



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

H.5.

10/6/2022

### Subject:

Dieter Tytko (Kim Rezanka) requests a change of zoning classification from RR-1 to RU-2-4. (22Z00039) (Tax Account 2955625) (District 3)

### Fiscal Impact:

None

### Dept/Office:

Planning & Development

### Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from RR-1 (Rural Residential) to RU-2-4 (Low Density Multi-Family Residential).

### Summary Explanation and Background:

The applicant is requesting a change of zoning classification from RR-1 to RU-2-4 on a 1.01-acre parcel to develop four (4) multiple-family units. RU-2-4 is a multi-family residential zoning classification that permits multi-family residential development or single-family residences at a density of up to four units per acre on 7,500 square-foot lots.

The subject property was administratively rezoned from RU-2-4 to RR-1 on November 30, 1998 (Resolution No Z-10170d). The Notice of Administrative Rezoning referred to Future Land Use Element Policy 10.3 which allows the County to rezone properties with zoning classifications that are inconsistent with the Future Land Use and Density Area Maps. According to the notification, the RR-1 zoning classification was consistent with the 1 unit per acre Residential Comprehensive Plan designation for the property. The RR-1 zoning classification is generally characterized as lands devoted to single-family residential development of spacious character, together with such accessory uses that are normally compatible with residential surroundings, and a minimum 1,200 square foot dwelling on one-acre lot size (125-foot minimum width and depth).

Brevard County Ordinance 93-02 designated the property as Residential 4 Directive (RES 4 Directive) Future Land Use with the adoption Comprehensive Plan Amendment 1992B on February 17, 1993. The property was one of nine specific properties that were excluded from the residential density reduction that affected over 4,000 acres with the South Beaches Amendments (1992B.4.1 through 1992B.4.12). The directive recognized that lowering the densities on the nine properties would result in incompatibilities with the existing higher land use densities and intensities of the surrounding area. In this case, the subject property is located between the Sterling House of Melbourne and the Gull House Condominium which were constructed in 1980 and 1986, respectively. According to the Brevard County Property Appraiser, the Sterling House of Melbourne has 3

buildings that contain a total of 45 units on 3.9 acres, and the Gull House Condominium one building containing 11 units on 0.8 acres.

The 1999A.3 EAR-based Amendments, adopted October 19, 1999, by Ordinance 1999-56, which established the Coastal Management Element Policy 7.1 which states "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet." While this application does not affect the subject property's Future Land Use "residential density designation", the RU-2-4 zoning will allow up to three additional units to the one unit allowed in RR-1.

The Public Facilities and Service Requirements in Future Land Use Policy 1.2 establishes criteria for centralize water and sewer for developments. It essentially caps developments to four units to the acre if only centralized water services are available without waste water utility services. If public water is not available, then developments with densities greater than two units to the acre are required to connect to central sewer. Staff has reached out to the plant operators of the Aquarina Wastewater Treatment Facility which is a private provider to inquire if there was sufficient capacity. At this time, they have not confirmed such capacity.

While the adjacent properties to the north and south of the subject property have RU-2-10 zoning, the developed character of the surrounding area is primarily single-family residential with RU-1-13, EU, SR, and RU -2-4 zoning classifications which all have RES 1 future land use designation. (Please note that the properties with existing RU-2-4 are inconsistent with the RES 1 land use designation.)

The Board may wish to consider whether the request is consistent and compatible with the surrounding area and the Coastal Management Element Policy 7.1.

On September 12, 2022, the Planning and Zoning Board heard the request and voted 7:3 to recommend approval.

### **Clerk to the Board Instructions:**

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

**Resolution 22Z00039**

On motion by Commissioner Tobia, seconded by Commissioner Pritchett, the following resolution was adopted by a 3:1 vote, with Commissioner Smith voting nay:

**WHEREAS, Dieter Tytko**, has requested a change of zoning classification from RR-1 (Rural Residential) to RU-2-4 (Low Density Multi-Family Residential), on property described as Tax Parcel 3.1, as recorded in ORB 6595, Page 1552, of the Public Records of Brevard County, Florida. **Section 23, Township 29, Range 38.** (1.01 acres) Located on the east side of Highway A1A, approx. 700 ft. north of Cortez St. (6345 Highway A1A, Melbourne Beach); and

**WHEREAS**, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved; and

**WHEREAS**, the Board, after considering said application and the Planning and Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from RR-1 to RU-2-4, be approved. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of October 6, 2022.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

Kristine Zonka, Chair  
Brevard County Commission

As approved by the Board on October 6, 2022.

