



Agenda Report

Cont'd.
2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

7/9/2020

Subject:

Theodore Goodenow (Chad Genoni) requests a Small Scale Comprehensive Plan Amendment from Planned Industrial to Residential 2. (20PZ00024) (Tax Account 2105262 - part of) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2).

Summary Explanation and Background:

The applicant is seeking to change the FLU (Future Land Use) designation from PI (Planned Industrial) to RES 2 (Residential 2) on 4.85 acres of a larger 31.43-acre parcel for the purpose of developing a single-family subdivision. The subject property is located on the east side of Hammock Road, approximately 650 feet south of Parrish Road. The applicant has submitted a companion rezoning application to change the zoning classification from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential).

To the north of the subject property are single-family residences with a FLU designation of PI. To the east and south is undeveloped land with a FLU designation of PI. To the west (across Hammock Road) is agricultural land with a FLU designation of RES 2.

The Residential 2 land use designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within the Future Land Use element.

The Board may wish to consider whether the proposed RES 2 FLU is consistent with the surrounding area which primarily retains a FLU designation of PI that was adopted with the Comprehensive Plan in September 1988. The applicant has submitted a draft BDP (Binding Development Plan) that states the project will connect to Titusville Water and Sewer which are currently provided approximately 900 feet and 2,800 feet south of the property, respectively.

On June 15, 2020, the Local Planning Agency heard the request and recommended approval by an 8:1 vote.

Clerk to the Board Instructions:

Upon receipt of ordinance, please file with the State and return a certified copy to Planning and Development.

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

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

Administrative Policy 1

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

Administrative Policy 2

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

Criteria:

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

Administrative Policy 3

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

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
 2. actual development over the immediately preceding three years; and
 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

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

Criteria:

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

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

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

Administrative Policy 6

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

Administrative Policy 7

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

Administrative Policy 8

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

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

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

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

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

CONDITIONAL USE PERMITS (CUPs)

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

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

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

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

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare."

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

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

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

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

DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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

**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

STAFF COMMENTS

Small Scale Plan Amendment 20S.02 (20PZ00024)
Township 21, Range 35, Section 21

Property Information

Owner / Applicant: **Theodore Goodenow**

Adopted Future Land Use Map Designation: Planned Industrial (PI)

Requested Future Land Use Map Designation: Residential 2 (RES 2)

Acreage: 4.85 acres Tax Account #: 2105262

Site Location: East side of Hammock Road, approximately 650 feet south of Parrish Road

Current Zoning: Agricultural Residential (AU)

Requested Zoning: Single-Family Residential (RU-1-9) (19PZ00158)

Background & Purpose

The applicant is seeking to amend the Future Land Use (FLU) designation from Planned Industrial (PI) to Residential 2 (RES 2) on a 4.85 acre parcel located east of Hammock Road, approximately 650 feet south of Parrish Road. The subject property is currently vacant with an existing Future Land Use designation of PI that was adopted with the Comprehensive Plan in September of 1988. The subject parcel is a smaller portion of the overall 31.43 acre parcel which is located on both sides of Hammock Road. The western portion of the overall parcel retains a Future Land Use designation of RES 2.

A companion rezoning application (19PZ00158) was submitted accompanying this FLU amendment request to change the Zoning classification of the 31.43 acre overall parcel from Agricultural Residential (AU) to Single-Family Residential (RU-1-9) with a Binding Development Plan (BDP) limiting the density to two (2) dwelling units per acre. The current AU zoning allows one single-family residence on two and a half (2.5) acres of land, and the proposed RU-1-9 zoning with a BDP will limit the density to two (2) dwelling units per acre for a total of sixty-two (62) single-family units.

The preliminary concurrency analysis did not indicate that the proposed development would cause a deficiency in the transportation adopted level of service. The subject parcel is not currently serviced by County or municipal potable water or sanitary sewer;

however, the City of Titusville Utilities provides potable water and sanitary sewer approximately 900 feet and 2,800 feet south of the property, respectively. The applicant's BDP states that the project will use City of Titusville water and sewer. The School Impact Analysis indicates that there is projected capacity for the total of projected and potential students from the proposed development.

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	One (1) Single-Family manufactured home and One (1) Single-Family modular home	TR-2	PI
South	Vacant	IU	PI
East	Vacant	PIP	PI
West	Across Hammock Road - Vacant	AU	RES 2

To the north of the subject property are single-family residences with a Future Land Use designation of PI. To the east and south is undeveloped land with Future Land Use designation of PI. To the west (across Hammock Road) is agricultural land with a Future Land Use designation of RES 2.

According to Policy 3.5 of the Future Land Use Element of the Brevard County Comprehensive Plan, Planned Industrial (PI) land use designation is intended to accommodate the clustering of light industrial and business uses in settings which provide special attention to the integration of infrastructure, such as circulation, parking, and utilities, while placing emphasis upon aesthetics of the project and compatibility with abutting properties and properties within the industrial park. These parks shall be designed to limit intrusion into residential areas. Appropriate uses are those that operate within enclosed buildings such as manufacturing, assembling, fabricating, warehousing and retailing activities. Hotel and motel accommodations that serve the travel needs of employees or clients associated with firms within the planned industrial or business parks are also appropriate. Marinas may also be considered within this land use designation.

Environmental Resources

Preliminary review of mapped resources indicates four (4) noteworthy land use issues:

- *Wetlands/Hydric soils*
- *Indian River Lagoon Septic Overlay*
- *Floodplain*
- *Protected Species*

Please refer to the attached comments provided by the Natural Resources Management Department.

Historic Resources

There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources.

Comprehensive Plan Policies/Comprehensive Plan Analysis

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

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

Residential Land Use Designations

Policy 1.1

The residential land use designations adopted as part of the Future Land Use Map represent maximum density thresholds. Approved densities may be lower than the maximum allowed by a residential land use designation as a result of one or more of the following:

Criteria:

- A. Environmental constraints identified in applicable objectives and policies of the Conservation Element which impose more stringent density guidelines;

Wetlands/Hydric soils are mapped on the subject site. Please refer to attached comments provided by the Natural Resources Management Department.

- B. Land use compatibility pursuant to Administrative Policy 3;

Administrative Policy 3 states that compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered.

Analysis of historical future land use indicates that the subject parcel and adjacent parcels have retained a FLU designation of PI since the adoption of the FLU map in 1988. PI land use designation was originally adopted on these parcels due to their proximity to the Florida East Coast Railroad, which would provide easy access for future industrial uses and its

imports/exports. The proposed amendment to the Future Land Use Map will place RES 2 into an area of Planned Industrial.

- C. Unavailability or inadequacy of public facilities and services, including educational facilities, to accommodate adopted density allowances, as set forth in Policy 1.2 and the policies found in the 'Service Delivery, Concurrency and Growth' section of this Element as well as related objectives and policies in the Capital Improvements Element; Character of the general area, pursuant to Administrative Policy 4;

The subject parcel is not currently serviced by County or municipal potable water or sanitary sewer; however, the City of Titusville Utilities provides potable water and sanitary sewer approximately 900 feet and 2,800 feet south of the property, respectively.

Policy 1.2.E of the Future Land Use Element states that where public water service is not available, residential development proposals with densities greater than two units per acre shall be required to connect to a centralized sewer system.

Policy 1.2.F of the Future Land Use Element states that the County shall not extend public utilities and services outside of established service areas to accommodate new development in Residential 2, Residential 1 and Residential 1:2.5 land use designations, unless an overriding public benefit can be demonstrated. This criterion is not intended to preclude acceptance of dedicated facilities and services by the County through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.

**Residential 2 (maximum of 2 dwelling units per acre)
Policy 1.8**

The Residential 2 land use designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within this element. The Residential 2 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 2 land use designation; or

The subject parcel is surrounded on three sides by PI land use while Res 2 is on the west side, separated by Hammock Road which serves as a dividing line, separating the industrial land use from the residential land use. The proposed amendment to the Future Land Use Map will result in residential encroachment into a designated industrial area.

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than two (2) units per acre and areas with density of less than two (2) units per acre; or

The subject parcel does not serve as a transition between land uses with a density greater than two (2) units per acre and areas with lesser density. The subject parcel is surrounded by PI land use.

Immediately north of the subject parcel is TR-3 zoning with modular and mobile home residences on approximately one-half (1/2) acre and one (1) acre lots, respectively. TR-3 zoning was established in 1987 prior to the adoption of the Future Land Use Map in 1988.

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 2.

The subject parcel is not located adjacent to an incorporated area that would be considered a logical transition for RES 2. The City of Titusville boundary is located approximately 200 feet to the south of the subject property where a developed parcel with Heavy Industrial Zoning and Industrial Future Land Use currently exists.

The western portion of the 31.43 acre overall parcel (not part of this request) is located across Hammock Road and is adjacent to a 71.76 acre incorporated area within the City of Titusville with a Residential Two (RES 2) Future Land Use designation and Planned Development (PD) zoning allowing a minimum lot size of 6,000 square feet.

For Board Consideration

The Board may wish to consider whether the proposed RES 2 Future Land Use is consistent with the surrounding area which primarily retains a Future Land Use designation of PI that was adopted with the Comprehensive Plan in September of 1988.

The Board should note that the applicant has provided a binding development plan proposing to connect to City of Titusville potable water and sanitary sewer for consideration with the companion rezoning request.

The Board may also wish to consider the comments provided by the Natural Resources Management Department which indicate four (4) noteworthy land use issues associated with the subject parcel:

- Wetlands/Hydric soils
- Indian River Lagoon Septic Overlay
- Floodplain
- Protected Species

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Future Land Use Review & Summary
Item # 20PZ00024

Applicant: Theodore Goodenow, Chad Genoni

Future Land Use Request: PI to Res 2

P&Z Hearing Date: 04/06/20; **BCC Hearing date:** 05/07/20

Tax ID No: 2105262

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management (NRM) Department and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**
- If the owner/applicant has questions regarding any potential limitations, s/he is encouraged to contact NRM at 321-633-2016 prior to design of any plans.

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands/Hydric soils
- Indian River Lagoon Septic Overlay
- Floodplain
- Protected Species

The parcel contains 100% hydric soils and SJRWMD wetlands, indicators that wetlands may be present on the property. A ground-truthed wetland determination and delineation will be required prior to any site plan submittal.

Portions of the property are mapped within the Indian River Lagoon Septic Overlay. If sewer is not available, the project will require septic systems that provide at least 65% total nitrogen reduction through multi-stage treatment processes per Chapter 46, Article II, Division IV-Nitrogen Reduction Overlay.

Land Use Comments:

Wetlands/Hydric Soils

The subject parcel contains 100% hydric soils (Copeland-Bradenton-Wabasso complex, and Riviera sand), and a small area of mapped SJRWMD wetlands as shown on the USDA SCSSs soils, and SJRWMD FLUCCS Wetlands maps, respectively; indicators that wetlands may be present on the property. Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. For subdivisions greater than five acres in area, the preceding limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland

impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65-3694(c)(6). Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts, and Section 62-3696.

Indian River Lagoon Septic Overlay

Portions of the property are mapped within the Indian River Lagoon Septic Overlay. If sewer is not available, the project will require septic systems that provide at least 65% total nitrogen reduction through multi-stage treatment processes per Chapter 46, Article II, Division IV-Nitrogen Reduction Overlay.

Floodplain

A majority of the property is mapped as being within AE and X floodplains as identified by the Federal Emergency Management Agency as shown on the FEMA Flood Zones Map. The property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. Additional impervious area increases stormwater runoff that can adversely impact nearby properties unless addressed on-site. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

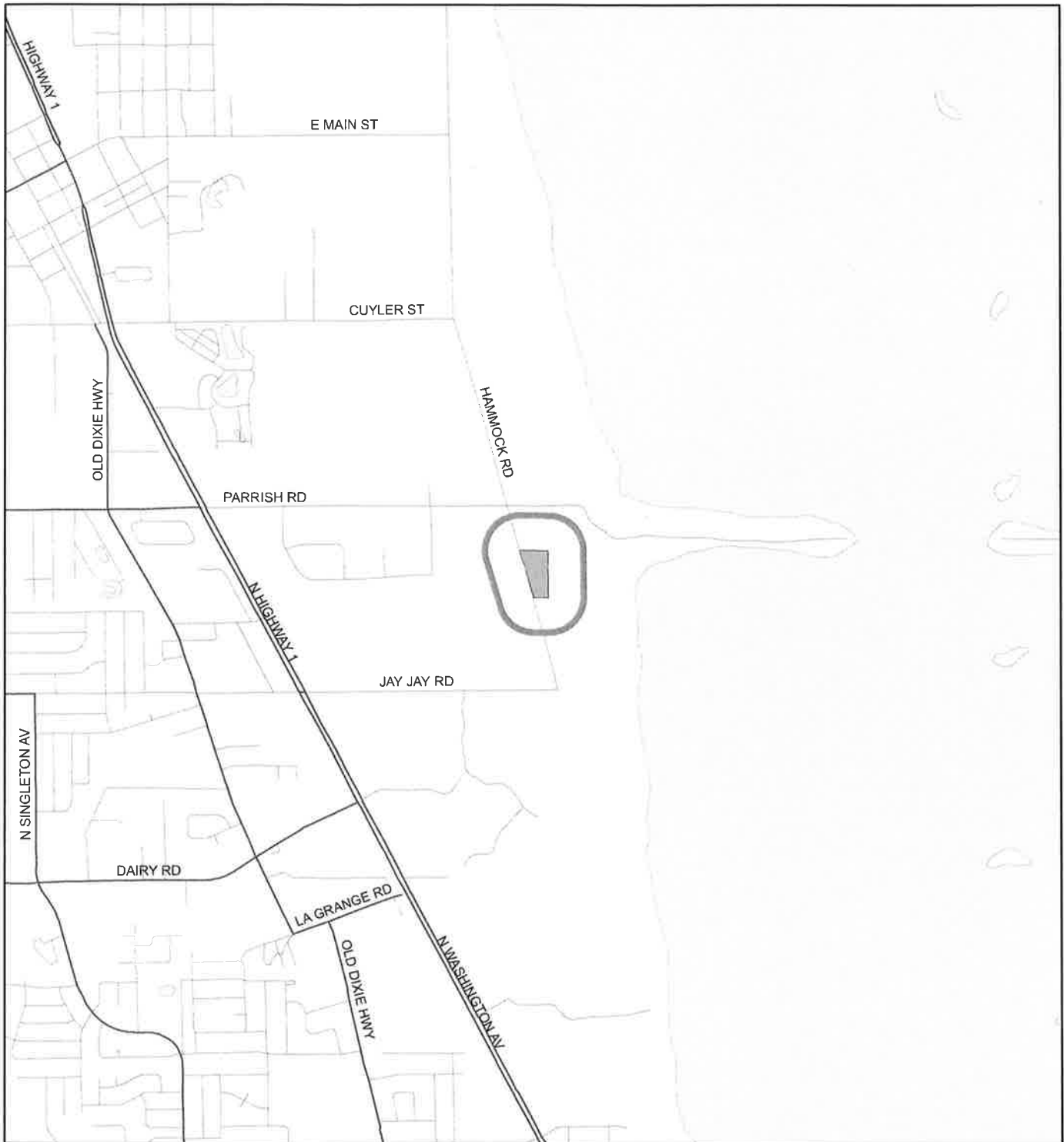
Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

LOCATION MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



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

Buffer Distance: 500 feet

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

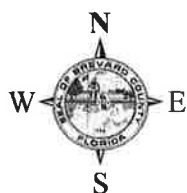
Produced by BoCC - GIS Date: 2/10/2020




Buffer

Subject Property

GOODENOW, THEODORE C.

The map displays a complex arrangement of land parcels, each identified by a unique lot number. The parcels are color-coded to represent different zoning districts: AU (Agricultural Urban) in light blue, TR-1 (Tractor Trailer) in light green, TR-2 (Tractor Trailer) in light orange, RRMH-1 (Residential Medium Density Single-Family) in light purple, IU (Industrial Urban) in light yellow, PIP (Professional Institutional Professional) in light pink, and TITUSVILLE in light grey. Major roads are shown as thick black lines, including SAGELIN RD, HAMMOCK RD, and TITUSVILLE RD. The map is oriented with North at the top, as indicated by the 'N' in the top right corner. The overall layout shows a mix of residential, commercial, and industrial zones, with some areas designated for specific uses like agriculture or professional services.



