



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.3.

10/2/2025

Subject:

BDP Submission Extension: Aubri Lucille Williamson requests an extension to the 120-day BDP recording date. (24Z00052) (Tax Account 2743715) (District 5)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

Pursuant to Section 62-1157, Brevard County Code of Ordinances, it is requested that the Board of County Commissioners consider an extension of 60 days to the 120-day BDP deadline for the recordation of a BDP under application 24Z00052. The underlying request was for a change of zoning classification from RU-1-9 (Single-Family Residential) to RU-2-10 (Medium-Density Multiple-Family Residential).

Summary Explanation and Background:

On June 16, 2025, the Planning and Zoning Board considered the request for a change of zoning classification from RU-1-9 (Single-Family Residential) to RU-2-10 (Medium-Density Multiple-Family Residential) and voted unanimously to recommend approval with a BDP for no resort dwellings, and single-story single-family only (the applicant stated at the meeting that they were willing to enter into the BDP).

On July 17, 2025, the Board of County Commissioners considered the request and voted unanimously to approve the application for a change of zoning classification from RU-1-9 (Single-Family Residential) to RU-2-10 (Medium-Density Multiple-Family Residential) with a BDP for no resort dwellings, and single-story single-family only.

Under Section 62-1157(1)(i)(2), Brevard County Code of Ordinances, "The applicant may make a request of a 60 (sixty) day extension for good cause to the Board of County Commissioners. Such a request must be made within 90 (ninety) days of approval by the Board of County Commissioners at the public hearing . . . Upon receiving such a request staff will present the extension request to the Board of County Commissioners for approval prior to the expiration of 120 (one hundred twenty) days. In no event shall an extension exceed 60 (sixty) days. If the applicant fails to record the binding development plan prior to the expiration of the extension, then the application will be considered to have been withdrawn."

The applicant has stated they are having technical issues with completing a joinder and require more time in order to obtain all necessary authorizations.

Clerk to the Board Instructions:

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



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

October 3, 2025

M E M O R A N D U M

TO: Billy Prasad, Planning and Development Director

RE: Item F.3., Binding Development Plan (BDP) Submission Extension: Aubri Lucille Williamson Requests an Extension to the 120-day BDP Recording Date (24Z00052) (Tax Account 2743715)

The Board of County Commissioners, in regular session on October 2, 2025, pursuant to Section 62-1157, Brevard County Code of Ordinances, approved an extension of 60 days to the 120-day BDP deadline for the recordation of the BDP under application 24Z00052, the underlying request was for a change of zoning classification from RU-1-9 (Single-Family Residential) to RU-2-10 (Medium-Density Multiple-Family Residential) for Aubri Lucille Williamson.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for: Donna Scott
Kimberly Powell, Clerk to the Board

/ds

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, June 16, 2025**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ana Saunders (D5); Erika Orriss (D3); Debbie Thomas (D4); Eric Michajlowicz (D3); Greg Nicklas (D3); Ron Bartcher (D2); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); and Robert Brothers (D5).

Staff members present were Trina Gilliam, Zoning Manager; Paul Body, Planner; Alex Esseesse, Deputy County Attorney; Billy Prasad, Planning and Development Director; Darcie McGee, Natural Resources; Rachel Gerena, Public Works; John Scott, Emergency Management Office; Edward Fontanin, Utility Service Director; Lucas Siegreid, Utility Services; Alice Randall, Operations Support Specialist; and Jordan Sagosz, Operations Support Specialist.

Excerpt of complete agenda

H.1. Aubri Lucille Williamson requests a change of zoning classification from RU-1-9 to RU-2-10. (24Z00052) (Tax Account 2743715) (District 5)

Trina Gilliam read Item H.1. into the record.

Nathan Meloon spoke to the application. He stated the applicant is looking to have this house as an investment property. She has a current contract for somebody starting in July to be there for one year. She would like to bring it into conformity with the area to the north where there's a big block of RU-2-10. Directly to the right or to the east is some RU-2-12. So, to keep the conformity with the area we're seeking a zoning change to RU-2-10. It's compatible and consistent with the area and it's in line with what else is in that area. This is right outside the shopping center with the Long Doggers in Indialantic just south of where Health First is and the Dunkin Donuts.

