



## **Zoning**

**Brevard County Board Of County Commissioners Governing Board Of The Brevard Mosquito Control District Governing Board Of The Barefoot Bay Water And Sewer District**

**2725 Judge Fran Jamieson Way**

**Viera, FL 32940**

**Agenda**

**Thursday, April 15, 2021**

**If you wish to speak to any item on the agenda, please fill out a speaker card. Persons addressing the Board shall have three minutes to complete his/her comments on each public hearing agenda item for which he/she has filled out a card.**

**The Board of County Commissioners requests that speakers appearing under the Public Comment section of the agenda limit their comments and/or presentations to matters under the Board's jurisdiction. It is the responsibility of the Chair to determine the time limit on comments under Public Comment and other agenda items that are not Quasi-Judicial Public Hearings. In Quasi-Judicial proceedings, fifteen (15) minutes shall be allowed for applicants and five (5) minutes for other speakers.**

- A. CALL TO ORDER 5:00 PM**
- B. INTENTIONALLY OMMITTED**
- C. PLEDGE OF ALLEGIANCE - Commissioner John Tobia, District 3**
- D. MINUTES FOR APPROVAL:**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
- F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**

### **Development and Environmental Services Group**

#### **Planning and Development**

- F.1. Waiver Request, Re: Waiver of wall requirement for Cypress Trust Company (21AD00003)(District 4)**

### **Administrative Services Group**

#### **Miscellaneous**

- F.2. Appointment(s) / Reappointment(s)**

### **G. PUBLIC COMMENTS**

**H. PUBLIC HEARINGS**

- H.1.** All Space Storage requests a change of zoning classification from BU-1 to BU-2. (20Z00043) Tax Account 2317234) (District 1)
- H.2.** Kaydenlew, LLC (David Menzel) requests a change of zoning classification from BU-1 to BU-2. (21Z00003) (Tax Account 2605988) (District 4)
- H.3.** SDLD, LLC (Scott Demasso) requests a change of zoning classification from AU to EU. (21Z00001) (Tax Accounts 2501421 and 2501422) (District 2)
- H.4.** Robert Van Horn and Gerald K. Houck request a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from NC to CC. (21PZ00001) (Tax Account 2501307) (District 2)
- H.5.** Robert Van Horn and Gerald K. Houck request a change of zoning classification from RU-1-9 to BU-2. (21Z00004) (Tax Account 2501307) (District 2)
- H.6.** Scott W. and Debora A. Speer request a change of zoning classification from RR-1 to AU. (21Z00002) (Tax Account 2316763) (District 2)
- H.7.** Port St. John Small Area Study

**I. UNFINISHED BUSINESS**

**J. NEW BUSINESS**

**Add Ons**

**K. PUBLIC COMMENTS**

**L. BOARD REPORTS**

- L.1.** Frank Abbate, County Manager
- L.2.** Eden Bentley, County Attorney
- L.3.** Rita Pritchett, Commissioner District 1, Chair
- L.4.** Bryan Lober, Commissioner District 2
- L.5.** John Tobia, Commissioner District 3
- L.6.** Curt Smith, Commissioner District 4
- L.7.** Kristine Zonka, Commissioner District 5, Vice Chair

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>

In accordance with Resolution 2014-219 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda.

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

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BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ON 2021-04-15 5:00  
PM - ZONING  
2725 Judge Fran Jamieson Way  
Viera, FL, 32940  
Regular Agenda  
Thursday, April 15, 2021

**IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE FIVE MINUTES TO COMPLETE HIS/HER COMMENTS ON EACH PUBLIC HEARING AGENDA ITEM FOR WHICH HE/SHE HAS FILLED OUT A CARD.**

**THE BOARD OF COUNTY COMMISSIONERS REQUESTS THAT SPEAKERS APPEARING UNDER THE PUBLIC COMMENT SECTION OF THE AGENDA LIMIT THEIR COMMENTS AND/OR PRESENTATIONS TO MATTERS UNDER THE BOARD'S JURISDICTION. IT IS THE RESPONSIBILITY OF THE CHAIR TO DETERMINE THE TIME LIMIT ON COMMENTS UNDER PUBLIC COMMENT AND OTHER AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS.**

- A. CALL TO ORDER 5:00 PM**
- B. INTENTIONALLY OMITTED**
- C. PLEDGE OF ALLEGIANCE - Commissioner John Tobia, District 3**
- D. MINUTES FOR APPROVAL:**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
- F. CONSENT AGENDA**

(The entire Consent Agenda will be passed in one motion to include everything under Section F.)