ATTEST:

RACHEL SADOFF, CLERK

(SEAL)

P&Z Board Hearing – September 12, 2022

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development Preliminary Development Plan expires if a final development plan is not filed within three years. **The granting of this zoning does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.**

## **ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT**

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

### **Administrative Policy 1**

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

### **Administrative Policy 2**

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

#### **Criteria:**

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

### **Administrative Policy 3**

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

#### **Criteria:**

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
  - 1. historical land use patterns;
  - 2. actual development over the immediately preceding three years; and
  - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

**Administrative Policy 4**

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

**Criteria:**

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

**Administrative Policy 5**

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

**Criteria:**

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

**Administrative Policy 6**

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

**Administrative Policy 7**

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

**Administrative Policy 8**

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

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

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

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

#### **CONDITIONAL USE PERMITS (CUPs)**

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

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in

support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
  - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
  - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
  - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:



- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

**FACTORS TO CONSIDER FOR A REZONING REQUEST**

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

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

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

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

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

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

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

## DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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



BOARD OF COUNTY COMMISSIONERS

**Planning and Development Department**

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<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS  
 22Z00039**

**Dieter Tytko**

**RR-1 (Rural Residential) to RU-2-4 (Low-density Multiple-family Residential)**

Tax Account Number: 2955625  
 Parcel I.D.: 29-38-23-00-3.1  
 Location: East side of State Road A1A approximately 700 feet north Cortez Street (District 3)  
 Acreage: 1.01 acres  
 Planning & Zoning Board: 09/12/2022  
 Board of County Commissioners: 10/06/2022

**Consistency with Land Use Regulations**

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would not maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>Zoning</b>	RR-1	RU-2-4
<b>Potential*</b>	1 SF units	4 SF units
<b>Can be Considered under the Future Land Use Map</b>	YES RES 4	YES RES 4

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

**Background and Purpose of Request**

The applicant is requesting a change of zoning classification from RR-1 (Rural Residential) to RU-2-4 (Low-density Multiple-family Residential) on a 1.01-acre parcel to develop four (4) multiple-family units.

The subject property is currently undeveloped and was administratively rezoned from RU-2-4 to RR-1 on October 5, 1998, per zoning action **Z-10170(D)**. The original zoning was RU-2-4. The subject property has frontage on State Road A1A.

**Land Use**

The subject property is currently designated as Residential 4 Directive (RES 4 Directive) Future Land Use, adopted in Comprehensive Plan Amendment 1992B by Brevard County Ordinance 93-02. The subject property, which was located within the boundaries of the 1992 South Beaches Small Area Plan Study, was not included in the residential density reductions on over 4,000 acres in the south

beaches that resulted from the recommendations of the Study (referred to as the South Beaches amendments). The South Beaches Future Land Use Element Directives excluded nine specific properties (totaling 3.5 acres) from those residential density changes because it was recognized that lower densities would result in significant incompatibilities based upon areas of existing higher land use densities and intensities. The subject property, located between two parcels that were constructed at ten (10) dwelling units per acre, was adopted with a maximum density to be considered of four (4) dwelling units per acre under the South Beaches Future Land Use Element Directives. The directives did not increase density, rather, densities were not reduced.

The existing RR-1 zoning can be considered consistent with the existing RES 4 FLU designation, and the proposed RU-2-4 zoning can be considered consistent with the existing RES 4 FLU designation.

### **Applicable Land Use Policies**

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

### **FLUE Policy 1.2 - Public Facilities and Services Requirements**

Minimum public facilities and services requirements should increase as residential density allowances become higher. The following criteria shall serve as guidelines for approving new residential land use designations:

#### **Criteria:**

- C. In the Residential 30, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.
- D. Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.
- E. 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.

**As the project's density is 4 units per acre, connection to centralized sewer and potable water could be required under Criterion C, above. Site is currently unimproved and not connected to utilities. Central water and sewer is approximately 5 miles away to the North.**

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

### **Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.**

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

**The applicant proposes to rezone the 1.01-acre lot to RU-2-4 zoning classification for the purpose of developing four (4) multiple-family units. Development would need to meet performance standards set forth in code sections 62-2251 through 62-2272. The proposal is not anticipated to diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area.**

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

**Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed request.**

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

1. historical land use patterns;

**The surrounding area is residential in character on lots approximately one-half acre or larger in size. There are three FLU designations within 500 feet of the subject property: RES 1, RES 4 Directive, and PUB-CONS. The predominant FLU designation along the east side of Highway A1A is RES 1.**

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

**There has not been any actual development within this area in the preceding three (3) years.**

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

**There has not been any development approved but not yet constructed within this area in the preceding three (3) years.**

- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

**Coastal Management Element Policy 7.1 "States Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet." While this application does not affect the subject property's Future Land Use "residential density designation", the RU-2-4 zoning will allow three additional units than the current RR-1 will allow.**

**Analysis of Administrative Policy #4 - Character of a neighborhood or area.**

The developed character of the surrounding area is multi-family residential and single-family residential on lots approximately one-half acre or larger in size.