Public Comment

Sandra Sullivan stated she is from South Patrick Shores. She has a friend that lives on this street and there have been two recent zoning requests on Franklin Avenue. One of them is next to Cliffage and they had requested two duplexes at the front and back of the property. It ended in a split vote by the County Commissioners, and it failed. There was a BDP that was proposed for duplexes on front and back off Gross Point because there's a lot of traffic issues there. And the second was no short-term rental and no more than one story. You mentioned in the item that there is a property 200 feet to the east, that property is under a BDP. Again, no short-term rentals by the County. This is an area of no short-term rentals, so a BDP that they could put in a duplex but no short-term rentals and a BDP on that property. This property is so unlike those other two lots. They go from Franklin all the way over to Gross Point. This property's already been split, so if you were to be consistent with the surrounding area the maximum would be to allow a duplex on the property. I want to point out the short-term rental aspect, you do realize and it's missing from the map that was made by staff, which is a major red flag from my perspective, there is Hoover Elementary School literally a house away from this particular property. As a parent of elementary school kids, I wouldn't be happy to have a short-term rental which is inconsistent with this area. I would beg the question why this went to the board of adjustments for a short-term rental for a zoning that they don't have yet. So, this is inconsistent for

the BDP's that are in this area and the Cliffage property was denied by the county a 2:2 vote which also had stipulated no short-term rentals. So, vote no.

End Public Comment

Mark Wadsworth stated that he now sees on the west side it is zoned RU-2-12.

Mr. Meloan stated to the east is RU-2-12. To the north is RU-2-10 and to the south it looks like a multi-family zoning in Indialantic. There's more RU-1-11 further to the south, but then there's a commercial property with a strip plaza and the Publix, the Long Doggers, that kind of a multitude of stores. The property is one-story. There's currently a building on site, so there's not going to be a new building. My client is willing to keep this as a single-family and not have it be a duplex. A duplex is not her intention, and like was stated there's a one-year lease that is in place that begins in July for the property. So, it's intended use is for long-term rental property. As an owner she has a vested interest in keeping the area nice and not having bad things happen in the area.

Henry Minneboo asked the applicant if they are going to do a BDP.

Mr. Meloan stated they are willing to have a BDP that it'll remain a single-family.

Erika Orriss asked if they were willing to do a BDP that there's no short-term rentals. I'm very familiar with that area. We keep talking about long Doggers and Publix, but what's at the end of that street is Hoover Elementary School. There's also Busy Bears Daycare which is right across there too. So, I would just suggest that we say no short-term rentals. I don't think it should be zoned as such.

Mr. Meloan stated they're not willing to do that because they don't want to give away one of those bundles of sticks that his client would have as a property owner and have that go away forever. Who knows what the world would look like in 50, 75, 100 years. The school could be there, or the school could not be there. The same with the daycare. While it's across the street, it's an equal distance away from these commercial establishments. True it's five or six blocks down from some NC zoning, there's the CC zoning and then there's the Indialantic. It's just as easy to get from there to the daycare or to the school as it would be from my client's property. I realize that there are bad things that happen in the world and there's bad people in the world we can't sit here and think well what if somebody rents that. Well there's hotels and I'm sure if somebody had bad motives they could stay at one of the hotels that's a quarter mile up the street and come down and look and do whatever they wanted to do to the school or to the daycare and God forbid that would be a horrible thing to happen, but that wouldn't be a reason for taking a bundle of one of the bundles of sticks that my client has as a property owner in the area.

Ms. Orriss stated she understands that, but she does have friends that live there, and they live in the condos on the south side and they're saying right now as it exists today there's just way too much traffic. People are speeding by and there's kids on that street and Hoover Elementary School has been there for 50 years and I think it's probably going to be there another 50 years. So, I really have a hard time approving this especially with no BDP. That's my thoughts on it. I've stood there in front of my friend's house and almost been run over. I just don't think we need to add to the problems that already exist on that street.

John Hopengarten stated he agrees that without a BDP for short-term rental restrictions this won't fly.

Ruth Amato agreed with Mr. Hopengarten.

Mr. Wadsworth asked the applicant if they are willing to do a BDP.

Mr. Meloon responded yes; we're willing to do a BDP for no short-term rentals.

Ms. Orriss stated the BDP would be on because the previous BDP that was put on for the other property said developer agrees not to use property for resort purposes and therefore such is prohibited. The developer shall limit ingress and egress to one unit on Franklin and one on Gross Point. I don't know if that's what we'd be willing to do and obviously we're open for input on this but to have no resort dwellings and then to keep it with one unit on the property and you already have the one unit.

Mr. Meloon responded with correct. The one unit is already in existence. It's a 3:2. It would be no resort dwellings and keep it as the single-family one unit. And single story as well in keeping with the character of the street.

Motion to recommend approval of Item H.1. with a BDP by Erika Orriss, seconded by John Hopengarten. Motion passed unanimously.



