Kathy Gay
85 Florida Blvd
Merritt Island, FL 32953
freespoolk@outlook.com

3/29/2026

Kim Adkinson, Brevard County Commissioner District 3

Dear Commissioner Adkinson,

I am writing to express my deep concern regarding the proposed housing growth on Pioneer Rd, Merritt Island, feeding into the already congested SR3/SR528/SR520 corridor. While I understand the need for responsible development, this expansion risks worsening an infrastructure problem that residents have been struggling with for years.

Traffic on SR3/SR528/SR520 is routinely backed up, not only during peak hours, but also at cruise arrivals/departures, space launches, beach days, lunch/work, school, and church hours. Even minor incidents can bring the entire area (whether SR3, SR528, or SR520) to a standstill. Emergency response vehicles frequently use the oncoming traffic lane to travel SR3 due to traffic congestion. SR3 feeder streets already back-up at the lights as travelers seek alternate routes. Adding hundreds of new housing units without first addressing the underlying transportation limitations will only intensify congestion, increase commute times, and reduce overall safety for drivers, cyclists, and pedestrians.

Growth without adequate infrastructure planning places an unfair burden on current residents. FDOT has current plans to address the safety concerns on SR3. Nothing in the FDOT plans suggests that additional traffic will aid correction of the safety issues. Before any additional housing is approved, the county should coordinate with FDOT concerning road capacity and safety for SR3, SR520, and SR528.

I respectfully urge you to oppose approval of this development until these issues are meaningfully addressed. Our community and visitors deserve growth that is sustainable, safe, and supported by infrastructure that can handle it.

Thank you for your attention to this matter and for your service to our county. I hope you will stand with residents who are asking for thoughtful, responsible planning.

Sincerely,

From: [Kathy Gay](#)
To: [Commissioner, D2](#)
Subject: Pioneer Rd Merritt Island land development - Vote
Date: Sunday, March 29, 2026 5:53:38 PM

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Kathy Gay
85 Florida Blvd
Merritt Island, FL 32953
freespoolk@outlook.com

3/29/2026

Tom Goodson, Brevard County Commissioner District 2

Dear Commissioner Goodson,

I am writing to express my deep concern regarding the proposed housing growth on Pioneer Rd, Merritt Island, feeding into the already congested SR3/SR528/SR520 corridor. While I understand the need for responsible development, this expansion risks worsening an infrastructure problem that residents have been struggling with for years.

Traffic on SR3/SR528/SR520 is routinely backed up, not only during peak hours, but also at cruise arrivals/departures, space launches, beach days, lunch/work, school, and church hours. Even minor incidents can bring the entire area (whether SR3, SR528, or SR520) to a standstill. Emergency response vehicles frequently use the oncoming traffic lane to travel SR3 due to traffic congestion. SR3 feeder streets already back-up at the lights as travelers seek alternate routes. Adding hundreds of new housing units without first addressing the underlying transportation limitations will only intensify congestion, increase commute times, and reduce overall safety for drivers, cyclists, and pedestrians.

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Thank you for your attention to this matter and for your service to our county. I hope you will stand with residents who are asking for thoughtful, responsible planning.

Sincerely,

From: [Kathy Gay](#)
To: [Commissioner, D4](#)
Subject: Pioneer Rd Merritt Island development - VOTE
Date: Sunday, March 29, 2026 5:57:26 PM

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Kathy Gay
85 Florida Blvd
Merritt Island, FL 32953
freespoolk@outlook.com

3/29/2026

Rob Feltner, Brevard County Commissioner District 4

Dear Commissioner Feltner,

I am writing to express my deep concern regarding the proposed housing growth on Pioneer Rd, Merritt Island, feeding into the already congested SR3/SR528/SR520 corridor. While I understand the need for responsible development, this expansion risks worsening an infrastructure problem that residents have been struggling with for years.