 Subject Property
 Parcels
 Zoning

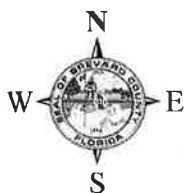
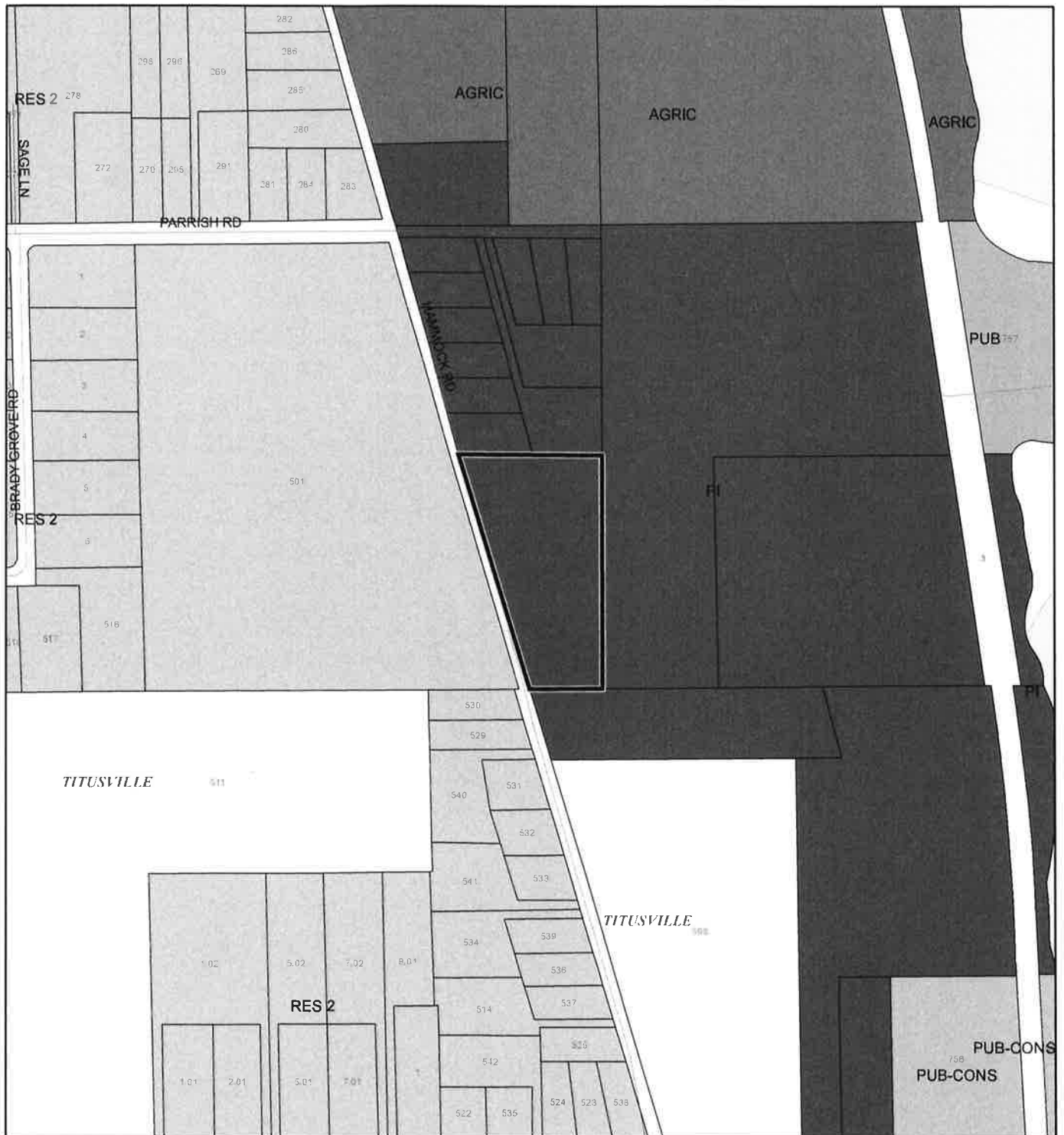
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51

FUTURE LAND USE MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

Subject Property
Parcels

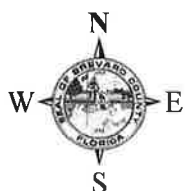
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Produced by BoCC - GIS Date: 2/10/2020

PROPOSED FUTURE LAND USE MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

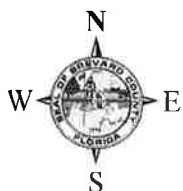
— Subject Property
 □ Parcels

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Produced by BoCC - GIS Date: 2/10/2020

AERIAL MAP

GOODENOW, THEODORE C.
20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2019

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Produced by BoCC - GIS Date: 2/10/2020

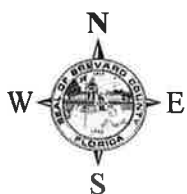
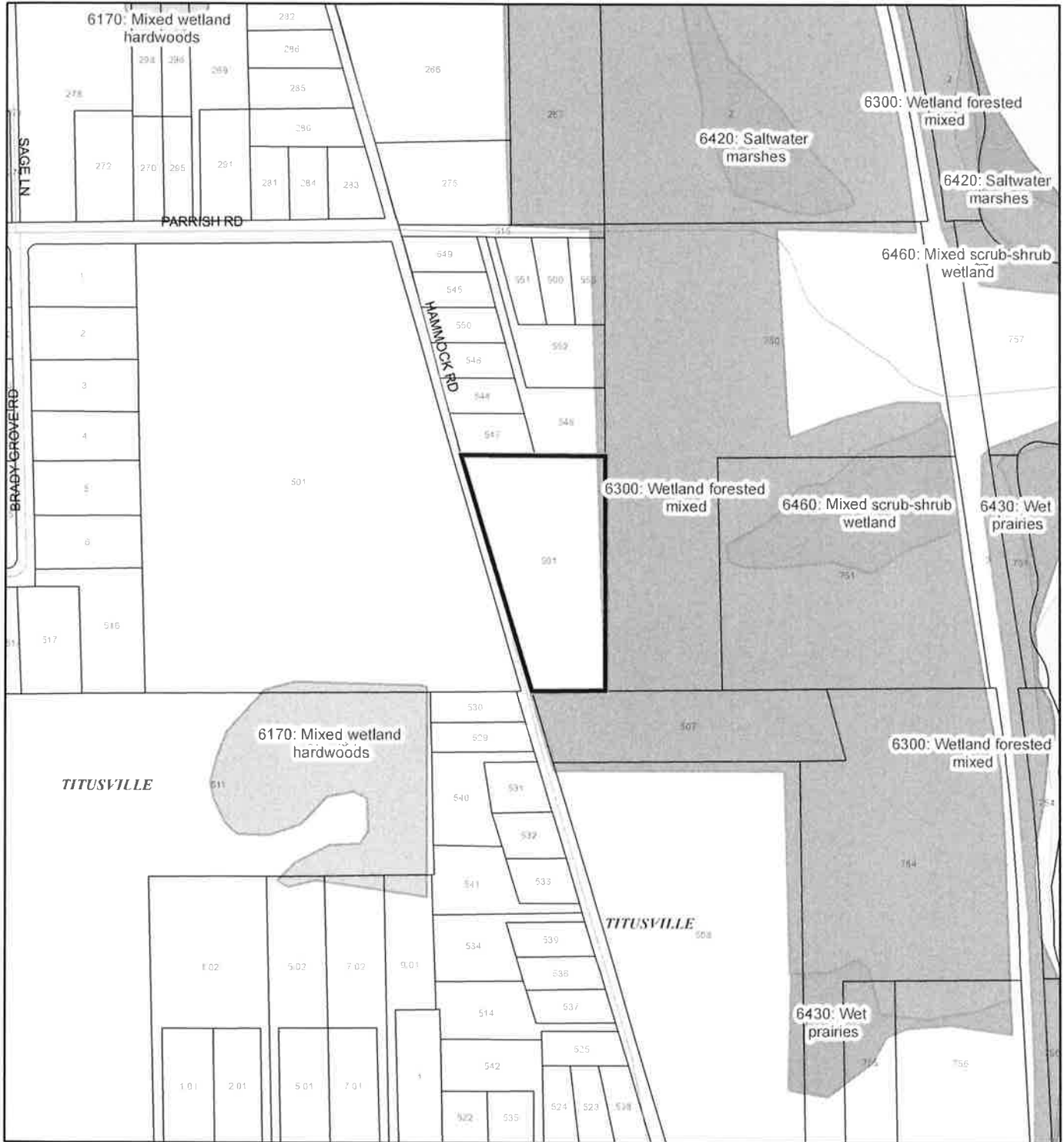
— Subject Property

□ Parcels

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/10/2020

SJRWMD FLUCCS WETLANDS

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

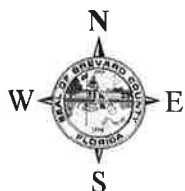
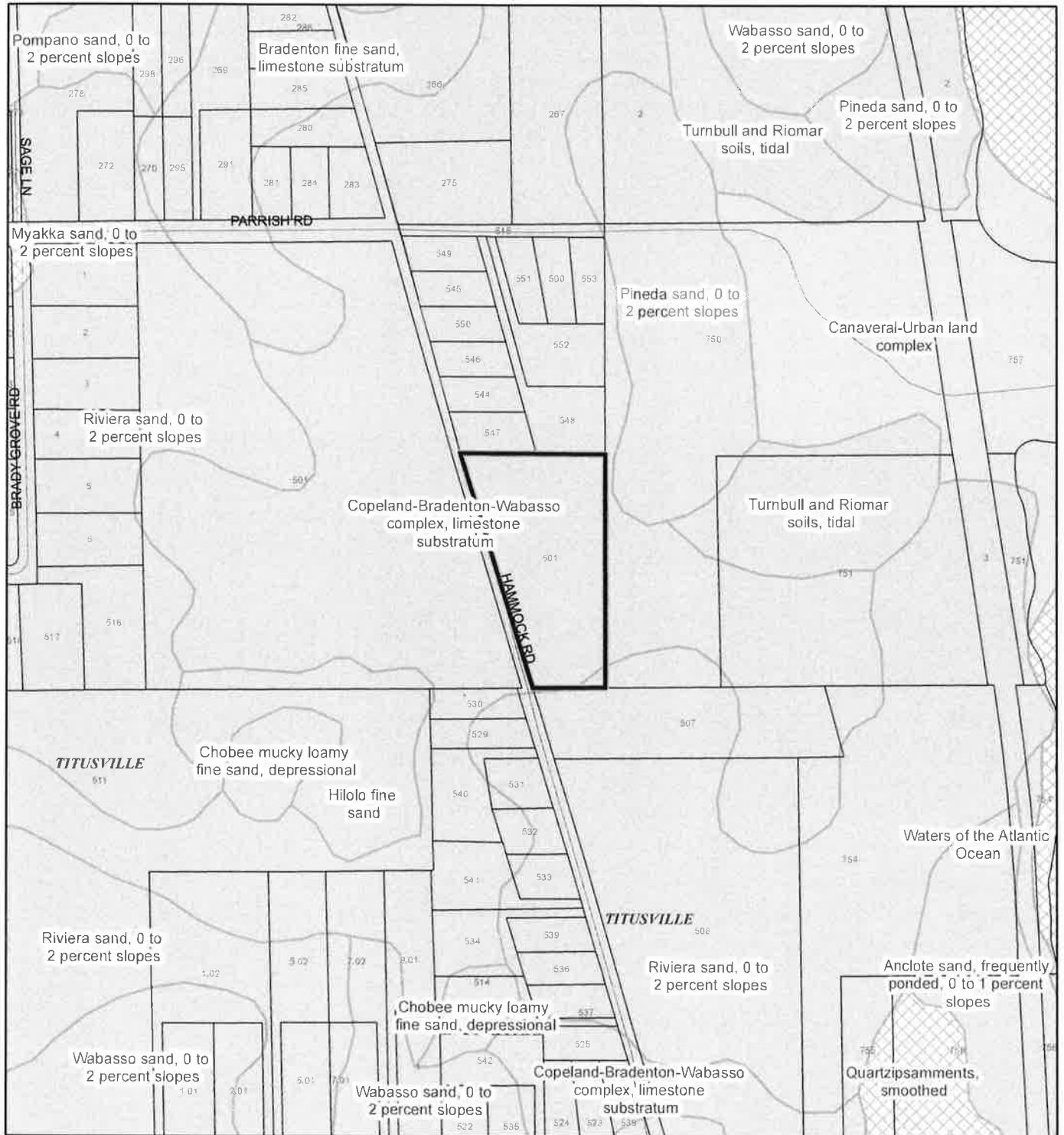
Subject Property

Parcels

USDA SCSSS SOILS MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/10/2020

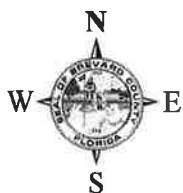
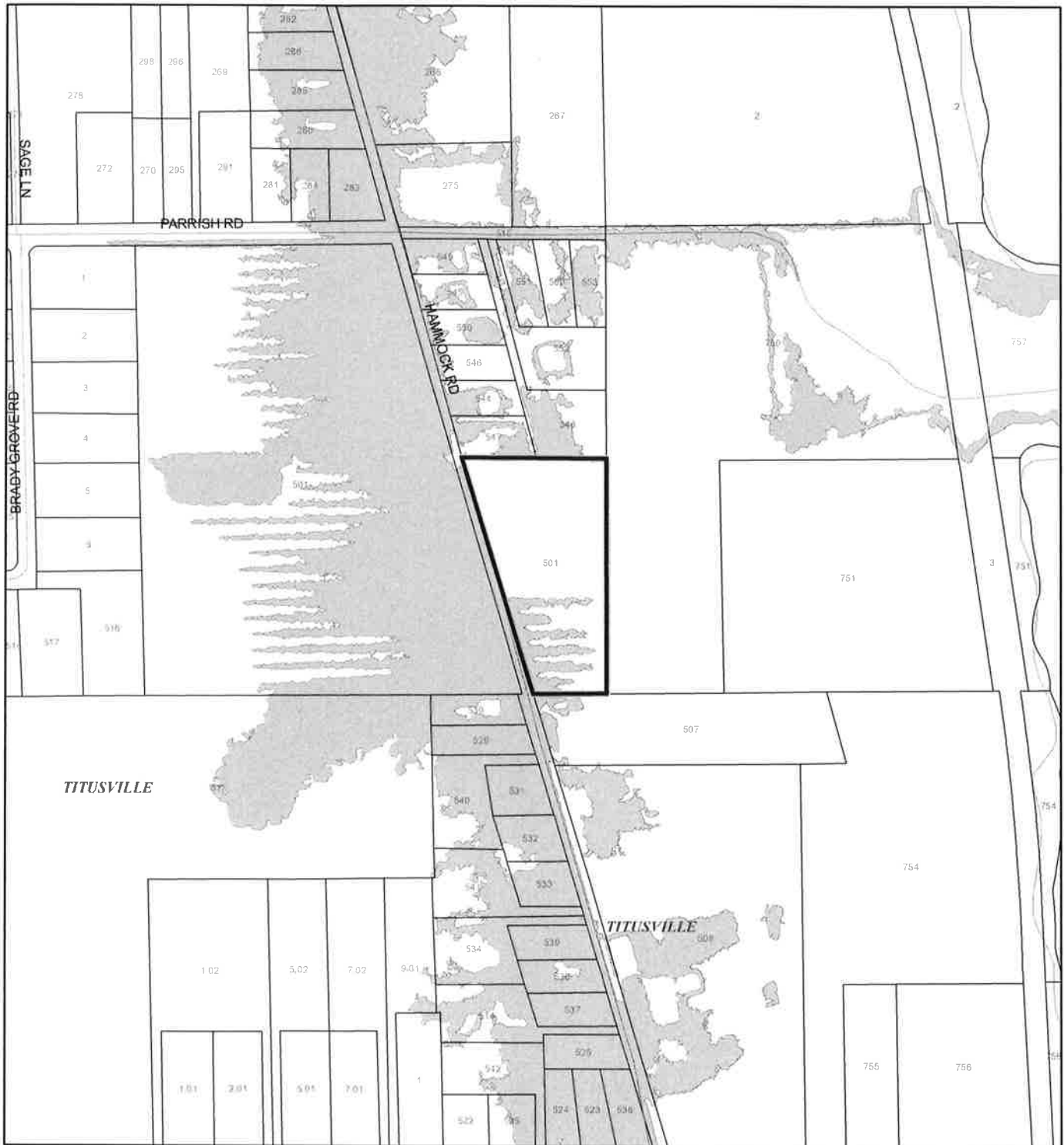
USDA SCSSS Soils

	Aquifer and Hydric		Subject Property
	Aquifer		Parcels
	Hydric		
	None		

FEMA FLOOD ZONES MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/10/2020

FEMA Flood Zones

- | | | |
|---|------------|----------------------|
| A | AO | X |
| AE | Open Water | X Protected By Levee |
| AH | VE | |
| 0.2 Percent Annual Chance Flood Hazard | | |
| 0.2 Percent Annual Chance Flood Hazard Contained in Channel | | |
| Subject Property | Parcels | |

COASTAL HIGH HAZARD AREA MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/10/2020

 Subject Property

 Parcels

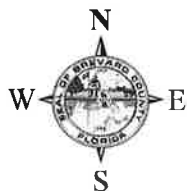
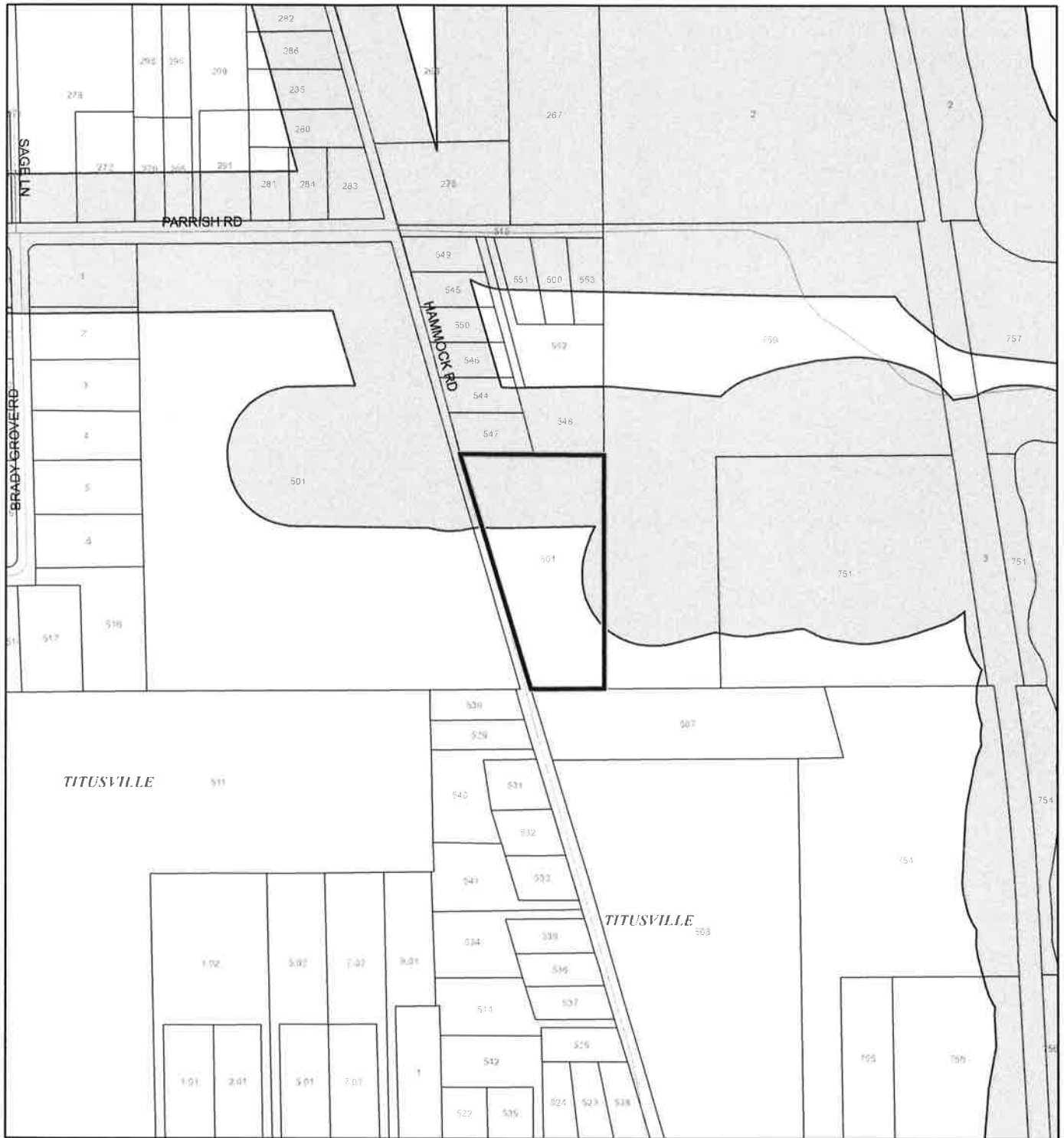
Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/10/2020

 Subject Property

 Parcels

Septic Overlay

 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/10/2020

Subject Property

Parcels

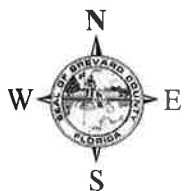


Eagle Nests
FWS 2010

SCRUB JAY OCCUPANCY MAP

GOODENOW, THEODORE C.