August 5, 2025

M E M O R A N D U M

TO: Billy Prasad, Interim Planning and Development Director Attn: Trina Gilliam

RE: Board Actions on Planning and Zoning Board Recommendations

This is to correct memorandum dated July 18, 2025. The Board of County Commissioners, in regular session on July 17, 2025, took action on Planning and Zoning Board Recommendations.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in blue ink, reading "Kimberly Powell".

Kimberly Powell, Clerk to the Board

Encl. (1)

cc: Alice Randall, Zoning
County Attorney

PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. **Casabella Development, LLC.** Delaney/Adkinson. Approved the request for a change of zoning classification from BU-1-A to RU-2-6, **with a BDP for no short-term rentals.** (24Z00064)
- Item H.2. **Aubri Lucille Williamson.** Goodson/Adkinson. Approved the request for a change of zoning classification from RU-1-9 to RU-2-10, with a BDP for no resort dwellings and single-story, single-family only. (24Z00052)
- Item H.3. **Quentin I. Bessent, Jr.** Delaney/Adkinson. Approved the request for a change of zoning classification from AU to RU-1-11. (25Z00006)
- Item H.4. **Thomas Daugherty.** Delaney/Adkinson. Tabled the request for a change of zoning classification from GU to RU-1-11. (25Z00007)
- Item H.5. **John A. and Christine S. Conley.** Goodson/Delaney. Approved the request for a change of zoning classification from BU-2 to RU-1-11. (25Z00010)
- Item H.6. **Steven Schulze, Jr.** Adkinson/Delaney. Approved the request for a change of zoning classification from AU to RU-1-13. (25Z00011)
- Item H.7. **Eduardo Bertot and Brett Bertot.** Delaney/Adkinson. Approved the request for a change of zoning classification from BU-1 and RU-2-10 to all RU-2-10. (25Z00012)
- Item H.8. **Emerald Plaza Development, Inc.** Goodson/Delaney. Continued to August 7, 2025, Meeting. (25Z00014)
- Item H.9. **CTX Equities, Inc.** Delaney/Adkinson. Adopted Ordinance No. 25-09, setting forth the ninth Small Scale Comprehensive Plan Amendment (25S.09), to change the Future Land Use Map (FLUM) designation from NC and CC to all CC. (25SS00003)
- Item H.10. **CTX Equities, Inc.** Delaney/Adkinson. Approved the request for a change of zoning classification from GU and BU-2 to all BU-2. (25Z00013)
- Item H.11. **Linde Inc.** Delaney/Goodson. Approved the request for a Conditional Use Permit (CUP) for chemical manufacturing within an IU-1 zoning classification. (25Z00017)
- Item H.12. **Adoption of a Large Scale Comprehensive Plan Amendment (24LS00001) regarding the Brevard Barrier Island Area (BBIA) as a New Element to the Comprehensive Plan under the State Coordinated Review Process.** Adkinson/Goodson. Adopted Ordinance No. 25-10,

adopting a new element to the Comprehensive Plan for the BBIA; and authorized staff to make correction to scrivener's errors before sending to the State.

- Item H.13. **Evaluation and Appraisal Review (EAR) Based Amendments to the Comprehensive Plan (24LS00002) under the State Coordinated Review Process established by Section 163.3184, Florida Statutes.** Delaney/Adkinson, with Goodson voting Nay. Adopted Ordinance No. 25-11, adopting the EAR based amendments to the Comprehensive Plan, including those changes made necessary by Florida's Commerce's Objections, Recommendations and Comments Report pursuant to the State Coordinated Review Process (24-03ER) and approved in policies CON 4.1(A)(1), 4.1(B)(1), and 4.1(C)(2) shall remain (and not be stricken as proposed), but locational criteria shall be added to these policies so that they apply only on lands that are both north of SR 520 and west of I-95.

LOCATION MAP

WILLIAMSON, AUBRI LUCILLE

24Z00052



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: 9/11/2024

- Buffer
- Subject Property

ZONING MAP

WILLIAMSON, AUBRI LUCILLE
24Z00052



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: 9/11/2024

- Subject Property
- Parcels
- Zoning

Board Meeting Date

10-2-25

Item Number: F.3.

Motion By: KD

Second By: KA

Nay By: _____

| Commissioner | DISTRICT | AYE | NAY |
|--------------------------------|--------------|-----|-----|
| Commissioner Delaney | 1 | | |
| Vice Chair Goodson | 2 | | |
| Commissioner Adkinson | 3 | | |
| Commissioner Altman | 5 | | |
| Chairman Feltner | 4 | | |