Traffic on SR3/SR528/SR520 is routinely backed up, not only during peak hours, but also at cruise arrivals/departures, space launches, beach days, lunch/work, school, and church hours. Even minor incidents can bring the entire area (whether SR3, SR528, or SR520) to a standstill. Emergency response vehicles frequently use the oncoming traffic lane to travel SR3 due to traffic congestion. SR3 feeder streets already back-up at the lights as travelers seek alternate routes. Adding hundreds of new housing units without first addressing the underlying transportation limitations will only intensify congestion, increase commute times, and reduce overall safety for drivers, cyclists, and pedestrians.

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I respectfully urge you to oppose approval of this development until these issues are meaningfully addressed. Our community and visitors deserve growth that is sustainable, safe, and supported by infrastructure that can handle it.

Thank you for your attention to this matter and for your service to our county. I hope you will stand with residents who are asking for thoughtful, responsible planning.

Sincerely,

Kathy Gay

85 Florida Blvd

Merritt Island, FL 32953

freespoolk@outlook.com

3/29/2026

Katie Delaney, Brevard County Commissioner District 1

Dear Commissioner Delaney,

I am writing to express my deep concern regarding the proposed housing growth on Pioneer Rd, Merritt Island, feeding into the already congested SR3/SR528/SR520 corridor. While I understand the need for responsible development, this expansion risks worsening an infrastructure problem that residents have been struggling with for years.

Traffic on SR3/SR528/SR520 is routinely backed up, not only during peak hours, but also at cruise arrivals/departures, space launches, beach days, lunch/work, school, and church hours. Even minor incidents can bring the entire area (whether SR3, SR528, or SR520) to a standstill. Emergency response vehicles frequently use the oncoming traffic lane to travel SR3 due to traffic congestion. SR3 feeder streets already back-up at the lights as travelers seek alternate routes. Adding hundreds of new housing units without first addressing the underlying transportation limitations will only intensify congestion, increase commute times, and reduce overall safety for drivers, cyclists, and pedestrians.

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I respectfully urge you to oppose approval of this development until these issues are meaningfully addressed. Our community and visitors deserve growth that is sustainable, safe, and supported by infrastructure that can handle it.

Thank you for your attention to this matter and for your service to our county. I hope you will stand with residents who are asking for thoughtful, responsible planning.

Sincerely,

Kathy Gay

From: [Chelsey Bjork](#)
To: [AdministrativeServices](#)
Subject: Additional consideration ahead of the April 2nd hearing for zoning item 25Z00054
Date: Tuesday, March 31, 2026 6:12:46 AM

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

Good morning,

I wanted to respectfully provide a brief follow-up ahead of the April 2 hearing on zoning item 25Z00054 following the recent Planning and Zoning meeting and tie vote.

After hearing both presentations, I believe several important issues remain unresolved and should remain central to the Board's review.

A significant portion of the applicant's presentation relied on what could theoretically be built under the current AU zoning, particularly repeated references to a hospital or other institutional use. While current zoning establishes baseline rights, the decision before the Board is not whether hypothetical maximum uses exist, but whether this specific rezoning request, increasing residential intensity to allow 222 apartment units at this location, is compatible and appropriate under current conditions. The existence of a theoretical higher intensity use should not substitute for evaluating the actual proposal before you.

Likewise, land use rights are important, but zoning decisions are intended to balance those rights with compatibility, infrastructure, safety, and the public interest. County staff's own analysis concluded that the proposed use is not consistent with the existing development pattern, noting that the surrounding area remains predominantly single-family residential to the east, with limited commercial and institutional uses along the corridor. While some corridor evolution is expected, transition still requires proportionality. The nearby examples cited, including a bank, Starbucks, and assisted living facility, do not create the same intensity or long-term traffic pattern as a 222 unit apartment development adjacent to lower density residential areas. A few newer corridor uses do not automatically establish that this level of residential intensity is the next appropriate step at this location.