20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

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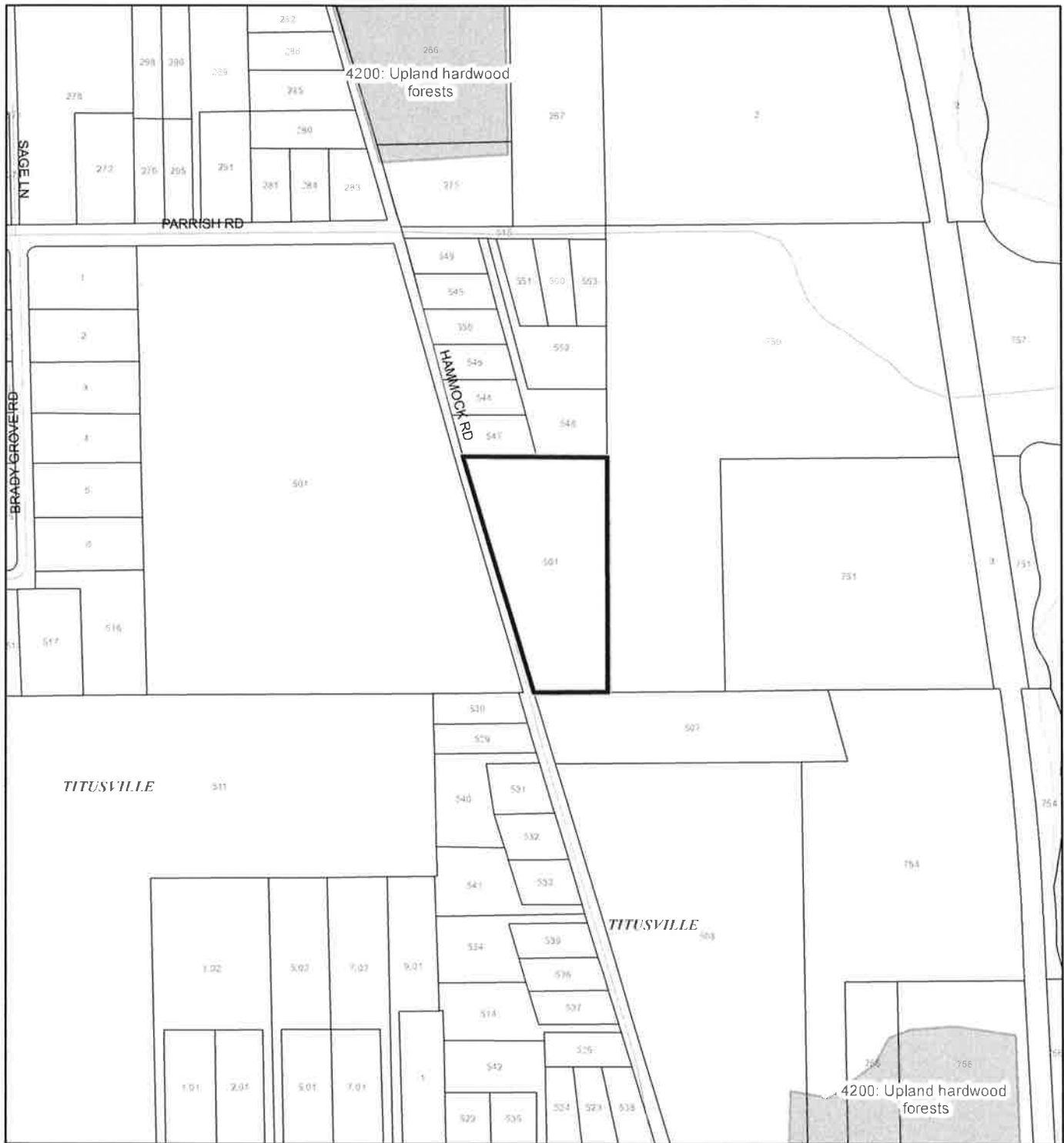
Produced by BoCC - GIS Date: 2/10/2020

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

GOODENOW, THEODORE C.

20PZ00024 SMALL SCALE AMENDMENT 20S.02







1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/10/2020

SJRWMD FLUCCS Upland Forests

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

 Subject Property  Parcels

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Mark W. Mullins, Ed.D., Superintendent

School Concurrency
20PZ00024
Goodenow

Public
Schools



November 20, 2019

Mr. Gabriel Quintas
Community Development Department
City of Titusville
555 South Washington Avenue
Post Office Box 2806
City of Titusville, Florida 32781-2806

**RE: Proposed Brooks Landing Phase 2 Development
School Impact Analysis - Capacity Determination CD-2019-18**

Dear Mr. Quintas,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property includes Tax Account 2105262 (Parcel ID: 21-35-21-00-501) containing approximately 31.43 acres in the City of Titusville, Brevard County, Florida. The proposed single-family development includes 62 homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2018-19 to 2023-24 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2018-19 to 2023-24* which is attached for reference.

Single Family Homes		62	
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	17.36	17
Middle	0.08	4.96	5
High	0.16	9.92	10
Total	0.52		32

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x450 • FAX: (321) 633-4646

J/t

An Equal Opportunity Employer

**FISH Capacity (including relocatables) from the
Financially Feasible Plan Data and Analysis for School Years 2018-19 to 2023-24**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Mims	725	725	725	725	725
Madison	743	743	743	743	743
Astronaut	1,446	1,446	1,446	1,446	1,446

Projected Student Membership

School	2019-20	2020-21	2021-22	2022-23	2023-24
Mims	472	450	458	485	478
Madison	496	491	465	455	475
Astronaut	1,081	1,101	1,144	1,176	1,189

Students Generated by Previously Issued SCADL Reservations

School	2019-20	2020-21	2021-22	2022-23	2023-24
Mims	6	6	6	6	6
Madison	21	24	24	24	24
Astronaut	132	137	137	137	137

**Cumulative Students Generated by
Proposed Development**

School	2019-20	2020-21	2021-22	2022-23	2023-24
Mims	-	3	7	11	17
Madison	-	1	2	3	5
Astronaut	-	2	4	6	10

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

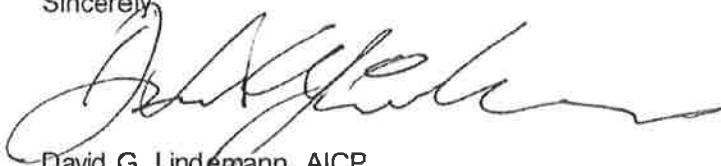
School	2019-20	2020-21	2021-22	2022-23	2023-24
Mims	478	459	471	502	501
Madison	517	516	491	482	504
Astronaut	1,213	1,240	1,285	1,319	1,336

At this time, Mims Elementary School, Madison Middle School and Astronaut High School are projected to have enough capacity for the total of projected and potential students from the Brooks Landing Phase 2 development.

This is a **non-binding** review; a *Concurrency Determination* must to be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Lindemann', written over a horizontal line.

David G. Lindemann, AICP
Director - Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years
2018-19 to 2023-24*

Copy: Susan Hann, Assistant Superintendent of Facilities Services
File CD-2019-18

Brevard County Public Schools
Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service
Data and Analysis for School Years 2018-19 to 2023-24



Summary				2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2023-24
Highest Utilization Elementary Schools				107%	105%	99%	96%	96%	96%	
Highest Utilization Middle Schools				87%	82%	82%	100%	98%	98%	
Highest Utilization J / B High Schools				88%	84%	86%	96%	92%	94%	
Highest Utilization High Schools				95%	94%	97%	100%	100%	99%	

School	Type	Grades	Utilization Factor	School Year 2018-19			School Year 2019-20			School Year 2020-21			School Year 2021-22			School Year 2022-23			School Year 2023-24		
				FISH Capacity	10/12/18 Membership	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Elementary School Concurrency Service Areas																					
New Central Elementary	Elementary	K-6	100%			0%			0%	900	913	101%	900	638	68%	900	768	81%	900	788	81%
Allen	Elementary	K-6	100%	751	711	95%	751	717	96%	751	788	105%	751	728	97%	751	716	95%	751	733	98%
Anderson	Elementary	K-6	100%	584	720	81%	584	706	80%	584	699	73%	584	699	73%	584	699	73%	584	700	69%
Apollo	Elementary	K-6	100%	902	947	94%	902	921	92%	902	872	97%	902	899	92%	902	901	101%	902	905	99%
Atlanta	Elementary	K-6	100%	739	713	98%	739	693	95%	739	698	95%	739	699	91%	739	658	89%	739	641	87%
Astorian	Elementary	K-6	100%	761	536	70%	761	538	71%	761	490	64%	761	455	60%	761	418	55%	761	483	63%
Cambridge	Elementary	K-6	100%	765	691	90%	765	659	86%	765	641	84%	765	624	82%	765	616	81%	765	623	81%
Cape View	Elementary	K-6	100%	543	381	70%	543	358	66%	543	343	63%	543	328	60%	543	320	59%	543	327	60%
Carroll	Elementary	K-6	100%	781	604	68%	781	681	88%	781	637	82%	781	597	76%	781	595	76%	781	581	74%
Challenger I	Elementary	K-6	100%	673	671	100%	673	677	101%	673	641	95%	673	593	88%	673	519	77%	673	502	74%
Columbia	Elementary	K-6	100%	751	478	64%	751	449	60%	751	439	58%	751	446	59%	751	447	60%	751	437	58%
Covina	Elementary	K-6	100%	711	515	73%	711	462	65%	711	427	60%	711	424	59%	711	374	53%	711	387	55%
Crest	Elementary	K-6	100%	1,154	843	73%	1,154	853	74%	1,154	855	74%	1,154	816	70%	1,154	813	69%	1,154	833	72%
Crofton	Elementary	K-6	100%	795	553	69%	795	558	70%	795	568	71%	795	621	78%	795	626	79%	795	621	78%
Discovery	Elementary	K-6	100%	980	644	66%	980	606	62%	980	587	60%	980	577	59%	980	562	58%	980	560	58%
Enterprise	Elementary	K-6	100%	900	602	67%	900	649	72%	900	619	69%	900	590	65%	900	569	63%	900	573	64%
Faughn	Elementary	K-6	100%	789	691	89%	789	675	86%	789	667	84%	789	625	79%	789	632	80%	789	643	82%
Gardner	Elementary	K-6	100%	711	458	64%	711	457	64%	711	454	64%	711	430	60%	711	417	59%	711	418	59%
Gulfview	Elementary	K-6	100%	777	555	71%	777	517	67%	777	521	67%	777	510	66%	777	512	66%	777	503	65%
Harbor City	Elementary	K-6	100%	629	371	59%	629	305	49%	629	347	55%	629	345	55%	629	366	58%	629	362	58%
Hulbert	Elementary	K-6	100%	655	497	76%	655	519	79%	655	512	78%	655	507	77%	655	509	78%	655	511	78%
Imperial Estates	Elementary	K-6	100%	729	638	88%	729	650	89%	729	656	90%	729	656	90%	729	659	91%	729	651	79%
Isabelle	Elementary	K-6	100%	706	740	105%	706	737	104%	706	741	105%	706	740	105%	706	750	106%	706	760	108%
Jupiter	Elementary	K-6	100%	630	728	78%	630	686	74%	630	740	81%	630	795	85%	630	829	89%	630	856	93%
Lockmar	Elementary	K-6	100%	592	699	78%	592	674	78%	592	689	74%	592	655	73%	592	654	73%	592	677	75%
Longleaf	Elementary	K-6	100%	790	647	82%	790	668	85%	790	678	86%	790	655	77%	790	621	75%	790	588	74%
Melrose	Elementary	K-6	100%	584	649	110%	584	650	111%	584	656	112%	584	651	111%	584	651	111%	584	651	111%
McQuitty	Elementary	K-6	100%	918	777	85%	918	793	87%	918	795	87%	918	655	71%	918	604	66%	918	599	65%
Meadowdale Intermediate	Elementary	K-6	100%	1,114	889	79%	1,114	847	76%	1,114	881	79%	1,114	886	80%	1,114	943	85%	1,114	978	88%
Meadowdale Primary	Elementary	K-6	100%	824	626	76%	824	637	77%	824	666	81%	824	682	83%	824	700	85%	824	704	85%
Mile	Elementary	K-6	100%	707	495	70%	707	449	64%	707	442	63%	707	447	63%	707	447	63%	707	443	63%
Moss	Elementary	K-6	100%	728	470	64%	728	472	65%	728	450	62%	728	450	62%	728	455	62%	728	478	66%
Oak Park	Elementary	K-6	100%	968	723	75%	968	675	70%	968	658	68%	968	637	66%	968	629	65%	968	622	64%
Ocean Breeze	Elementary	K-6	100%	554	532	96%	554	524	95%	554	511	92%	554	497	79%	554	490	75%	554	480	75%
Palm Bay	Elementary	K-6	100%	1,005	615	61%	1,005	607	60%	1,005	622	62%	1,005	588	59%	1,005	649	65%	1,005	683	68%
Pinewood	Elementary	K-6	100%	569	517	91%	569	506	89%	569	560	100%	569	518	91%	569	518	91%	569	532	93%
Port Malabar	Elementary	K-6	100%	352	688	81%	352	682	80%	352	682	80%	352	657	74%	352	613	72%	352	604	71%
Quest	Elementary	K-6	100%	1,022	1,099	107%	1,022	1,144	105%	1,022	1,170	105%	1,022	1,087	107%	1,022	1,075	106%	1,022	1,074	106%
Rivers	Elementary	K-6	100%	777	622	80%	777	637	82%	777	771	100%	777	865	111%	777	952	123%	777	1,044	134%
Roseville	Elementary	K-6	100%	509	350	69%	509	350	69%	509	358	70%	509	351	69%	509	354	69%	509	352	69%
Sabell	Elementary	K-6	100%	789	638	80%	789	633	80%	789	618	78%	789	607	77%	789	604	77%	789	603	77%
Salem	Elementary	K-6	100%	970	877	90%	970	877	90%	970	877	90%	970	877	90%	970	877	90%	970	877	90%
Sea Park	Elementary	K-6	100%	461	321	70%	461	333	72%	461	301	65%	461	302	66%	461	303	73%	461	305	76%
Shedwood	Elementary	K-6	100%	609	480	79%	609	442	73%	609	426	70%	609	410	67%	609	407	67%	609	422	69%
South Lake	Elementary	K-6	100%	487	311	64%	487	348	71%	487	348	71%	487	348	71%	487	348	71%	487	348	71%
Stacy	Elementary	K-6	100%	913	893	98%	913	893	98%	913	893	98%	913	893	98%	913	893	98%	913	893	98%
Stacy	Elementary	K-6	100%	755	675	89%	755	655	87%	755	660	88%	755	615	81%	755	609	81%	755	617	82%
Stacy	Elementary	K-6	100%	541	460	85%	541	456	84%	541	442	82%	541	421	78%	541	420	78%	541	382	71%
Tropical	Elementary	K-6	100%	910	825	91%	910	821	90%	910	808	89%	910	829	91%	910	813	89%	910	832	91%
Turner	Elementary	K-6	100%	874	562	64%	874	519	59%	874	521	60%	874	509	58%	874	502	57%	874	519	59%
University Park	Elementary	K-6	100%	811	473	58%	811	469	60%	811	509	63%	811	472	60%	811	471	58%	811	503	62%
Wesley	Elementary	K-6	100%	857	789	92%	857	724	84%	857	727	85%	857	727	85%	857	729	85%	857	762	89%
Williams	Elementary	K-6	100%	715	582	81%	715	569	79%	715	554	77%	715	552	77%	715	521	73%	715	505	71%
Elementary Totals				41,810	33,169		41,854	35,772		42,824	37,477		42,963	32,692		43,044	32,166		43,264	32,392	