**Development and Environmental Services Group**

**Planning and Development**

**F.1. 2714 Waiver Request, Re: Waiver of wall requirement for Cypress Trust Company (21AD00003)(District 4)**

The applicant is requesting that the Board of County Commissioners grant a waiver of Section 62-3202(h)(10) which requires a 6-foot masonry or solid wall when commercial developments within BU-1, BU-2, or Industrial zoning classifications are adjacent to residential zoning.

[Legislation Text](#)

[Application.pdf](#)

[Justification with Photos.pdf](#)

[Cypress Trust Exhibit .pdf](#)

[Cypress Trust Location map.pdf](#)

**Community Services Group**

**Public Safety Group**

**Support Services Group**

**Administrative Services Group**

**Miscellaneous**

**F.2. 2750 Appointment(s) / Reappointment(s)**

It is requested the Board of County Commissioners approve the District appointment(s) / reappointment(s).

[Legislation Text](#)

[D4 Charter Appts.pdf](#)

**G. PUBLIC COMMENTS**

**H. PUBLIC HEARINGS**

**H.1. 2669 All Space Storage requests a change of zoning classification from BU-1 to BU-2. (20Z00043) Tax Account 2317234) (District 1)**

It is requested that the Board of County Commissioners conduct a public hearing to consider a request for a change of zoning classification from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial).

[Legislation Text](#)

[Administrative Policies of the Future Land Use Element.pdf](#)

[Staff Comments](#)

[GIS Maps](#)

[Application Pages](#)

[Notice to Applicants](#)

[Survey](#)

[Sign Posting Affidavit](#)

[P&Z Minutes](#)

H.2. 2670 Kaydenlew, LLC (David Menzel) requests a change of zoning classification from BU-1 to BU-2. (21Z00003) (Tax Account 2605988) (District 4)

It is requested that the Board of County Commissioners conduct a public hearing to consider a request for a change of zoning classification from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial).

[Legislation Text](#)

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H.3. 2671 SDLD, LLC (Scott Demasso) requests a change of zoning classification from AU to EU. (21Z00001) (Tax Accounts 2501421 and 2501422) (District 2)

It is requested that the Board of County Commissioners conduct a public hearing to consider a request for a change of zoning classification from AU (Agricultural Residential) to EU (Estate Use Residential).

Legislation Text

Administrative Policies of the Future Land Use Element.pdf

Staff Comments

GIS Maps

Application Pages

Sign Posting Affidavit

P&Z Minutes

- H.4. 2672 Robert Van Horn and Gerald K. Houck request a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from NC to CC. (21PZ00001) (Tax Account 2501307) (District 2)

It is requested that the Board of County Commissioners conduct a public hearing to consider a request for a change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial).

Legislation Text

Administrative Policies of the Future Land Use Element.pdf

Staff Comments

GIS Maps

Application Pages

Reason for Request

Survey

Draft Ordinance

P&Z/LPA Minutes

- H.5. 2673 Robert Van Horn and Gerald K. Houck request a change of zoning classification from RU-1-9 to BU-2. (21Z00004) (Tax Account 2501307) (District 2)

It is requested that the Board of County Commissioners conduct a public hearing to consider a request for a change of zoning classification from RU-1-9 (Single-Family Residential) to BU-2 (Retail, Warehousing, and Wholesale Commercial).

Legislation Text

Administrative Policies of the Future Land Use Element.pdf

Staff Comments

GIS Maps

Application Pages

Sign Posting Affidavit

P&Z Minutes

H.6. 2674 Scott W. and Debora A. Speer request a change of zoning classification from RR-1 to AU. (21Z00002) (Tax Account 2316763) (District 2)

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from RR-1 (Rural Residential) to AU (Agricultural Residential)

Legislation Text

Administrative Policies of the Future Land Use Element.pdf

Staff Comments

GIS Maps

Application Pages

Notice to Applicants

Sign Posting Affidavit

NMI Minutes

H.7. 2675 Port St. John Small Area Study

It is requested that the Board of County Commissioners conduct a public hearing to consider the Port St. John Small Area Study.

Legislation Text



Small Area Study

PSJ SAS PowerPoint

**I. UNFINISHED BUSINESS**

**J. NEW BUSINESS**

**Add Ons**

**K. PUBLIC COMMENTS**

**L. BOARD REPORTS**

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