The applicant also repeatedly characterized this site as an infill project and part of a corridor transitioning toward mixed use. While the parcel may qualify as infill because it is undeveloped land within an existing corridor, infill alone does not determine whether a specific scale of development is compatible. Infill describes location, but the Board must still evaluate whether the proposed intensity, access pattern, and

building scale fit the surrounding context and infrastructure limitations at this site.

The repeated use of a hypothetical hospital comparison also deserves caution. A hospital is not simply built because zoning allows it; it requires an operator, financing, physician support, health system planning, staffing, and demonstrated service demand. With a new Health First Cape Canaveral Hospital already under development within 4 miles of the site, that comparison appears increasingly speculative and should not carry more weight than the actual application being considered.

This site also sits on Merritt Island, a barrier island where infrastructure decisions deserve heightened caution. Barrier islands operate under unique constraints involving evacuation, drainage, roadway limitations, and environmental sensitivity. Those realities make compatibility and infrastructure timing especially important when considering higher density residential development.

Traffic remains another area where caution is warranted. While the applicant emphasized that the project may not create a formal roadway deficiency under current modeling, the corridor itself remains under active FDOT redesign for safety improvements, including median and turning movement changes. Access assumptions remain tied to roadway conditions that are still evolving, which makes long term impacts less certain than presented.

I also believe it is important to note that this matter was previously continued in order to allow additional time for review of newly submitted traffic related material and updated findings. However, despite that additional time, the core concerns discussed at both hearings remain materially unresolved. Compatibility concerns identified by staff remain unchanged, access still depends on roadway conditions under active FDOT redesign, and no fundamentally new evidence appears to have resolved the primary questions that led to continued concern at the first hearing.

While the applicant has emphasized infill, corridor transition, existing zoning rights, and hypothetical maximum uses, none of those concepts independently resolve the central question before the Board: whether this specific scale and intensity of development is appropriate, compatible, and supportable at this location today. Infill describes location, transition requires proportionality, and existing zoning rights do not eliminate the Board's responsibility to evaluate compatibility, infrastructure, and public welfare under current conditions.

The Planning and Zoning tie vote itself reflects that these concerns remain unresolved even after full presentation by both sides. A majority was not reached during two hearings and a unanimous "no" vote from MIRA.

The concern is that once density and entitlement are granted, the long term effects on compatibility, corridor function, and future precedent cannot easily be reversed.

Thank you for your time and consideration ahead of the April 2 hearing.

Kindly,

Chelsey True

From: [Chelsey Bjork](#)
To: [Commissioner, D2](#)
Subject: Request for Brief Meeting Regarding 25Z00054 Prior to April 2 Hearing
Date: Tuesday, March 17, 2026 6:08:10 AM

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

Good morning Commissioner Goodson and staff,

Back in January, I had requested a meeting with Commissioner Goodson regarding the proposed development at Pioneer Road and N. Courtenay Parkway. Due to his schedule at the time, I appreciated the opportunity to speak with Susan Smith, who assured me that my concerns would be shared with the Commissioner.

As you are aware, this matter returned to Planning and Zoning on March 16 and resulted in a tie vote, with a formal motion against the application being made and seconded before the split decision.

Given that outcome, I would greatly appreciate the opportunity to briefly meet with Commissioner Goodson prior to the April 2 hearing to discuss why I believe important concerns regarding compatibility, scale, and infrastructure remain unresolved.

I appreciate your time and consideration and am happy to work around the Commissioner's schedule if there is an opportunity.

Chelsey True
206-300-0013

Good morning Commissioner,

Please oppose the developer's request to change the zoning from AU to allow 222 apartments on the property at Courtenay and Pioneer. We would welcome single family homes being built in that location under the current zoning, as that would be consistent with the rest of the homes in that area and also consistent with the zoning plan that has been in place for decades.

Reasons to vote against the re-zoning are as follows.