Middle School Concurrency Service Areas													
Century	Middle	7-8	90%	1,525	1,193	78%	1,525	1,193	78%	1,525	1,193	78%	1,525
Delaware	Middle	7-8	90%	858	818	87%	858	818	87%	858	818	87%	858
Hoveler	Middle	7-8	90%	859	596	77%	859	596	77%	859	596	77%	859
Jackson	Middle	7-8	90%	654	543	84%	654	543	84%	654	543	84%	654
Jackson	Middle	7-8	90%	854	662	77%	854	662	77%	854	662	77%	854
Johnson	Middle	7-8	90%	1,000	728	74%	1,000	728	74%	1,000	728	74%	1,000
Kennedy	Middle	7-8	90%	813	811	99%	813	811	99%	813	811	99%	813
Madison	Middle	7-8	90%	743	482	66%	743	482	66%	743	482	66%	743
Madison	Middle	7-8	90%	811	482	60%	811	482	60%	811	482	60%	811
Madison	Middle	7-8	90%	1,177	833	71%	1,177	833	71%	1,177	833	71%	1,177
Madison	Middle	7-8	90%	1,034	791	77%	1,034	791	77%	1,034	791	77%	1,034
High Totals				9,999	7,669		9,999	7,669		9,999	7,669		9,999
Junior / Senior High School Concurrency Service Areas													
Cocoa	Jr / Sr High	PK, 7-12	90%	1,782	1,577	88%	1,782	1,577	88%	1,782	1,577	88%	1,782
Cocoa Beach	Jr / Sr High	7-12	90%	1,400	1,013	69%	1,400	1,013	69%	1,400	1,013	69%	1,400
Spook Island	Jr / Sr High	7-12	90%	1,557	1,256	81%	1,557	1,256	81%	1,557	1,256	81%	1,557
Jr / Sr High Totals				5,105	4,178		5,105	4,178		5,105	4,178		5,105
Senior High School Concurrency Service Areas													
Antoniou	High	9-12	95%	1,446	1,076	74%	1,446	1,076	74%	1,446	1,076	74%	1,446
Bayside	High	9-12	95%	2,235	1,756	79%	2,235	1,756	79%	2,235	1,756	79%	2,235
Bay Side	High	PK, 9-12	95%	2,232	1,678	75%	2,232	1,678	75%	2,232	1,678	75%	2,232
Heritage	High	9-12	95%	2,314	1,831	79%	2,314	1,831	79%	2,314	1,831	79%	2,314
Metairie	High	9-12	95%	2,356	2,134	91%	2,356	2,134	91%	2,356	2,134	91%	2,356
Metairie	High	PK, 9-12	95%	1,815	1,542	85%	1,815	1,542	85%	1,815	1,542	85%	1,815
Metairie	High	PK, 9-12	95%	2,613	1,843	71%	2,613	1,843	71%	2,613	1,843	71%	2,613
Metairie	High	9-12	95%	1,701	1,316	78%	1,701	1,316	78%	1,701	1,316	78%	1,701
Metairie	High	PK, 9-12	95%	1,516	1,328	88%	1,516	1,328	88%	1,516	1,328	88%	1,516
Metairie	High	9-12	95%	1,872	1,351	73%	1,872	1,351	73%	1,872	1,351	73%	1,872
Metairie	High	PK, 9-12	95%	2,277	1,187	52%	2,277	1,187	52%	2,277	1,187	52%	2,277
High Totals				22,477	17,819		22,477	17,819		22,477	17,819		22,477
Schools of Choice (Not Concurrency Service Areas)													
Freedom 7	Elementary	K-6	100%	475	387	81%	475	414	87%	475	414	87%	475
Stevenson	Elementary	K-6	100%	460	308	67%	460	308	67%	460	308	67%	460
West Melbourne	Elementary	K-6	100%	615	553	90%	615	553	90%	615	553	90%	615
Edgewood	Jr / Sr High	7-12	90%	1,072	948	88%	1,072	950	89%	1,072	950	89%	1,072
West Shore	Jr / Sr High	7-12	90%	1,264	953	75%	1,264	958	76%	1,264	958	76%	1,264
Schools of Choice				3,986	3,347		3,986	3,347		3,986	3,347		3,986
Grand Totals				63,389	48,230		63,389	48,230		63,389	48,230		63,389

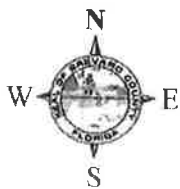
Notes

- FSH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2018-19 are reported from the FSH database as of October 10, 2018.
- Student Membership is reported from the Fall Final Membership Count (10/1/2018).
- David Demographics Schoolwide Enrollment Forecasting Extension for AECIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
- David Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant
 - Nonresidential student addresses are assumed to continue in their attendance schools
 - Charter School Growth
- In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
- Relocatable Classrooms are assumed to add future student stations as listed below:
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-6) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
 - Intermediate relocatable classrooms are proposed to be added at Arbor Elementary, Challenger 7 Elementary, Coconut Elementary, Imperial Estates Elementary, Pinewood Elementary, Quail Elementary, Saturn Elementary, Sunrise Elementary, Oakleaf Middle School, Jackson Middle School and Kennedy Middle (Total of 42 Classrooms)
 - High school relocatable classrooms are proposed to be added at Viera High (Total of 8 Classrooms)
- Redistricting was approved for the 2018-20 school year and the projected enrollment for 2018-20 is adjusted for those areas. Future redistricting is planned for a new central area elementary school in 2020-21.
- The following proposals for additional permanent capacity are included in this analysis:
 - A 12 classroom addition at Cocoa Hills High School is assumed to add 300 student stations starting in 2019-20
 - A new central area elementary is assumed to add 970 student stations starting in 2020-21. Student enrollment projections were adjusted for the 2020-21 school year.

FYI
20PZ00024 and 19PZ00158
Goodenow
(Submitted by applicant
06/15/20)

AERIAL MAP

GOODENOW, THEODORE C.
20PZ00024 SMALL SCALE AMENDMENT 20S.02



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2019

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

Produced by BoCC - GIS Date: 2/10/2020

— Subject Property
□ Parcels

ORDINANCE NO. 24-2019

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA, AMENDING ORDINANCE NO. 5-1993, BY AMENDING THE ZONING MAP MADE A PART OF SAID ORDINANCE BY REFERENCE BY REPLACING THE PRESENT PLANNED UNIT DEVELOPMENT ZONING (PUDZ) AND OPEN SPACE AND RECREATION (OR) ZONING TO PLANNED DEVELOPMENT (PD) ZONING FOR CERTAIN PROPERTY APPROXIMATELY 71.76 ACRES IN SIZE, HAVING TAX ID NUMBERS 2104776, 2104775, 2104780, 2105271, 2105270, LOCATED APPROXIMATELY 1,500 FEET EAST OF U.S. HIGHWAY 1 ON THE NORTH SIDE OF JAY JAY ROAD; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA as follows:

Section 1. Ordinance No. 5-1993 is hereby amended by amending the Zoning Map of the City of Titusville, Florida, made a part of said Ordinance by reference, by designating the following property described in Exhibit A with conditions and associated Master Plan in Exhibit B to be rezoned from Planned Unit Development Zoning (PUDZ)) and Open Space and Recreation (OR) to Planned Development (PD) zoning classification.

Section 2. This ordinance shall take effect simultaneously with the effective date of Comprehensive Plan Amendment (CPA) No. 1-2018 contained in Ordinance No. 23-2019.

PASSED AND ADOPTED this 11 day of June, 2019.


Walt Johnson, Mayor

ATTEST:

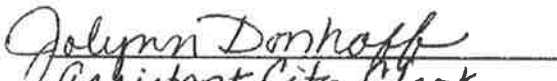

Assistant City Clerk
Wanda P. Wells, City Clerk



Exhibit A – Planned Development Ordinance

Brooks Landing Subdivision

1.1 DESCRIPTION:

The Brooks Landing Subdivision has a total project area of approximately 71.76 Acres and consists of single-family homes, common open space, and associated infrastructure.

1.2 LEGAL DESCRIPTION:

Parcels - 2,3,4,5 on map

Commencing at the Southeast corner of Section 20, Township 21, Range 35 East; Thence N. 00°42'27" W. along the East line of said Section 20 a distance of 20 feet to the point of beginning; Thence S. 89°45'46" W. a distance of 653.78 feet to a point; Thence N. 00°42'27" W., A distance of 437.50 feet; Thence S. 89°45'47" W. a distance of 47.32 feet to an intersection with the West line of that certain parcel described in Deed Book 901, page 172, Public Records of Brevard County, FL; Thence N. 00°42'27" W. along said West line, a distance of 472.50 feet to the North line of said certain parcel; Thence N. 89°45'47" E. along said North line, a distance of 236.09 feet; Thence N. 00°42'27" W. a distance of 402.70 feet to the South line of Brady Grove Park Subdivision, first and second addition, as recorded in Plat Book 28, Page 58 Public Records of Brevard County, FL.; Thence N. 89°44'53" E. along said South line, a distance of 465 feet to an intersection with the said East line of section 20; Thence continue along said South line and along the South line of Brady Grove Park Subdivision as recorded in Plat Book 25, page 43 of the Public Records of Brevard County, FL N. 89°57'03" E., a distance of 1,339.88 feet; Thence N. 89°57'24" E. along the North line of the South ½ of the Southwest ¼ of Section 21, Township 21, Range 35 East, a distance of 806.97 feet to the East line of that certain parcel as described in Deed Book 66, page 418 Public Records of Brevard County, FL; Thence S. 00°33'55" E. along said East line, a distance of 525.70 feet to a intersection with the South line of said certain parcel described in Deed Book 66, Page 418; Thence S. 89°56'01" W. along said South line, a distance of 808.81 feet to an intersection with the East line of that certain parcel described in Deed Book 44, page 418 of the public records of Brevard County, FL; Thence S. 00°28'53" E. along said East line a distance of 787.90 feet to a point said point being 20 feet North of as measured perpendicular to the South line of said Section 21; Thence West and parallel with the said South Line of Section 21 a distance of 1,333.68 feet to the point of Beginning. Containing 2,984,515.14 Sq. Ft. or 68.5150 acres More or less.

Parcel – 1 on map

Commencing at the Southwest corner of Section 20, Township 21, Range 35 East; Thence N. 00°42'27" W. along the East line of said Section 20 a distance of 20 feet; Thence S. 89°45'46", a distance of 653.78 feet to a point; Thence N. 00°42'27" W., a distance of 437.50 feet; Thence S. 89°45'47" W. a distance of 47.32 feet to an intersection with the West line of that certain parcel described in Deed Book 90, Page 172, Public Records of Brevard County, FL.; Thence N. 00°42'27" along said West line, a distance of 472.50 feet to the North line of said parcel and the point of beginning; Thence continue N. 00°42'27" W. a distance of 12.70 feet; Thence S. 89°45'47" W. a distance of 144.36 feet to a West line of that certain parcel described in Deed Book UU, Page 193, Paragraph 786, Township 21 South, Range 35 East, Section 20, Brevard County, FL. Thence N. 00°42'27" along said West line a distance of 389.93 feet to an intersection with the South line of Brady Grove Park Subdivision, First and Second addition, as recorded in Plat Book 28, Page 58, Public Records of Brevard County, FL.; Thence N. 89°44'53" E. along said South line a distance of 380.46 feet to an intersection with the West line of that

certain parcel described in Deed Book 90, Page 172, Public Records of Brevard County, FL; Thence South along said West line a distance of 402.70 feet; Thence S. 89°45'47" W. a distance of 236.09 feet to a point of beginning.
Containing 141,570 Sq. Ft. or 3.25 Acres, More or Less

1.3 REFERENCE TO GENERAL DEVELOPMENT PLAN:

The Brooks Landing Subdivision shall be implemented in accordance with the approved Master Plan.

1.4 PERMITTED USES:

Single-Family Detached Dwellings
Parks and common recreational areas

1.4.1 PERMITTED ACCESSORY USES:

Private swimming pools including screen enclosures
Detached accessory structures
Home based businesses as permitted by the City of Titusville

1.4.2 PROHIBITED USES:

Accessory Dwelling Units

1.5 DENSITY/INTENSITY MINIMUMS AND MAXIMUMS:

Maximum of one-hundred forty-three (143) single-family residential units.

1.6 CRITICAL DESIGN FEATURES:

Critical features of this project are the preservation of existing wetlands; preservation of the 100-year floodplain; and the provision of common recreational facilities in the form of ADA accessible, improved walking trails in Tracts B, and G, and a pavilion and fountain in Tract E. Additionally, a playground and/or 30x30 foot pavilion will be included within Tract I across the street from the pavilion in Tract E.

Due to the extended response time for emergency services and narrow side yard setbacks allowed by this PD, a fire suppression system acceptable to the Fire Marshal shall be installed in each home.

LAND USE ALLOCATION TABLE: (Based on associated master plan)

(Values are approximate and may be adjusted to meet engineering requirements through the site plan review process, consistent with Section 1.12 of this Ordinance)

Total project	71.97 AC
Residential	21.18 AC
Open Space	26.09 AC
Stormwater, road and perimeter buffers	24.70 AC

1.7 AREA, HEIGHT, BULK & OPEN SPACE REQUIREMENTS:

Min. Lot Area	6,000 Sq. Ft.
Min. Lot Width	50 Ft. (Lot width shall be defined as the distance between the side lot lines at the front yard setback as shown on the Recorded Plat)
Min. Floor Area	1200 Sq. Ft.
Max. Building Height	35 Ft., Except homes on lots 97-103 as shown on the Master Plan shall be limited to one (1) story

Max. Building Coverage	45% per lot
Maximum Impervious Coverage	65% per lot

Principal Structure Setbacks

Front	20 Ft.
Rear	20 Ft.
Side	5 Ft.
Side Corner	10 Ft. (Lots 107, 131, and 143 as illustrated on the master plan)

Accessory Structure Setbacks

Rear	5 Ft.
Side	5 Ft.
Side corner	20 Ft.

No accessory structure shall be placed in the front yard

1.8 ROADWAY DESIGN / TRAFFIC CIRCULATION

Roadway layout and traffic circulation internal to the site is illustrated on the Master Plan. The project will be provided with public road meeting the minimum standards for a local road right-of-way with pavement, curb, and sidewalks meeting the standards of the City of Titusville as depicted in the Master Plan. The roadway will provide sufficient space for emergency vehicles.

Internal streets shall be built to the standards specified in the City's Transportation Infrastructure Technical Manual, unless a waiver is granted by the Development Review Committee (DRC). The length of the cul-de-sac in the northeast corner of the property shall be reduced from the length depicted on the master plan to be adjacent to lots 107 and 108.

The 10-foot wide right-of-way dedication located on the north side of Jay Jay Road that is illustrated on the master plan may be in the form of an easement to the City.

1.9 UTILITIES:

Potable water and sanitary sewer service to be provided by the City of Titusville. The water main lines shall be extended to create a loop from the terminus of the existing water main on U.S. 1 and extending north to the intersection with Jay Jay Road, and then east of Jay Jay Road connecting to the existing water main that extends through the Chain of Lakes Park.

1.10 NATURAL RESOURCES:

Conservation areas to be owned and maintained by the Homeowners Association with a maintenance plan based on best management practices. Open Space Areas, including buffers and publicly accessible recreation areas, to be owned and maintained by the Homeowners Association in accordance with the requirements of the City of Titusville. The declarations and covenants governing the Homeowners Association shall be in a form and provide detail acceptable to the City.

All wetland areas to be preserved on site, as depicted by the Master Plan and described as wetlands # 1, 2, 3, 4, 5, and 9 on the survey dated 8/1/2018, shall be protected by a conservation easement.

1.11 BUFFERING /SCREENING:

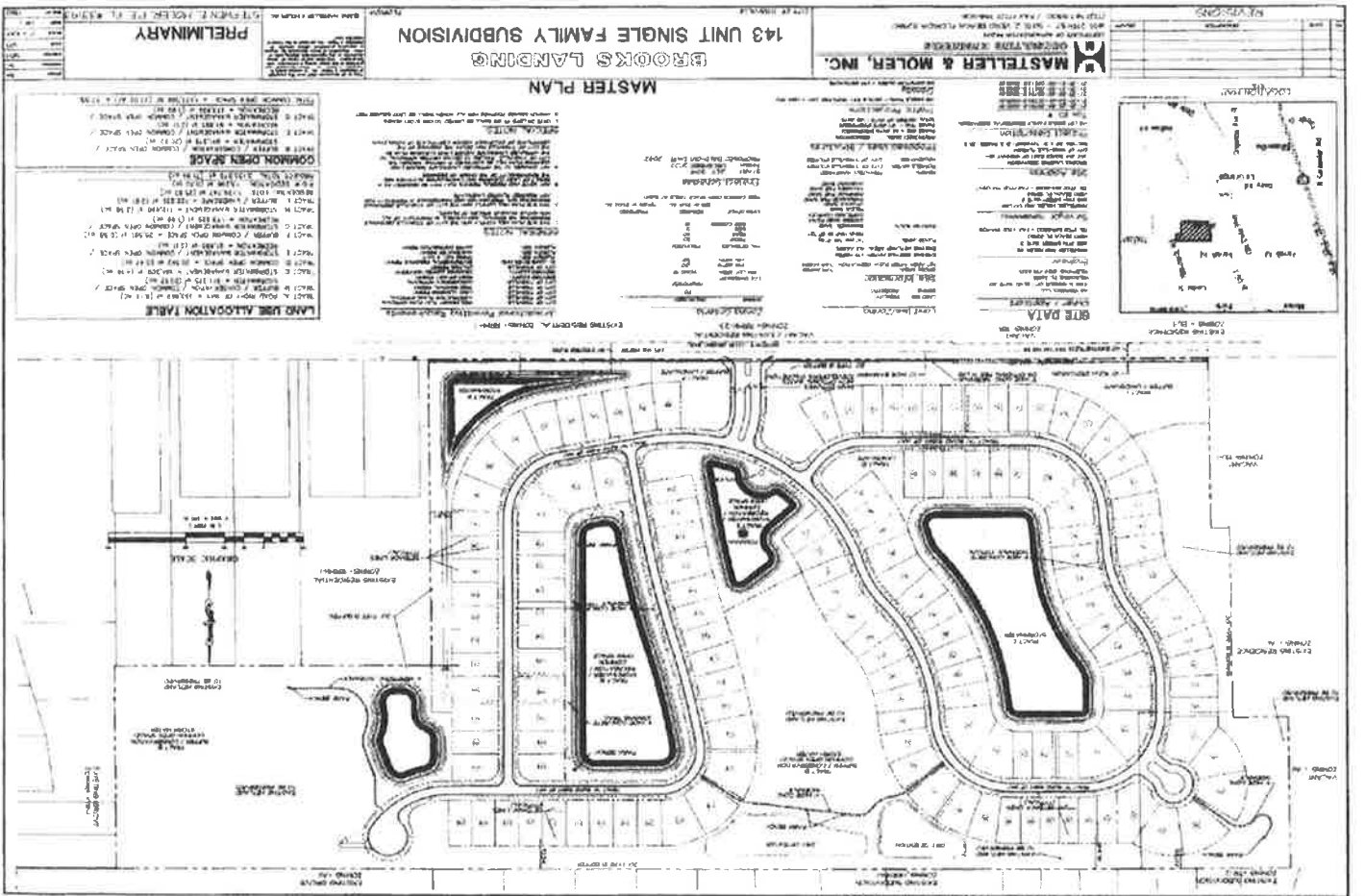
A twenty (20) foot perimeter landscaped buffer will be established consistent with City of Titusville Land Development Regulations as illustrated on the master plan. A minimum seventy (70) foot buffer, which includes the twenty (20) foot required perimeter landscape buffer and the twenty

(20) foot rear lot setback, to the property line along the north and east property boundaries, with the exception of lots 30 and 31. Pools and screen enclosures shall be permitted within the rear yard setback provided they meet the accessory structure setbacks setback in Section 1.7, Area, Height, Bulk & Open Space Requirements.

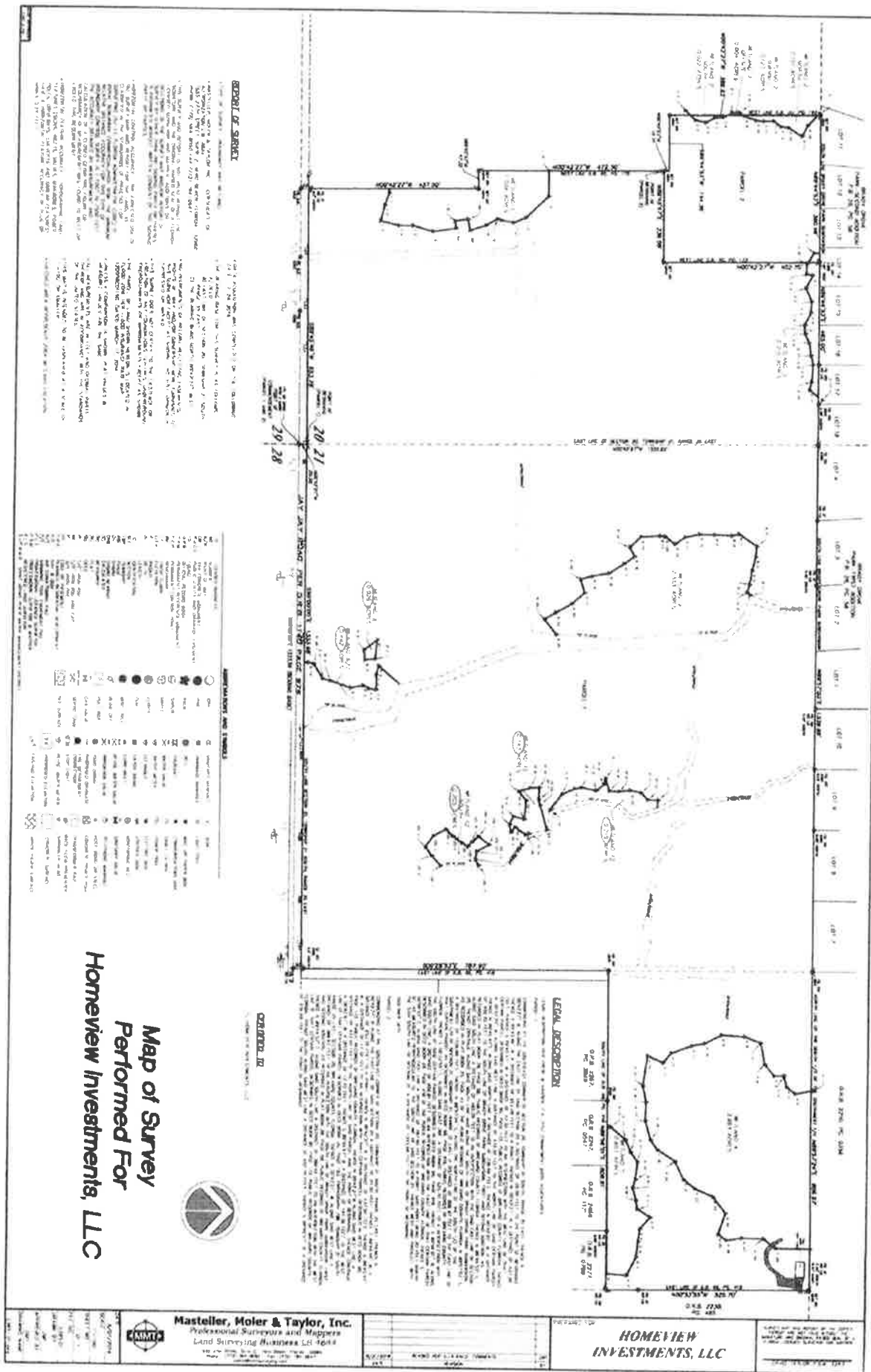
1.12 PROCEDURES:

The sketch plat for this development shall be in conformance with the attached master plan to the greatest extent possible.

Amendments will follow the procedures set forth in Chapter 34, Article II, Division 3 Master Plans of the Code.



Attachment A Ordinance No. 24-2019



Ordinance No. 24-2019

CA: Planning Dept. (P. Busacca)

6.25.19 Legal (R. Broom)



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2105305
 Owners Mills, G Ernest Jr; Mills, Mary C
 Mailing Address 1945 Hammock Rd Titusville FL 32796
 Site Address 1945 Hammock Rd Titusville FL 32796
 Parcel ID 21-35-21-00-547
 Property Use 0113 - Single Family - Modular
 Exemptions HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 1300 - Unincorp District 1
 Total Acres 0.59
 Subdivision --
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0000/0000
 Land Description Part Of NE 1/4 Of NE 1/4 Of SW 1/4 E Of Hammock Rd
 As Desc IN Orb 2906 Pg 1580



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$61,560	\$50,010	\$45,530
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$42,620	\$41,830	\$40,970
Assessed Value School	\$42,620	\$41,830	\$40,970
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$17,620	\$16,830	\$15,970
Taxable Value School	\$17,620	\$16,830	\$15,970

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/16/2013	\$16,000	WD	Improved	6897/0436
03/28/2006	\$85,000	WD	Improved	5624/1655
02/28/1995	\$50,000	WD	Improved	3454/2535
04/01/1994	\$3,500	QC	Improved	3409/2089
03/15/1988	\$5,000	WD	—	2906/1580

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0113 - Single Family - Modular

Materials

Materials	Details	
Exterior Wall:	Brd/Lap Siding	Year Built 1988
Frame:	Wood Frame	Story Height 8
Roof:	Asph/Asb Shngl	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1
		Commercial Units 0

Sub-Areas

Sub-Areas	Extra Features	
Base Area (1st)	Patio - Concrete	288
Total Base Area	Outbuilding	504
Total Sub Area	Covered Patio	240



Brevard County Property Appraiser
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 PROPERTY DETAILS

Phone: (321) 264-6700
<https://www.bcpao.us>

Account 2105306
 Owners Salter, Robert T
 Mailing Address 3060 Dairy Rd Titusville FL 32796
 Site Address 2095 Parrish Rd Titusville FL 32796
 Parcel ID 21-35-21-00-548
 Property Use 0212 - Manufactured Housing - Single Wide
 Exemptions None
 Taxing District 1300 - Unincorp District 1
 Total Acres 1.26
 Subdivision --
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0000/0000
 Land Description Part Of NE 1/4 Of NE 1/4 Of SW 1/4 E Of Hammock Rd
 As Desc IN Orb 2931 Pg 2072



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$35,670	\$35,020	\$32,950
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$35,670	\$35,020	\$32,950
Assessed Value School	\$35,670	\$35,020	\$32,950
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$35,670	\$35,020	\$32,950
Taxable Value School	\$35,670	\$35,020	\$32,950

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
08/02/1988	\$13,800	WD		2931/2072

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0212 - Manufactured Housing - Single Wide

Materials

Materials	Details	
Exterior Wall:	Vinyl/Aluminum	Year Built 1987
Frame:	Wood Frame	Story Height 8
Roof:	Bu-Tg/Mmbrn	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1
		Commercial Units 0

Sub-Areas

Sub-Areas	Extra Features	
Base Area (1st)	1,064 Wood Deck	160
Total Base Area	1,064 Skirting - Metal/Vinyl	180
Total Sub Area	1,064 Outbuilding	704
	Wood Deck	64



Brevard County Property Appraiser
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 PROPERTY DETAILS

Phone: (321) 264-6700
<https://www.bcpao.us>

Account 2105332
 Owners Flenner, Janice; Webster, Nancy L
 Mailing Address 1991 Brady Grove Rd Titusville FL 32796
 Site Address 1991 Brady Grove Rd Titusville FL 32796
 Parcel ID 21-35-21-51-2-1
 Property Use 0110 - Single Family Residence
 Exemptions HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 1300 - Unincorp District 1
 Total Acres 1.25
 Subdivision Brady Grove Park
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0025/0043
 Land Description Brady Grove Park Lot 1 & N 2 Ft Of Lot 2 Blk 2



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$205,760	\$198,370	\$177,260
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$167,160	\$198,370	\$177,260
Assessed Value School	\$167,160	\$198,370	\$177,260
Homestead Exemption	\$25,000	\$0	\$0
Additional Homestead	\$25,000	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$117,160	\$198,370	\$177,260
Taxable Value School	\$142,160	\$198,370	\$177,260

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/31/2017	\$126,000	WD	Improved	7956/2178
07/31/2017	--	QC	Improved	7956/2170
07/31/2017	--	QC	Improved	7956/2163
09/08/2016	--	CT	Improved	7705/2706
12/07/2015	--	CT	Improved	7507/0791
10/03/2006	\$50,000	QC	Improved	5705/6512
01/17/2001	--	WD	Improved	4661/3501
10/01/1998	\$50,000	PT	Improved	3918/2635
12/01/1994	--	PT	Improved	3445/2673
07/30/1982	--	QC	--	2399/0627
06/01/1979	\$17,800	--	--	2062/0811
02/01/1979	\$1,000	--	--	2005/0178

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - Single Family Residence

Materials	Details	
Exterior Wall:	Brick	Year Built 1979
Frame:	Wood Frame	Story Height 8
Roof:	Asph/Asb Shngl	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1

Sub-Areas

Base Area (1st)

Total Base Area

Total Sub Area

Commercial Units

0

Extra Features

2,678	Pole Barn	576
2,678	Garage Detached	552
2,678	Pool Deck	1,321
	Covered Patio	254
	Enclosed Room	400
	Enclosed Room	168
	All Screen - 1 Story	1,771
	Fireplace	2
	Pool - Residential	1



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account 2105333
 Owners Burford, Kristopher M
 Mailing Address 1981 Brady Grove Rd Titusville FL 32796
 Site Address 1981 Brady Grove Rd Titusville FL 32796
 Parcel ID 21-35-21-51-2-2
 Property Use 0213 - Manufactured Housing - Double Wide
 Exemptions HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 1300 - Unincorp District 1
 Total Acres 1.03
 Subdivision Brady Grove Park
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0025/0043
 Land Description Brady Grove Park Lot 2 Exc N 2 Ft Blk 2



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$90,710	\$87,050	\$79,060
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$80,160	\$78,670	\$77,060
Assessed Value School	\$80,160	\$78,670	\$77,060
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$30,160	\$28,670	\$27,060
Taxable Value School	\$55,160	\$53,670	\$52,060

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
12/29/2014	\$93,000	WD	Improved	7275/1811
03/22/2013	\$46,000	WD	Improved	6834/0146
01/17/2001	\$62,600	WD	Improved	4277/2153
01/17/2001	\$20,000	WD	Vacant	4277/2151
10/01/1998	\$50,000	PT	Improved	3918/2635
12/01/1994	--	PT	Improved	3445/2673
10/25/1984	--	WD	--	2551/2417
09/30/1983	\$27,000	WD	--	2459/1081
05/27/1981	\$30,200	WD	--	2303/1102

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0213 - Manufactured Housing - Double Wide

Materials	Details	
Exterior Wall:	Vinyl/Aluminum	Year Built 1995
Frame:	Wood Frame	Story Height 8
Roof:	Asph/Asb Shngl	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1
		Commercial Units 0

Sub-Areas

Extra Features

Base Area (1st)	1,890	Outbuilding	192
Open Porch	144	Screen Enclosure	288
Total Base Area	1,890	Outbuilding	779
Total Sub Area	2,034	Skirting - Metal/Vinyl	194



Brevard County Property Appraiser

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Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2105334
 Owners Humple, Elizabeth; Hollifield, Margaret Peggy; Fauls, David; Fauls, Joan
 Mailing Address 5120 SW 13Th CT Plantation FL 33317
 Site Address 1975 Brady Grove Rd Titusville FL 32796
 Parcel ID 21-35-21-51-2-3
 Property Use 0212 - Manufactured Housing - Single Wide
 DIML - Disability - Military
 HEX1 - Homestead First
 HEX2 - Homestead Additional
 SNCO - Senior - County
 WDWL - Widower's Exemption For Husband
 Exemptions
 Taxing District 1300 - Unincorp District 1
 Total Acres 1.05
 Subdivision Brady Grove Park
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0025/0043
 Land Description Brady Grove Park Lot 3 Blk 2



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$58,240	\$57,080	\$57,560
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$58,160	\$57,080	\$56,480
Assessed Value School	\$58,160	\$57,080	\$56,480
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$8,160	\$7,080	\$6,480
Other Exemptions	\$25,000	\$5,500	\$5,500
Taxable Value Non-School	\$19,500	\$19,500	\$19,500
Taxable Value School	\$27,660	\$26,580	\$25,980

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
04/08/2019	--	WD	Improved	8412/1695
03/23/2019	--	DC	Improved	8412/1694
07/22/2005	--	WD	Improved	5504/3154
01/26/2005	\$100,000	WD	Improved	5415/2152
03/05/2001	\$55,000	WD	Improved	4303/3403
07/01/1996	--	QC	Improved	3591/3577
05/01/1996	--	CT	Improved	3566/3217
11/26/1984	\$35,000	WD	--	2557/2763
05/17/1979	\$8,000	WD	--	2052/0521

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0212 - Manufactured Housing - Single Wide

Materials	Details	
Exterior Wall:	Brd/Lap Siding	Year Built 1980
Frame:	Wood Frame	Story Height 8
Roof:	Asph/Asb Shngl	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1

Sub-Areas

Base Area (1st)

Total Base Area

Total Sub Area

Commercial Units

0

Extra Features

840	Screen Enclosure	220
840	Garage Detached	488
840	Pole Barn	378
	Enclosed Room	960
	Pool Deck	1,339
	Skirting - Metal/Vinyl	195
	Outbuilding	368
	Screen Enclosure	25
	Wood Deck	30
	Wood Deck	470
	Pool - Residential	1



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PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account 2105336
 Owners Rumsey, Frank E; Rumsey, Marian L
 Mailing Address 1951 Brady Grove Rd Titusville FL 32796
 Site Address 1951 Brady Grove Rd Titusville FL 32796
 Parcel ID 21-35-21-51-2-5
 Property Use 0213 - Manufactured Housing - Double Wide
 Exemptions TPQD - Total & Permanent - Quadriplegic
 Taxing District 1300 - Unincorp District 1
 Total Acres 1.10
 Subdivision Brady Grove Park
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0025/0043
 Land Description Brady Grove Park Lot 5 Blk 2



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$53,560	\$52,180	\$47,690
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$46,090	\$45,240	\$44,310
Assessed Value School	\$46,090	\$45,240	\$44,310
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$46,090	\$45,240	\$44,310
Taxable Value Non-School	\$0	\$0	\$0
Taxable Value School	\$0	\$0	\$0

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
07/30/1991	\$37,000	WD	Improved	3135/1671
02/01/1979	\$7,400	--	--	2004/0134