Traffic and Safety on Courtenay

- The developer's traffic expert acknowledged that Courtenay congestion is currently rated as an E in that area (and perhaps an F at the ramps onto 528). Allowing this rezoning would push Courtenay traffic very close to an F rating.
- The traffic already backs up from 528 to Pioneer when the bridge is up.
- When the planned barriers are installed thereby eliminating the middle lane, the northbound traffic will be even worse as everyone going southbound will have to go northbound to make a U-turn somewhere. It will also be very dangerous, as those coming out of the proposed apartment complex will be trying to immediately cut across traffic to get to the left turn lane to make a U-turn at the proposed stoplight at Via De La Reina.
- As an unusual justification, the developer talked about the possibility of increased traffic coming in/out of the medical center on the corner. They even suggested that there could be a 100-bed hospital/medical center. At the Zoning Board Meeting, the Staff later said that this could be done without re-zoning.
- For those living in the northern half of Merritt Island, Courtenay to 528 is realistically the only way to get off the island during an evacuation. With north Courtenay already at an E congestion rating, it doesn't make sense to put so many more people in that area.

Traffic and Safety on Pioneer

- It can already take 3 or more long stoplight cycles to turn southbound from Pioneer to Courtenay during school dismissal times.

- The problem is with those trying to turn left. Expanding the right-turn lane will not solve that problem. Most people currently just drive over the grass, so while it will make it smoother to expand the the right turn lane, the real problem is the need for a left turn lane with a left turn arrow at the stop light.
- The wait at the stoplight has gotten bad enough that many people are cutting down the street behind Starbucks and along the car wash. It has become such a safety issue that Hampton Mannor Assisted Living is warning its elderly residents to be especially cautious when trying to go to Starbucks or the bank.
- With the proposed barriers on Courtenay, even more traffic will be routed to Pioneer from the apartment complex since many people will need to go southbound to get to commercial businesses such as Publix and Target.
- Those coming onto Pioneer from the apartment complex to turn south will have to cut across the newly expanded right turn lane. During school dismissal, the left turn lane will be backed up further than the apartment complex exit. Cars coming out of the complex will end up blocking the right turn lane while trying to get into the left turn lane.
- Prior to school dismissal, the cars start lining up half on the shoulder and half in the road on Pioneer. Residents of the area must drive on the wrong side of the road to get home. Adding to that congestion is a bad idea and makes it even less safe for the elementary students.

Privacy and Property Value Issues

- Consider how you would react to having people over 30 feet up on their balcony able to look into your home and back yard from only 100 feet away. I'm sure this will also have a negative impact on those homeowner property values.

Potential Flooding

- While the developers say they will not add to any flooding issues, we heard similar things before the development on the southeast corner was completed. However, flooding has increased since that development was completed. With the increased intensity of storms in recent years, we fear that the estimates for water retention could be off and create more flooding issues for the local residents.

Other Concerns & Comments

- If the development goes forward and pushes traffic just short of the F level traffic capacity limits, then other growth from the medical center or Hampton Manor, or growth of some other local businesses could be 'the straw that breaks the camel's back' within the next year or so after the development is completed. If the changes are required after the developer completes the projec, and the changes ultimately require a huge investment in Courtenay and/or Pioneer, it will be all of the area residents, and not the developers, that will get stuck with the bill to pay for it.
- The zoning was set up as AU to protect Merritt Island from becoming overpopulated. It is not the Commissioners' job to help developers make money. It is your responsibility to protect the residents that elected you from allowing overcrowding in this area.
- Over 2,000 local area voters have signed a petition requesting that you deny the request to change the zoning.

We pray you will deny this developer's zoning change request.

Greg & Tina McClasky

1899 Sykes Creek Dr.

Merritt Island, FL 32953

Dear Commissioner Delaney,

I am writing as a concerned resident of Merritt Island to respectfully urge you not to approve the proposed zoning change (zoning application 25Z00054) that would allow medium- to high-density housing at the property located on the east side of N. Courtenay Parkway, approximately 420 feet south of Via De La Reina (parcel ID 24-36-14-00-259).

While growth can be beneficial when thoughtfully planned, this particular proposal threatens the safety, infrastructure, environmental balance, and character of the immediate neighborhood as well as the whole island in ways that are already well documented in the official reports on record.