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0213 - Manufactured Housing - Double Wide

Materials

Exterior Wall:

Plywd/T111

Details

Year Built

1994

Frame:

Wood Frame

Story Height

8

Roof:

Asph/Asb Shngl

Floors

1

Roof Structure:

Hip/Gable

Residential Units

1

Commercial Units

0

Sub-Areas

Base Area (1st)

1,152

Extra Features

Covered Patio

528

Total Base Area

1,152

Skirting - Wood

144

Total Sub Area

1,152

Screen Enclosure

200

Screen Enclosure

336

Skirting - Metal/Vinyl

52



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PROPERTY DETAILS

Account 2105337
 Owners Leed, Paul L
 Mailing Address 1945 Brady Grove Rd Titusville FL 32796
 Site Address 1945 Brady Grove Rd Titusville FL 32796
 Parcel ID 21-35-21-51-2-6
 Property Use 0213 - Manufactured Housing - Double Wide
 Exemptions DICV - Disability - Civilian
 HEX1 - Homestead First
 HEX2 - Homestead Additional
 Taxing District 1300 - Unincorp District 1
 Total Acres 1.09
 Subdivision Brady Grove Park
 Site Code 0001 - No Other Code Appl.
 Plat Book/Page 0025/0043
 Land Description Brady Grove Park Lot 6 Blk 2



VALUE SUMMARY

Category	2019	2018	2017
Market Value	\$140,010	\$132,820	\$122,940
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$114,710	\$112,580	\$110,270
Assessed Value School	\$114,710	\$112,580	\$110,270
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$500	\$500	\$500
Taxable Value Non-School	\$64,210	\$62,080	\$59,770
Taxable Value School	\$89,210	\$87,080	\$84,770

SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
03/19/2008	\$160,000	WD	Improved	5852/4016
12/01/1978	\$7,000	--	--	1981/0435

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0213 - Manufactured Housing - Double Wide

Materials	Details	
Exterior Wall:	Vinyl/Aluminum	Year Built 2005
Frame:	Wood Frame	Story Height 8
Roof:	Asph/Asb Shngl	Floors 1
Roof Structure:	Hip/Gable	Residential Units 1
		Commercial Units 0
Sub-Areas	Extra Features	
Base Area (1st)	1,920 Wood Deck	84
Total Base Area	1,920 Skirting - Metal/Vinyl	188
Total Sub Area	1,920 Skirting - Metal/Vinyl	64
	Outbuilding	144
	Screen Enclosure	260
	Garage Detached	1,370
	Garage Detached	727

Fireplace
Covered Patio

1
384

PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board/Local Planning Agency met in regular session on **Monday, June 15, 2020, at 3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were: Ron Bartcher; Brian Hodgers; Harry Carswell; Ben Glover; Mark Wadsworth, Chair; Peter Filiberto, Vice Chair; Bruce Moia; Joe Buchanan; and Dane Theodore.

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Jad Brewer, Assistant County Attorney; George Ritchie, Planner III; and Jennifer Jones, Special Projects Coordinator.

Excerpt of Complete Minutes

Theodore Goodenow (Chad Genoni / Kim Rezanka)

A Small Scale Comprehensive Plan Amendment (20S.02) to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2). The property is 4.85 acres, located on the east side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (20PZ00024) (Tax Account 2105262 – partial) (District 1)

Theodore Goodenow (Chad Genoni / Kim Rezanka)

A change of zoning classification from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential), with a BDP (Binding Development Plan) limited to 62 units. The property is 31.43 acres, located on the west side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (19PZ00158) (Tax Account 2105262) (District 1)

Kim Rezanka, Cantwell & Goldman, Cocoa Village, representing Beachland Managers and Theodore Goodenow, stated the requests are two matters to encompass all 31.43 acres of the entire property. The Comprehensive Plan amendment is the 4.845 acres on the east side of Hammock Road. (Ms. Rezanka presented handouts to the board. The handouts can be found in files 19PZ00158 and 20PZ00024, located in the Planning and Development Department). She said the aerial map shows the different zoning in the immediate area. The Future Land Use (FLU) is RES 2 (Residential 2) on the west side of Hammock Road, and then PI (Planned Industrial) on the right side. There's not much in the way of Planned Industrial on the east side of Hammock Road; there is single-family residential to the north of the proposal; then PIP (Planned Industrial Park) to the east. She continued, there is City of Titusville property belonging to SE Power, which is aptly developed; there is the East Central Florida Railroad that has a substation in the far northeast corner; and there is a vacant parcel, which is also owned by SE Power. The SE Power land in the City of Titusville is where they keep their trucks and business offices. SE Power is in the construction and maintenance of power lines and fiberoptic installation, so it's not a heavy industrial use, even if it is zoned that way.

She stated there are 11 single-family home directly across from SE Power; there are a number of single-family homes to the north, even though they are zoned PI; and PIP allows single-family homes at one unit per acre. There is TR-2 zoning to the north of the comprehensive plan parcel allowing two units per acre, but half-acre lots are required. To the west of the complete parcel, including that on the other side of Hammock Road, there is one unit per acre, and below that there is 72 acres of property within the City limits that is PUD (Planned Unit Development), at a density of two units per acre. She noted at the bottom of the larger site plan she provided there is a location map depicting the area before the board today; and the area below it is the 71.99 acres of PUD also owned by Beachland Managers, that was approved by Titusville in 2019, allowing two units per acre, with a maximum of 143 units, and with houses anywhere from 6,000 square feet and higher. She stated

Page 2 of the staff comments for the comprehensive plan amendment talks about Policy 3.5 of the FLU element that Planned Industrial is intended to have light industrial and business uses; however, that's really not applicable here because there is no industrial uses in the area. Housing has existed in the area since the 1980's before PI was even assigned to it, and it's only industrial because of the SE Power Corporation property to the south. Future Land Use designation 1.1, Criteria B, states this land has had a PI land designation since 1988, but houses have been in the PI land use designation since before that designation. Page 4, under RES 2, Policy 1.18, Criteria A, it says the subject parcel is not immediately adjacent to RES 2. She said they disagree with staff because Hammock Road is the only dividing line, and Hammock Road, in theory, would allow that property to be annexed over a road, so they believe it is immediately adjacent. She asked that the board adopt the comprehensive plan amendment of 4.845 acres from PI to RES 2 and believe that it is adjacent to RES 2.

Ms. Rezanka addressed the rezoning request for the entire 31.43 acres, and stated the property to the west of Hammock Road is RES 2, so RU-1-9 with a BDP is consistent, but if the board does not adopt the comprehensive plan amendment it would not be consistent with the parcel on the east side of Hammock Road. She stated the TR-1 zoning to the south of the subject parcel on the west side of Hammock Road requires 7,500 square-foot lots, and there are two that were built in 2003 and 2004; they could be smaller lots, and they are small houses. To the west of the parcel is RRMH-1, which are one-acre lots and there's a wide variety of types of homes of approximately 840 square feet, such as single-family, and manufactured, some of which are single and some are double. The property immediately to the south is the PUD from 2019 that was adopted by the City of Titusville, and the entire ordinance has been provided to staff for the record. There are half-acre lots, and 7,500 square-foot lots all around both subject parcels, the whole 31-acre parcel. She stated RU-1-9 requires 6,600 square-foot lots with a minimum floor area of 900 square feet. The property to the south that was rezoned in 2019 has 143 units, and 2 units to the acre. Page 3 of the rezoning staff comments, under Primary Concurrency, it states there is no anticipated decrease in maximum acceptable volume to U.S. 1, there is also no school concurrency issue, and although the property does not have water and sewer, the BDP states that the property will connect to City water and sewer. She said her client attempted to annex the property into the City for their services, but the City said it is not appropriate to annex, which is why they are in front of the County for this zoning change.

Mark Wadsworth asked why Titusville said it was not appropriate to annex. Ms. Rezanka replied she believes they thought it was too far from the hook-ups, but the PUD to the south will bring the water and sewer, so they will be able to connect.

Ron Bartcher advised a Planning Official from Titusville told him the City felt it would create an enclave, and State Statutes say you can't do that.

Ms. Rezanka stated the proposed BDP limits the density to two units per acre and asks for the RU-1-9 zoning to allow flexibility and design. She noted there's already a very large retention pond on the parcel they will have to work around. The intent of doing both parcels is to have the drainage structures and amenities on the east side of the property. If the board feels it necessary to put that in the BDP, or to limit the number of houses on the east side of Hammock Road, Mr. Genoni is willing to do that. This property has been owned by Mr. Goodenow since 1983; there's been no development on this property; it's not been feasible to develop because of the water and sewer, but bringing the water and sewer will improve what could be there with septic tanks. She asked the board to approve the comprehensive plan amendment on the 4.8-acre parcel on the east side of Hammock Road and the entire rezoning to RU-1-9 on the 31.43 acres, with the BDP. She noted she has put in to the

public record the parcel detail records from the PAO website of all the property around the subject property, just so it's in the record that they are one-half acre or 7,500 square-foot lots. She further noted that none of the objection letters are from the adjacent neighbors.

Bruce Moia asked what the lot sizes will be. Ms. Rezanka replied they only have to be 7,500 square feet. She said Mr. Genoni believes they are going to be bigger than that, but he hasn't done any engineering on the property yet, so he hasn't done a site plan.

Harry Carswell asked if the elevation of this subdivision been determined. Ms. Rezanka replied no, and there are some issues on the west side of Hammock Road, but her client has not done the elevations.

Public Comment:

Laurilee Thompson, 3550 Irwin Avenue, Mims, stated she is opposed to the change in land use. The proposed amendment to the FLU map will place RES 2 into an area of Planned Industrial, resulting in residential encroachment into a designated industrial area. The subject parcel does not serve as a transition between land uses with a density greater than two units per acre, and areas with lesser density. It's surrounded by PI land use; immediately north of the subject parcel is TR-3 zoning, which are modular and mobile home residences on approximately half-acre and one-acre lots. The subject parcel is not located adjacent to an incorporated area that would be considered a logical transition for RES 2. The City of Titusville boundary is located approximately 200 feet south of the subject property where a developed parcel with heavy industrial zoning and an industrial Future Land Use currently exists. Additionally, the subject parcel contains 100% hydric soils and a small area of mapped St. Johns River Water Management District wetlands. The potential exists for listed species, and a majority of the property is mapped as being within AE and X floodplains as shown on the FEMA flood zone map. The AE designation indicates areas that are at high risk for flooding. Flood zone X is an area that's designated by FEMA as having a moderate or minimal risk of flooding. She stated she has seen Hammock Road flood so badly, driving on it isn't possible; the ditches are full, running over into the properties. She noted there's not a lot of PI zoning in northern Brevard and who's to say that with the activities increasing at the space center that the proximity of this property to the Titusville railroad bridge, which connects the Florida East Coast Railway to the space center, may be a used for industrial on this piece of property. She addressed the rezoning request for RU-1-9, and stated she is not opposed to growth. She noted she sat on the Planning and Zoning Board 13 years ago and supported projects for the developer that had four houses per acre in Mims. She stated those developments were within the core area of Mims, where there is water and sewer service; they were appropriate for those areas. Although the area between Jay Jay Road and Parrish Road doesn't fall within the boundaries of the Mims Small Area Study, it should be considered a transition zone to move from the higher densities of Titusville to the lower densities proposed in the Mims Small Area Study, which suggests that higher densities shall take place along and near U.S. 1, with the densities moving from four houses per acre, to two house per acre, and one house per acre, and as you get closer to Hammock Road, the densities go from one house per 2.5 acres, to one house per 5 acres, and one house per 10 acres. The bigger lots are closest to the Lagoon. She stated diminishing densities as you approach the Lagoon was what the Mims community wanted. The subject property is 650 feet from where the Mims small area boundary begins at Parrish Road. The Mims community felt so strongly about keeping densities low in order to protect the Lagoon, they created a shoreline preservation overlay zone along the Lagoon shoreline and the near-shoreline area. Any type of development within this zone, except what occurs on multi-acre lots should be discouraged. The

shoreline preservation overlay zone was the expressed wish of the community in order to keep the Lagoon area in Mims from being developed as other shorelines have been. If the shoreline preservation zone overlay was extended south from Parrish Road, the east side of the this proposed property would be adjacent to the shoreline overlay. A lot of relatively undisturbed hammock land exists along the waterfront here. This is a feature the Mims community views as positive and wishes to preserve. Another factor is that this area coincides with the State-defined Coastal High Hazard Area. Comprehensive Plan Amendments are expected to reduce development intensities in this high-risk zone. For the proposed development, the shoreline of the Indian River Lagoon will only be 850 feet away. There's a salt marsh only 200 feet from the property that is connected to the Lagoon through a culvert that goes underneath the railroad track. The eastern side of the subject property is the same distance from the river as are the lakes in the Chain of Lakes Park. Allowing this change in land use and zoning will set a precedent along both sides of Hammock Road for others who wish to develop in the future. In the Mims small area plan nothing less than one home per 2.5 acres was suggested for either side of Hammock Road unless it is a pre-existing zoning. The developer is asking for the same density as Brooks Landing Phase I, which is further to the west and closer to U.S. 1. The homes that already exist are mostly on one acre or larger lots and they've been there for decades. Aside from Brooks Landing Phase 1 to the west, there is no pattern of higher density development. She stated there are other properties in North Brevard where this kind of density is acceptable. She said Hammock Road, from where it starts at the north end of the Chain of Lakes Park, all the way to where it ends north of the County line, does not have any existing housing close to the river that is similar to what the developer is proposing. She concluded by saying there's no precedent of any changes to existing land use or zoning along Hammock Road and this stretch of the Lagoon; therefore, there is no reason to start the process of allowing changes.

Terri LaPlante, 4052 Friar Tuck Lane, Melbourne, stated she is against the rezoning of property for Phase II of Brooks Landing as it lies too close to the Indian River Lagoon. The voice of the residents of Brevard County made clear that they want the Lagoon restored, and taxed themselves to restore the Lagoon. She stated despite everything being done to restore the Lagoon, it is not enough and the growth must be managed of any nearby development. The prosperity of the state and local community depends upon cleaning up the waterways and protecting what is left of the drinking water supplies. She noted the Florida Department of Environmental Protection Basin Management Plan mandates that since the North Indian River Lagoon is an impaired water that currently does not meet State water quality standards, new development in the basin cannot increase nutrient loads to the Lagoon. Also, to ensure the future growth does not add to the degradation of the North Indian River Lagoon, local governments must be proactive in controlling loads from future growth. The FEP recommends low-impact development to minimize the impact of new developments. She urged the board to enforce compliance with the comprehensive plans that are in place to ensure the economic prosperity of the majority rather than a single business interest.

Kim Rezanka stated residential is seen as less intense than industrial. Single-family homes are allowed in PIP zoning, and they are there now to the east side of Hammock Road. She said she doesn't believe this is introducing RES 2 to industrial, she believes it is an extension across Hammock Road and an existing RES 2. There's mostly wetlands on the property to the east of this Future Land Use application, so it's likely nothing will be built there and that's what the residents want, they don't want anything to be built there because it's been that way for so long. The soils, floodplains, and wetlands are all site plan issues. Currently, even though the land use is industrial, the zoning is AU, so it's still going to have to be rezoned to something allowed in Planned Industrial, and that could be a junkyard, a hotel, or overnight commercial parking, versus several homes, a drainage

pond, or amenities that are planned for the east side of Hammock Road. She noted Brooks Landing Phase I will not be interconnected to the subject property. The residents did not want that and Mr. Genoni agreed not to combine Phase I with Phase II because of the traffic concerns on the road to the south. The Brooks Landing Phase I to the south of the property at issue is a trend because all of this other land has been developed long ago. As to other development along the Indian River, at least to the south there are several mobile home parks along the river, so there is development next to the river. As to Ms. LaPlante's concerns, this development will be connected to sewer as part of the binding development plan; if it's not connected to sewer then it cannot be built. She asked the board to approve the comprehensive plan amendment and rezoning.

Mr. Wadsworth asked if the BDP states the project will also be connected to water. Ms. Rezanka replied yes, and the developer will have to bring that, which will be beneficial to both developments if this is approved.

Peter Filiberto stated he agrees PI is more impactful than residential; however, it does seem to be a high-impact development project with 32 acres and the developer wants 62 lots. He noted that usually as a rule of thumb 25% is subtracted for roads, utilities, et cetera, so he sees it more as 47 houses and that's an impact in itself. He asked if the developer was stuck on RU-1-9. Ms. Rezanka replied RU-1-9 is the 6,600 square foot lots, and noted she doesn't have the authority from the developer to do anything lesser, but if the board wanted to limit it to larger lots, such as 7,500 square foot lots, which is what the properties to the south are, she doesn't think that would be a problem.

Mr. Filiberto noted the staff comments state there is no deficiency in transportation, the developer is willing to hook up to water and sewer, and there is the capacity for schools in the area.

Joe Buchanan asked if the developer plans to put a landscape or buffer wall around the property. Ms. Rezanka replied he will have to comply with the landscape code and buffering code, and next to the industrial it will probably be mandated, but she is not sure about the existing residential. Mr. Buchanan stated the Natural Resources Management report states there are some wetlands to be concerned with, and asked if it is a small percentage. Ms. Rezanka replied there are some wetlands on the east side of Hammock road and also some elevation problems the developer will likely be limited by with compensatory storage.

Mr. Wadsworth asked for the representative from Natural Resources to comment.

Jeanne Allen, Natural Resources Management Department, stated the noteworthy land use issues were wetlands and hydric soils, but she didn't see that mapped on the east side, although she did see a portion of it on the west side, to the south. She said that until she gets a full wetland report she won't know exactly know where the wetlands are, but it does look like there could be some spots of it. She noted the Indian River Lagoon Septic Overlay will not be an issue because they are going to connect to sewer through the BDP.

Ron Bartcher stated the small area study stopped at Parrish Road because it was expected that the City of Titusville would annex all the property up to Parrish Road. He said had it been included in the study, everything on the other side of Hammock Road would be Residential 1:25 or less, just like it is the rest of the way north. He stated he personally thinks residential is better than industrial; however, RES 2 is not the right number, it should be Residential 1:2.5. He said it should be low-density, as it is

too close to the Lagoon, and too much money has been spent trying to repair it. He said the density should be kept as low as possible, and no development at all would be even better.

Motion by Ron Bartcher, to deny the Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2).

Jeffrey Ball stated the board could recommend a lower intensity land use it feels is more appropriate, such as RES 1 (Residential 1).

Ron Bartcher modified his motion to recommend Residential 1:2.5.

Joe Buchanan seconded the modified motion.

Mr. Moia stated the board can make restrictions on the development in the BDP. He said the reason for the request for Residential 2 is for the density on the overall piece, and by getting Residential 2 on the 4.8 acres, they get nine units; at one unit per acre they get four units. He said he is not in favor of the motion but he would be in favor of more restrictions on the BDP during the zoning part of the discussion because there are things the board can do and still give the developer the ability to develop the project.

Mr. Bartcher pointed out that the larger piece of property is already Residential 2, so there is no need for a Future Land Use change on that, and by separating them, they are creating two separate issues. He said the board can focus on the issue of the 4.85 acres and keep it separate from the other.

Mr. Moia stated if the developer is looking for a number of lots he has to get the Residential 2, but the board can limit development on that side of the road and he can still have his density count on the overall project.

Mr. Hodgers asked Ms. Rezanka if she said the 4 acres on the east side would largely be for drainage. Ms. Rezanka replied it will be for drainage, stormwater, and possibly amenities. She noted Mr. Genoni is not sure he's going to put homes on the east side, but currently, in PIP, he could build one unit per acre.

Mr. Hodgers stated if Residential 2 is on the larger parcel, the board could add to the BDP that the east side would be for drainage or amenities. He said he'd be in favor of that rather than try to combine them together and denying the whole request because of the east side.

Mr. Bartcher said he would be willing to put that into the BDP, that development be severely restricted, and he'd like to see the development restricted on that property to less than one unit per two and a half acres.

Mr. Ball clarified that right now, the board is only talking about the land use request, which is Residential 2, so there needs to be a recommendation for that, and then the board can move onto the zoning action and BDP.

Motion by Ron Bartcher, seconded by Joe Buchanan, to recommend approval of Residential 1:2.5.

Mr. Hodgers asked staff if the developer can do what he is proposing at Residential 1:2.5 on the east side with drainage or amenities and not build houses on that side at all.

Mr. Ritchie stated Code Section 62-2116 states when a property divided by a public road right-of-way and the lot is big enough to meet the zoning criteria, you're looked at as the owner of two different lots. The board can look at the comprehensive plan issue and leave it as PIP and change the land use to a different designation. He said for the zoning, RU-1-9 is what is requested, and there could be multiple lots on that 4-acre piece of property, so it's big enough to stand on its own. The applicant has not requested a transfer of development rights to take the development rights the site could generate, which right now is zero residential, to move it to the other side of the roadway. He stated those units would be captured in this piece of property unless they came in for that type of request. If they want to transfer units, they would have to make a new request to transfer units off of that tract to the other piece of property. How the subdivision gets platted and developed later on, how they share or don't share the retention and stormwater, that would be a different issue that would be addressed during that platting process.

Mr. Moia asked if the developer could not do a unity of title to have it considered one piece of property. Mr. Ritchie stated Section 62-2116 states, where a property meets the requirements on both sides of the road you're considered the owner of two different lots. Mr. Moia stated the land use is already Residential 2. Mr. Ritchie stated if the developer wanted Residential 4, they would need to amend both of them and it would be considered two separate applications because each side of the roadway would be considered a separate lot. Mr. Moia asked if the zoning could be considered under one lot. Mr. Ritchie replied it would be the binding development plan that would limit development on the total property. He stated if it was kept it as Residential 2 and the developer wanted to transfer units, there would still need to be a development rights application, but if they want to keep the units that the east side could develop on the east side, and units on the west side that they could develop on the west side, that would just be part of the zoning application.

Mr. Moia asked if they could have asked for that as part of this process if they wanted to. Mr. Ritchie replied the PUD zoning would allow for some transfer of development rights within the project, but this is a single-family residential zoning request, so that would be a separate action.

Mr. Moia asked how many units per acre could they get under PI on the east side. Mr. Ritchie replied if the use for single-family residence is a permitted with conditions use, it is not a permitted right. The code says if the property was recorded before 2004, that property owner could build one house on the entire.

Ms. Rezanka stated PIP is one unit per acre. Mr. Ritchie stated the zoning would be inconsistent with the comprehensive plan; the zoning has a vacant property, so the current zoning doesn't have a standing on the property. The comprehensive plan has to be looked at first, and when the comprehensive plan says PIP, there is a minimum lot size and there is a minimum Planned Industrial Park tract size. The zonings that would fit in PIP would be a PIP zoning or a GML zoning. The compatible PIP zoning is where there could be one single-family residence on the property to be vested for one residential unit. There is another provision in the permitted with conditions note for PIP that says either the property be owned before 2004, or deed restrictions in place on the property before 2004 to be able to allow residential use.

Ms. Rezanka stated Mr. Goodenow purchased the property in 1983, so it existed prior to 2004. Under 62-1542, it's a conditional use that allows one unit per acre which she believes would be sufficient and it would be hard for the County to deny a conditional use when there is a single-family home of a half-acre to the north of it. She said she is unfamiliar with the transfer of density, but her client doesn't have that density to transfer right now, so it wouldn't have made sense for Mr. Genoni to have applied for that.

Mark Wadsworth called for a vote on the motion as stated and it failed 8:1, with Moia, Glover, Hodgers, Wadsworth, Carswell, Buchanan, and Theodore voting nay.

Motion by Bruce Moia, seconded by Ben Glover, to approve the request for a Small Scale Comprehensive Plan Amendment (20S.02) to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2). The vote passed 8:1, with Ron Bartcher voting nay.

Mr. Moia said for the rezoning request his only concern is the lot size, because it would be very unusual to have a 6,600 square-foot lots in this area. He said there is residential development in the area, but for the most part they are half-acre lots, so 6,600 square feet would be inconsistent. He stated at 31 acres, even if every lot was a half-acre, the developer could probably not get full capacity because of the other infrastructure. The board would need a realistic lot size for the west side and a separate one for the east side, because the east side should be more restrictive. Right now, it's an agricultural grove, and that's one of the worst land use categories for polluting the river because it's untreated, direct discharge.

Ms. Rezanka stated without the engineering, there is no way to know how big the lots can be. She said she doesn't have a problem with one-acre lots on the east side, but she doesn't have the authority to make decisions on the west side, but the board can table the request and Mr. Genoni could be present at the next meeting.

Motion by Bruce Moia, seconded by Peter Filiberto, to table the request for a change of zoning classification from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential), with a BDP (Binding Development Plan) limited to 62 units to the July 6, 2020, Planning and Zoning Board meeting. The vote was unanimous.

Objection
19PZ00158
20PZ00024
Goodenow

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Today's P&Z agenda
Date: Monday, June 15, 2020 9:11:05 AM

FYI

From: Marlys Breckle <marlysjrb@gmail.com>
Sent: Monday, June 15, 2020 9:05 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Today's P&Z agenda

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

Dear Mr. Calkins,

I am very concerned about the request to increase density for the Brooks Landing property in Mims adjacent to Titusville. More importantly, this property is close to the Indian River Lagoon. As you are aware, the lagoon is fragile and a lot of work is being done to save it. More density will inevitably increase the amount of pollution emptying directly into this precious body of water. Please don't be convinced to risk more damage by allowing this.

Thank you.

Marlys Breckle

Titusville

Objection
19PZ00158
20PZ00024
Goodenow

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Theodore Goodenow Small Scale Plan Amendment and rezoning request. Items 1&2
Date: Monday, June 15, 2020 9:18:34 AM

FYI

From: Dwight Severs <dws1128@yahoo.com>
Sent: Monday, June 15, 2020 8:21 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Theodore Goodenow Small Scale Plan Amendment and rezoning request. Items 1&2

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

Please convey to the Planning and Zoning Board my opposition to the proposed amendment to the Comprehensive Plan and request for zoning changed mentioned above. Please uphold and maintain the Mims SAP and denie this request. Please do not allow additional discharging into the Indian River Lagoon. Past approvals continue to damage or destroy, with the storm water run off, the lagoon. Dwight Severs Titusville Florida

Objection
19PZ00158
20PZ00024
Goodenow

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Opposition to Zoning Change for Two Parcels
Date: Monday, June 15, 2020 9:19:27 AM

FYI

From: Lew Kontnik <lewkontnik@gmail.com>
Sent: Monday, June 15, 2020 6:57 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Opposition to Zoning Change for Two Parcels

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

Dear Mr Calkins:

I am writing as a resident of Brevard and supporter of the restoration and preservation of our balance with nature to oppose the high-density rezoning of the following two parcels at this afternoon's Zoning meeting:

1. Theodore Goodenow (Chad Genoni) requests a Small Scale Comprehensive Plan Amendment (20S.02) to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2). The property is 4.85 acres, located on the east side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (20PZ00024) (Tax Account 2105262 – partial) (District 1)
2. Theodore Goodenow (Chad Genoni) requests a change of zoning classification from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential), with a BDP (Binding Development Plan) limited to 62 units. The property is 31.43 acres, located on the west side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (19PZ00158) (Tax Account 2105262) (District 1)

Allowing this change in land use and zoning will allow increased density in an area which does not currently support this type of development. Additionally, it will set a precedent for others who wish to develop in the future along both sides of Hammock Road. In the Mims SAP, nothing less than one home per 2.5 acres is suggested for either side of Hammock Road, unless it was a pre-existing zoning. The proposal asks for the same density he got in Brooks Landing Phase I, which is located further to the west by US 1. The homes that exist here are for the most part on one-acre or larger lots. They have been here for decades. Aside from Brooks Landing Phase 1 to the west, there is no pattern of high-density development here.

Approval of this rezoning request will set a bad precedent. We are spending millions of dollars and many people are doing hard physical work to clean up the lagoon. What sense does it make to allow additional high-density development to occur near its waters, especially in an area that has no history of such dense development?

Lew Kontnik

LewKontnik@gmail.com

H/O 321 775 3327

C 805 558 2295

www.HelpTheLagoon.org : Work has begun on the Save Our Lagoon Project Plan funded by the half-cent sales tax. After more than 50 years of neglect, restoring our Lagoon will not happen quickly and we've started the process of healing.

Our Vision: The Brevard Indian River Lagoon, with clear waters, alive with lush sea grass beds, thriving fish, birds, manatees and dolphins – a healthy place where our families can play

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Comments to Phase 2 of Brooks Landing that the Planning and Zoning Board will be hearing on Monday June 15.
Date: Monday, June 15, 2020 9:20:36 AM
Attachments: [Brooks Landing Wetlands and Waterways.pdf](#)

FYI

From: William Klein <klein_william_r@hotmail.com>
Sent: Monday, June 15, 2020 1:03 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Cc: Pritchett, Rita <Rita.Pritchett@brevardfl.gov>
Subject: Comments to Phase 2 of Brooks Landing that the Planning and Zoning Board will be hearing on Monday June 15.

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

Mr. Tad Calkins,

I cannot attend the Planning and Zoning Board hearing on Monday June 15, because I have lung problems from many years of asthma and Bronchitis. I am at high risk from COVID-19. Therefore, I am submitting my comments about Brooks Landing.

Comments to Phase 2 of Brooks Landing that the Planning and Zoning Board will be hearing on Monday June 15.

May 1996 SJRWMD published "Indian River Lagoon Our Heritage At Risk - Indian River Lagoon Comprehensive Plan". It stated the critically poor conditions of the IRL and the loss of marine life caused by inadequate development Regulations and Enforcement Rules. The pollution comes from the polluted runoff from the land. The IRL Comprehensive Plan defined many projects and actions required to restore the IRL. The same ones that the IRL Council states today. It stated that that Regulations and Enforcement Rules are needed to protect surface water quality and aquatic habitats. In the 23 years since then our legislators have failed to adequately regulate and protect the IRL from High Impact Development (HID).

The IRL was clean, clear, and full of marine life before HID was allowed around the IRL. The IRL had the second most prolific oyster and clam harvests in Florida after Apalachicola Bay. The various habitats of forests, scrub lands, wetlands, natural living shorelines, streams ponds, sea grass beds, marine nurseries, and oyster beds slowed down stormwater flow, cleaned, purified, and absorbed the water into the aquifer or returned it to the IRL. The county started allowing HID with its clear cutting, filling in wetlands, regrading the land, replacing the natural areas with buildings, lawns, roads, and concrete. They required the Developers and Cities to install stormwater systems to quickly drain and transport the stormwater with the fertilizers, pesticides, insecticides, and other pollutants to the IRL without filtering, cleaning, or returning the water to the aquifer. This has been the main cause of exterminating local wildlife species in their respective habitats, oysters and clams in most of the IRL, fish kills, increasing the heat island affect, and loss of adequate fresh drinkable water supplies without drilling new wells.

These are my comments to Titusville City Council for Phase 1 of the Brooks Landing. They also pertain to Phase 2 with the additional comment that **NO SEPTIC TANKS SHOULD EVER BE APPROVED FOR PHASE 2.** Phase 2 is much closer to the IRL and will be more devastating to the IRL

1. The 6 wetlands shown in green on the attached Pdf file are connected by the streams and waterways as shown in blue (on the aerial view in Atlantic Environmental of Florida's "Environmental Assessment on Brooks Landing" Figure 5 Land Use Map) must remain in the final development. They cannot be destroyed or filled in with dirt. Bridges and culverts should be used to allow traffic to cross over the streams and waterways.
2. The tree canopy should be maintained and no clear cutting of trees allowed. House lots should maintain the maximum number of trees as possible.
3. All trees cut down need to be inventoried and documented. The benefits and values of trees should be calculated and quantified by the use i-Tree. This calculated cost will be the Tree Mitigation Cost that must be paid to a Titusville Urban Forestry Account or else an equal value of trees planted on Titusville City property. The benefits of one Live Oak 2 ft in diameter over 20 years is \$2292 and the storm water it would absorb is 491,000 gallons.

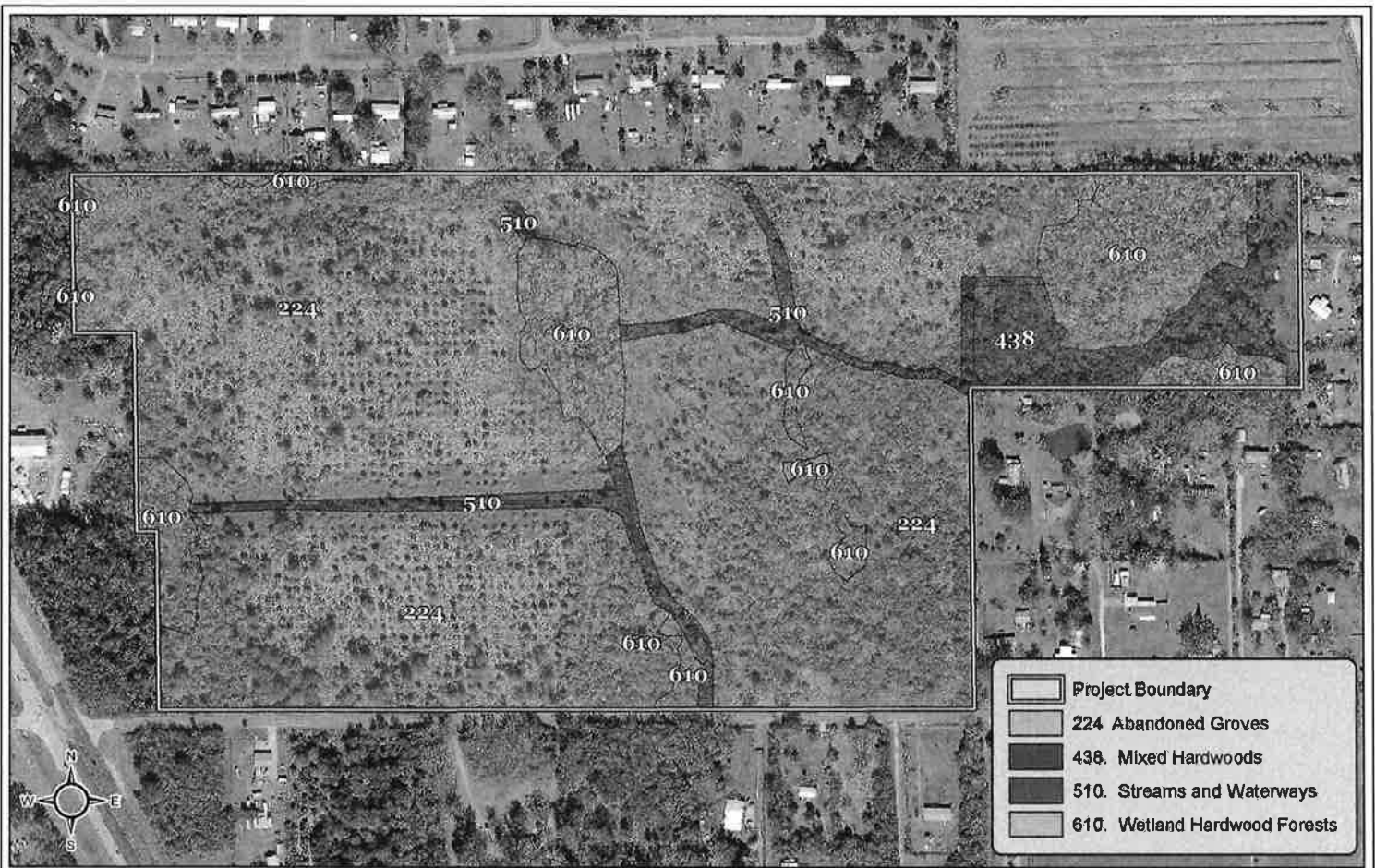
4. The retention ponds and storm drain protection must be designed to the Brevard County 08/24/2017 Flood Map not the April 3, 1989 Flood Map.
5. The retention ponds should be designed for the latest rain fall prediction for a 24 hr period of the 100-year storm or 38.7 inches which was the maximum 24 hr. rainfall in Florida. Brooks Landing was only designed for 3 inches. There will be 81 Million gallons of rain water for 38.7 inches of rain instead of the 6 Million that the project is designed for. Therefore, there will be 13 times more storm water that the retention ponds and drainage is designed for.
6. The project plans to clear cut 46 acres for home lots. One acre of land with 35 mature trees can absorb about 335,000 gallons of polluted storm water per year. Therefore converting 46 acres of forests could create 15 Million gallons of polluted storm water per year that can contaminate the IRL.