Public safety must be paramount. One of the reports explicitly warns that this project presents a “material danger to public safety.” This is not merely a speculative concern, but a formal conclusion based on the project’s own analysis. Approving a development identified as posing such a risk would place current residents, future occupants, and first responders in jeopardy.

Traffic and infrastructure capacity are already strained. Many are familiar with the daily congestion along N. Courtenay Parkway. According to the report, local roads are operating at approximately 88% capacity, leaving very little margin for additional traffic. The proposed development exceeds the established “25% of remaining capacity” guideline; thus, rezoning this property would only exacerbate an already dangerous situation—raising the likelihood of accidents and posing increased risks to both drivers and adult and child pedestrians, particularly as the area awaits roadway redesign to place a raised median.

In addition, flooding concerns cannot be ignored. Natural drainage systems on Merritt Island are already under stress, and increased density at this location would further burden those systems. The result could be heightened flood risk for nearby homes and businesses, creating long-term consequences that are difficult and costly to reverse.

The proposal is also incompatible with surrounding land use. The report itself acknowledges that the planned 222 units are not consistent with the adjacent single-family neighborhoods. Such incompatibility threatens the stability, character, and quality of life of communities that residents, including myself, have invested in for decades.

Equally concerning is the loss of green space, especially wetlands and wildlife habitats, which would be irreversible. Our community has worked hard to preserve these areas, recognizing their importance to our ecosystem, natural drainage, and as a buffer against overdevelopment. Once lost, this land—and the balance it provides—cannot be restored. Preserving these spaces is essential to maintaining what makes Merritt Island a unique and cherished place to live.

Finally, there is clear local opposition and advisory concern. The Merritt Island Redevelopment Agency (MIRA) has already demonstrated its support for preserving our community by voting against the rezoning proposal, and even the Brevard County Planning & Zoning board was not able to reach a majority in favor of this project TWICE, after hearing both sides. As one of our elected representatives, I respectfully ask that you honor the judgment of local advisory boards and the residents they serve, rather than overriding their recommendations.

I support smart, appropriately scaled growth—but not this specific project, particularly in this specific location. The proposed density cannot be sustained without compromising safety, traffic flow, environmental resilience, and neighborhood compatibility.

For these reasons, I respectfully ask that you vote no on this zoning change and help protect the safety, environment, and long-term well-being of Merritt Island and its residents.

Thank you for your time, consideration, and service to our community.

Respectfully,

Gayle Allenback

2405 Raintree Lake Circle

Merritt Island, FL 32953

From: [Gayle Allenback](#)
To: [Commissioner, D3](#)
Subject: Request for Denial of Zoning Application 25Z00054 – Parcel ID 24-36-14-00-259
Date: Thursday, March 26, 2026 11:05:40 AM

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

Dear Commissioner Adkinson,

I am writing as a concerned resident of Merritt Island to respectfully urge you not to approve the proposed zoning change (zoning application 25Z00054) that would allow medium- to high-density housing at the property located on the east side of N. Courtenay Parkway, approximately 420 feet south of Via De La Reina (parcel ID 24-36-14-00-259).

While growth can be beneficial when thoughtfully planned, this particular proposal threatens the safety, infrastructure, environmental balance, and character of the immediate neighborhood as well as the whole island in ways that are already well documented in the official reports on record.

Public safety must be paramount. One of the reports explicitly warns that this project presents a “material danger to public safety.” This is not merely a speculative concern, but a formal conclusion based on the project’s own analysis. Approving a development identified as posing such a risk would place current residents, future occupants, and first responders in jeopardy.

Traffic and infrastructure capacity are already strained. Many are familiar with the daily congestion along N. Courtenay Parkway. According to the report, local roads are operating at approximately 88% capacity, leaving very little margin for additional traffic. The proposed development exceeds the established “25% of remaining capacity” guideline; thus, rezoning this property would only exacerbate an already dangerous situation—raising the likelihood of accidents and posing increased risks to both drivers and adult and child pedestrians, particularly as the area awaits roadway redesign to place a raised median.

In addition, flooding concerns cannot be ignored. Natural drainage systems on Merritt Island are already under stress, and increased density at this location would further burden those systems. The result could be heightened flood risk for nearby homes and businesses, creating long-term consequences that are difficult and costly to reverse.

The proposal is also incompatible with surrounding land use. The report itself acknowledges that the planned 222 units are not consistent with the adjacent single-family neighborhoods. Such incompatibility threatens the stability, character, and quality of life of communities that residents, including myself, have invested in for decades.

Equally concerning is the loss of green space, especially wetlands and wildlife habitats, which would be irreversible. Our community has worked hard to preserve these areas, recognizing their importance to our ecosystem, natural drainage, and as a buffer against overdevelopment. Once lost, this land—and the balance it provides—cannot be restored. Preserving these spaces is essential to maintaining what makes Merritt Island a unique and cherished place to live.

Finally, there is clear local opposition and advisory concern. The Merritt Island Redevelopment Agency (MIRA) has already demonstrated its support for preserving our community by voting against the rezoning proposal, and even the Brevard County Planning & Zoning board was not able to reach a majority in favor of this project TWICE, after hearing both sides. As one of our elected representatives, I respectfully ask that you honor the judgment of local advisory boards and the residents they serve, rather than overriding their recommendations.

I support smart, appropriately scaled growth—but not this specific project, particularly in this specific location. The proposed density cannot be sustained without compromising safety, traffic flow, environmental resilience, and neighborhood compatibility.

For these reasons, I respectfully ask that you vote no on this zoning change and help protect the safety, environment, and long-term well-being of Merritt Island and its residents.

Thank you for your time, consideration, and service to our community.

Respectfully,

Gayle Allénback

2405 Raintree Lake Circle

Merritt Island, FL 32953

Re: File #8588 / 25Z00054 – Merritt Bidco SPV, LLC (Kim Rezanka, attorney) / RangeWater Real Estate – Rezoning Request from AU (with Binding Site Plan) to RU-2-15 and RU-2-30 with Removal of BSP

Tax Parcel 2412106, District 2, Merritt Island (approx. 11.24 acres near Pioneer Road / North Courtenay Parkway)

Date: March 30, 2026

Brevard County Board of County Commissioners

2725 Judge Fran Jamieson Way, Building C

Viera, FL 32940

Dear Commissioners,

I write on behalf of the existing homeowners and taxpayers of Merritt Island and Brevard County. The Planning & Zoning Board deadlocked 7-7 on March 16, 2026, with no recommendation forwarded to you. This tie vote reflects deep, unresolved concerns about infrastructure shortfalls and taxpayer subsidies. We urge you to deny this rezoning — or approve it only with ironclad, binding conditions requiring the developer to pay 100% of all infrastructure upgrades concurrent with development, with no burden shifted to existing residents.

Exact Details from March 16, 2026, P&Z Meeting (Item H.3)

The applicant, represented by attorney Kim Rezanka (on behalf of Merritt Bidco SPV, LLC and contract purchaser RangeWater), along with RangeWater representative Mike Oliver, engineer Kyle Chastine, and traffic engineer Trent Ebersole (earlier references also noted Daniela Jurado), presented the following:

- Rezoning from Agricultural Use (AU) with an existing Binding Site Plan (BSP for a former hospital conditional use) to RU-2-15 (7.5 acres) and RU-2-30 (3.66 acres), removing the BSP entirely.
- Concept plan: **222 multi-family units** (reduced from 240), three stories maximum, average density 19.75 units/acre, one-story clubhouse.
- Binding Development Plan modifications offered: extension of a right-turn lane on Pioneer Road (to 400 ft), reduced building height, increased eastern setbacks to 100 ft, maintained 50-ft north landscape buffer, cross-access easement, and a proportionate fair share (PFS) **agreement “if necessary.”**