Description of the proposed development.

1. Theodore Goodenow (Chad Genoni) requests a Small Scale Comprehensive Plan Amendment (20S.02) to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2). The property is 4.85 acres, located on the east side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (20PZ00024) (Tax Account 2105262 – partial) (District 1)

2. Theodore Goodenow (Chad Genoni) requests a change of zoning classification from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential), with a BDP (Binding Development Plan) limited to 62 units. The property is 31.43 acres, located on the west side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (19PZ00158) (Tax Account 2105262) (District 1)

There are two parcels for a proposed development -- Phase 2 of Brooks Landing in north Titusville. Phase one has already been approved by the City of Titusville. Hammock Road passes through the Phase 2 property, creating two parcels. The bigger portion is on the west side of Hammock Road (Parcel #2 in the attached image) and a smaller 4.85-acre piece (Parcel #1 in the attached image) is on the east side of Hammock Road. The developer is seeking a land use change from PI to Res 2 for the 4.85-acre eastern portion of this split development. The developer is then seeking to change the zoning for the entire 31.43-acre development (both parcels) from AU to RU-1-9.



Project: Brooks Landing

Figure 5: Land Use (FLUCFCS) Map

0 200 400 800 Feet

105 18 Aerial, Brevard County, Florida

Objection
19PZ00158
20PZ00024
Goodenow

From: Nayra Atiya
To: Jones, Jennifer
Subject: Comments, Brooks Landing Phase 2
Date: Monday, June 15, 2020 10:47:48 AM

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

Dear Ms. Jones,

As a resident of Titusville, I am deeply concerned about the health of our Indian River Lagoon. Surely you must be as well. We have seen this magnificent gift of God fail under our tutelage. Increasing density east of US 1 goes against all our efforts to restore the IRL. I am imploring you to kindly vote against the Brooks Landing Phase 2 zoning change for this reason. It is a glaring example of high impact development in a most environmentally sensitive area. We cannot afford to cause further harm without digging our own graves. With your help, perhaps there can be hope. Please deny the zoning change for Brooks Landing Phase 2.

Gratefully yours,

Mrs. Nayra Atiya
Titusville, Florida

From: dbotto1
To: Jones, Jennifer
Subject: Brooks Landing Phase 2
Date: Monday, June 15, 2020 11:06:58 AM

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

Dear Mr. Calkins,

It is imperative that the subject request for changes to the Comprehensive Plan and Zoning Law be denied. We are 3 years in to a 10 year, high cost effort to restore one of the most valued habitats in North America, the Indian River Lagoon. It is an unimpeachable fact that the current dire condition of our lagoon is the result of bad management of development. We're working to repair and correct the result of that fifty years of neglect. The will of the people is clear, we voted to tax ourselves to pay for this attempt. At this point in time, the lagoon has shown little improvement in water quality and even less in the all-important measure of sea grass coverage. This proposed development contradicts the objectives of the Save The Lagoon Program. Brooks Landing Phase 1 was granted a density change that was less than proposed but still will increase run-off harm to the lagoon. Now Phase 2 is much worse. This property may not meet the strict qualification of a wetland but for all practical purposes that is exactly what it is. The proposal indicates hedges that will ensure lagoon damage. Septic use guaranteeing 65% pollution removal in case sewer is not timely available is not possible. That level of effectiveness is highly dependent on the ambient soil condition and this soil is not conducive. Your staff comments indicate hydrologic soil characteristics throughout. This property, only 850 ft from the lagoon shore line and adjacent to a salt marsh, is a textbook candidate for designation by our EELS as part of the Florida Forever Lagoon Blueway program. Mr. Genoni should offer it as such in thanks for getting positive allowance for Phase 1. We must not continue to make the same development mistakes that got us where we are today. WE MUST LOOK TO THE FUTURE!
Deny this change.

David C. Botto
275 Poinciana Drive
Indian Harbour Beach, FL 3293
TEL 321 773 2327

Objection
19PZ00158
20PZ00024
Goodenow

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Request to DENY and NOT approve
Date: Monday, June 15, 2020 11:08:49 AM

FYI

From: Ruthie Cook <ruthiecook4@gmail.com>
Sent: Monday, June 15, 2020 10:57 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Request to DENY and NOT approve

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

To the County Commissioners when this re-zoning request comes before you. RE: Theodore Goodenow (Chad Genoni)
(1930 Hammock Road, Titusville) (20PZ00024) (Tax Account 2105262 – partial) (District 1) AND (19PZ00158) (Tax Account 2105262) (District 1).

i hope the right questions have been asked Before Approval.

approval of this rezoning request will set a bad precedent and is almost foolish to approve.

While We are spending millions of dollars! And many people are working really hard, doing physical work, **to clean up the lagoon.** And It Is Working!

What sense does it make to allow additional high-density development to occur near its waters, especially in an area that has no history of such?

Yet, in one fell swoop, one approval - one is allowed to take much from so many. for money!

Can we not build just about anywhere? What are lessons learned?

Can we go to the Indian River just anywhere?

We need to care, it means money for many, the tricks are not free.

I may need a champion fighter! Anyone? Do Not Approve.

RE:

1. Theodore Goodenow (Chad Genoni) requests a Small Scale Comprehensive Plan Amendment (20S.02) to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2). The property is 4.85 acres, located on the east side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (20PZ00024) (Tax Account 2105262 – partial) (District 1)

2. Theodore Goodenow (Chad Genoni) requests a change of zoning classification from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential), with a BDP (Binding Development Plan) limited to 62

units. The property is 31.43 acres, located on the west side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (19PZ00158) (Tax Account 2105262) (District 1)

Best regards,
Ruthie

Objection
19PZ00158
20PZ00024
Goodenow

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: P & Z Agenda Items 1 & 2 No Please
Date: Monday, June 15, 2020 11:09:32 AM

FYI

From: Stephen E. Chalmers <pitmedden1@gmail.com>
Sent: Monday, June 15, 2020 9:14 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: P & Z Agenda Items 1 & 2 No Please

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

Director Calkins,

Our county future is bright and beautiful with all inclusive longer term planning.

Much good work and treasure has been and is being invested toward sensible development goals. We need to deliver at moments such as this afternoon's meeting in order to achieve them.

Please vote down items 1 and 2.

Respectfully,

Stephen E Chalmers
2160 Windbrook Dr, Palm Bay, FL 32909
schalmers@cfl.rr.com
321 795 9008 mobile

From: [Michael Myjak](#)
To: [Calkins, Tad](#); [Jones, Jennifer](#)
Cc: [Pritchett, Rita](#)
Subject: Comments to Phase 2 of Brooks Landing P&Z hearing on Monday June 15.
Date: Monday, June 15, 2020 11:09:53 AM

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

Dear Mr. Tad Calkins,

I regret that my health prevents me from attending the P&Z meeting this afternoon. Please bring my comments forward to the P&Z board.

I have been a volunteer and advocate for the Indian River Lagoon (IRL) since well before we didn't have clams to harvest. (Oysters, too!) That's why I joined the Titusville Environmental Commission so many years ago.

There is no disagreement that In recent years we have learned so much about how to take care of the IRL. Our knowledge and understanding of what to do and what **not to do** are, however, moving much faster than our county or municipal code can be amended.

So in this case, I think the Mims Small Area Plan (SAP) said it best by affixing zoning in this area to the existing land use, thus directing lower density development toward the water's edge.

The Mims Small Area Plan thus stands in stark contrast to the Brooks Landing Phase 2 proposal. This Brooks Landing Phase 2' effort is all about business as usual - increasing the density of development to maximize the profits of one, at the expense of the IRL and everyone else.

The loss of sea grass beds to algal blooms, fish kills, and the loss of hundreds of dolphins, manatees and brown pelicans over the years are all symptoms of the suffering we have brought to the IRL.

Now is the time to stand on the Mims SAP and deny the zoning change. To do otherwise, would set a very bad precedent. Its also what the local folks in Mims have already said what they want.

May you be Happy & Well,

Michael Myjak
Titusville Environmental Commission

Objection
19PZ00158
20PZ00024
Goodenow

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Brooks Landing Phase 2
Date: Monday, June 15, 2020 11:10:02 AM
Attachments: [BMAPexcerpt.docx](#)

FYI

From: dbotto1 <dbotto1@cfl.rr.com>
Sent: Monday, June 15, 2020 9:54 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Brooks Landing Phase 2

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

Dear Mr. Calkins,

It is imperative that the subject request for changes to the Comprehensive Plan and Zoning Law be denied. We are 3 years in to a 10 year, high cost effort to restore one of the most valued habitats in North America, the Indian River Lagoon. It is an unimpeachable fact that the current dire condition of our lagoon is the result of bad management of development. We're working to repair and correct the result of that fifty years of neglect. The will of the people is clear, we voted to tax ourselves to pay for this attempt. At this point in time, the lagoon has shown little improvement in water quality and even less in the all important measure of sea grass coverage. This proposed development contradicts the objectives of the Save The Lagoon Program. Brooks Landing Phase 1 was granted a density change that was less than proposed but still will increase run-off harm to the lagoon. Now Phase 2 is much worse. This property may not meet the strict qualification of a wetland but for all practical purposes that is exactly what it is. The proposal indicates hedges that will ensure lagoon damage. Septic use guaranteeing 65% pollution removal in case sewer is not timely available is not possible. That level of effectiveness is highly dependent on the ambient soil condition and this soil is not conducive. Your staff comments indicate hydrologic soil characteristics throughout. This property, only 850 ft from the lagoon shore line and adjacent to a salt marsh, is a textbook candidate for designation by our EELS as part of the Florida Forever Lagoon Blueway program. Mr. Genoni should offer it as such in thanks for getting positive allowance for Phase 1.

We must not continue to make the same development mistakes that got us where we are today. WE MUST LOOK TO THE FUTURE!

Deny this change.

David C. Botto
275 Poinciana Drive
Indian Harbour Beach, FL 3293
TEL 321 773 2327

Section 1.5 of the adopted Banana River Lagoon BMAP addresses loadings from future growth and redevelopment. The BMAP does not include a specific allocation for new development or redevelopment because of ERP Program requirements. The ERP Program requires that new discharges into the basin cannot increase existing loads. This is called "Net improvement" and means that the post-development pollutant loading for TN and TP can't exceed the pre-development pollutant loading. All ERP applications must include documentation demonstrating compliance with state water quality standards, as well as showing that the project does not adversely affect the quality of receiving waters, resulting in water quality standards violations. Since the Banana River Lagoon (BRL) is an impaired water that does not currently meet state water quality standards, new development and redevelopment within the BMAP area or watersheds cannot increase nutrient loads to the BRL. Unfortunately, the "Net Improvement" requirements in BMAPs are not included in Florida's ERP program requirements which need extensive revising.

The BMAP also states "Although future development may meet state stormwater standards, the development may still add a nutrient load to the lagoon. To ensure that future growth does not add to the degradation of the BRL, local governments must be proactive in controlling loads from future growth. Options to address future loading include low-impact development (LID) standards and Florida-friendly landscaping to further minimize the impacts of existing development and new development through local development regulations." LID is an approach to development that employs land planning, design practices, and technologies to conserve natural resources and reduce infrastructure costs. However, allowing LID techniques typically requires changes in local government Comprehensive Plans and Land Development Codes.

Objection
19PZ00158
20PZ00024
Goodenow

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: I object to Agenda Items 1 & 2
Date: Monday, June 15, 2020 11:59:11 AM

FYI

From: Toni <tonibizness@aol.com>
Sent: Monday, June 15, 2020 11:25 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Fwd: I object to Agenda Items 1 & 2

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

sorry forgot to ID myself:

Toni Shifalo
715 Tropic Street
Titusville, 32796

321-512-9900

-----Original Message-----

From: Toni <tonibizness@aol.com>
To: tad.calkins@brevardfl.gov <tad.calkins@brevardfl.gov>
Sent: Mon, Jun 15, 2020 11:23 am
Subject: I object to Agenda Items 1 & 2

To the Planning and Zoning Board:

Concerning the Planning & Zoning Board meeting scheduled today, June 15, 2020:

I oppose both agenda items 1 & 2 concerning the request by Theodore Goodenow, Chad Genoni to change the Future Land Use designation from PI to RES 2 on the 4.85 acre property east of Hammock Road, and to change the zoning classification from AU to RU-1-9 on both this property and the 31.43 acres located on the west side of Hammock Road.

I especially oppose the change of the smaller parcel from PI to Res 2 as it is clearly against the recommendations of both Staff and the Natural Resources Management Dept. FLU & Summary Item #20PZ00024. This small acreage consists of hydric soil and possibly a wetland. It's location near the Indian River Lagoon makes it a particularly sensitive environment and probably should NOT even carry the PI classification.

Changing the zoning on the larger parcel west of Hammock Road is a bad idea also. The proposed development does not meet the criteria set forth in the Administrative Policies set by the county. In Criteria C, Administrative Policy 2, it states a proposed development should be consistent with emerging or existing patterns of surrounding development. It does NOT. And it violates relevant policies in any elements of the Comprehensive Plan.

Please vote NO on these agenda items.

Toni Shifalo

Objection
19PZ00158
20PZ00024
Goodenow

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Comments re this afternoon's re-zoning request
Date: Monday, June 15, 2020 11:59:52 AM

FYI

From: lisa.ruckman@yahoo.com <lisa.ruckman@yahoo.com>
Sent: Monday, June 15, 2020 11:23 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Comments re this afternoon's re-zoning request

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

Re: Theodore Goodenow (Chad Genoni) requests a Small Scale Comprehensive Plan Amendment from Planned Industrial to Residential 2. (20PZ00024) (Tax Account 2105262 - part of) (District 1)

Mr. Calkins:

I am writing to ask that this high- density re-zoning request be denied. Based on what the Mim's neighborhood has set up to be a lower density to match the area and the concerns for the Lagoon, it seems that this amendment would not be prudent.

As a volunteer with the Brevard Indian River Lagoon Coalition, I know that there are limited areas where the rain water can naturally filter to the Lagoon. Higher Density development is best left out of these few lower density areas we have left.

Sincerely, Lisa Ruckman

From: [kay.st.onge](#)
To: [Jones, Jennifer](#)
Subject: Rezoning for Phase 2 Brooks Landing
Date: Monday, June 15, 2020 12:07:43 PM

Objection
19PZ00158
20PZ00024
Goodenow

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

Public comment for June 15 Brevard County Planning and Zoning Commission meeting:

1. Theodore Goodenow (Chad Genoni) requests a Small Scale Comprehensive Plan Amendment (20S.02) to change the Future Land Use designation from PI (Planned Industrial) to RES 2 (Residential 2). The property is 4.85 acres, located on the east side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (20PZ00024) (Tax Account 2105262 – partial) (District 1)

2. Theodore Goodenow (Chad Genoni) requests a change of zoning classification from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential), with a BDP (Binding Development Plan) limited to 62 units. The property is 31.43 acres, located on the west side of Hammock Road, approximately 650 feet south of Parrish Road. (1930 Hammock Road, Titusville) (19PZ00158) (Tax Account 2105262) (District 1)

These rezoning requests are detrimental to the Indian River Lagoon. The Florida Department of Environmental Protection's Basin Management Plan mandates that "Since the North IRL is an impaired water that does not currently meet state water quality standards, new development in the basin cannot increase nutrient loads to the lagoon. " Also, "To ensure that future growth does not add to the degradation of the North IRL, local governments must be proactive in controlling loads from future growth. " The FDEP recommends Low Impact Developments to minimize the impact of new developments.

The property to the east side of Hammock Road is too close to the Indian River Lagoon for development and would inevitably impact the Indian River Lagoon. No change in zoning should be approved. Septic tanks should be prohibited.

Retain the agricultural residential zoning of the 31.43 acre parcel to the west of Hammock Road. Any development should mimic the existing density of nearby houses, and utilize low impact development strategies, preserving trees to reduce stormwater runoff and to reduce heat buildup. Hookup to the Titusville sewage is essential. Septic tanks should be prohibited.

Many nearby residents and citizens of Titusville objected to Phase 1 of Brooks Landing before the Titusville City Council. Now we urge the Brevard County Commissioners to reject requests to rezone this land adjacent to the Indian River Lagoon for development purposes.

Thank you for considering the viewpoints stated above.

Kay St. Onge
Titusville Tree Team