The current RR-1 zoning classification permits single-family residential land uses on a minimum one-acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet.

The proposed RU-2-4 classification is a four unit per acre multiple-family residential zoning classification. It permits multi-family residential development or single family residences at a density of up to four units per acre on 7,500 square foot lots.

**Surrounding Area**

	<b>Existing Use</b>	<b>Zoning</b>	<b>Future Land Use</b>
<b>North</b>	Multi-Family	RU-2-10	RES 1
<b>South</b>	Multi-Family	RU-2-10	RES 1
<b>East</b>	(Ocean)	(Ocean)	(Ocean)
<b>West</b>	SF residence	RU-1-13	RES 1

To the north is a 3.9-acre (approximate) multi-family development with RU-2-10 zoning, and to the south is a 0.8-acre (approximate) multi-family development with RU-2-10 zoning. To the west is a single-family residence on 1.97-acres (approximate) with RU-1-13 zoning. To the east is the Atlantic Ocean.

RU-1-13 permits single-family residences on minimum 7,500 square foot lots, with minimum widths and depths of 75 feet. The minimum house size is 1,300 square feet. RU-1-13 does not permit horses, barns or horticulture.

SR classification permits single family residences on minimum half acre lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

RU-2-10 classification permits multiple-family residential development or single-family residences at a density of up to 10 units per acre on minimum lot sizes of 7,500 square feet.

GML government managed lands zoning classification recognizes the presence of lands and facilities which are managed by federal, state and local government, special districts, nongovernmental organizations (NGOs) providing economic, environmental and/or quality of life benefits to the county,

electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission, and related entities.

### **Preliminary Concurrency**

The closest concurrency management segment to the subject property is State Road A1A, from Strawberry Lane to Heron Drive, which has a Maximum Acceptable Volume (MAV) of 24,200 trips per day, a Level of Service (LOS) of D, and currently operates at 18.71% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.03%. The corridor is anticipated to operate at 18.74% of capacity daily. The proposal is not anticipated to create a deficiency in LOS. Specific concurrency issues will be address at the time of site plan review.

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

The parcel is not serviced with centralized potable water or sanitary sewer. The closest Brevard County water and sewer lines are approximately 5.1 miles north on Highway A1A.

### **Environmental Constraints**

- Coastal Management
- Floodplain
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

The Coastal Management Element of the Comprehensive Plan, Policy 7.1, Coastal Residential Densities, states that Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.

The applicant is encouraged to contact NRM at 321-633-2016 prior to any land clearing, site plan design or permit submittal.

### **For Board Consideration**

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



**NATURAL RESOURCES MANAGEMENT (NRM) DEPARTMENT**  
**Zoning Review & Summary**  
**Item #22Z00039**

**Applicant:** Rezanka for Tytko

**Zoning Request:** RR-1 to RU-2-4

**Note:** Applicant wants to rezone for development of 4-unit multi-family complex.

**P&Z Hearing Date:** 09/12/22; **BCC Hearing Date:** 10/06/22

**Tax ID No:** 2955625

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

**Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Coastal Management
- Floodplain
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

The Coastal Management Element of the Comprehensive Plan, Policy 7.1, Coastal Residential Densities, states that Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.

**Land Use Comments:**

**Coastal Management**

The Coastal Management Element of the Comprehensive Plan, Policy 7.1, Coastal Residential Densities, states that Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.

The property is located adjacent to the Atlantic Ocean and is subject to Chapter 62, Article XIII of the Coastal Setback and Control Lines ordinance. The applicant is encouraged to call NRM at 321-633-2016 prior to any land clearing, site plan design or building permit submittal.

**Floodplain**

The eastern two-thirds of the property is mapped within the coastal floodplain (VE) as identified by the Federal Emergency Management Agency and as shown on the FEMA Flood Map. The property is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance.

**Indian River Lagoon Nitrogen Reduction Overlay**

The parcel is mapped within the Indian River Lagoon Nitrogen Reduction Overlay per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay. If sewer is not available, then use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

**Protected and Specimen Trees**

Aerials show mature canopy on the subject parcel. The applicant is encouraged to incorporate robust trees into the site plan design. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

**Protected Species**

Information available to NRM indicates that federally and/or state protected species may be present on the property. There is mapped Florida Scrub Jay occupancy on the project site, and there is potential for existence of Gopher Tortoises on site. 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 (FWC), and/or U.S. Fish and Wildlife Service, as applicable. The applicant is advised to call the FWC at 561-882-5714 (O) or 561-365-5696 (C) with to obtain any necessary permits or clearance letters for Gopher Tortoises.

# LOCATION MAP

TYTKO, Dieter  
22Z00039





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: 7/21/2022

-  Buffer
-  Subject Property

# ZONING MAP

TYTKO, Dieter  
22Z00039



1:4,800 or 1 inch = 400 feet

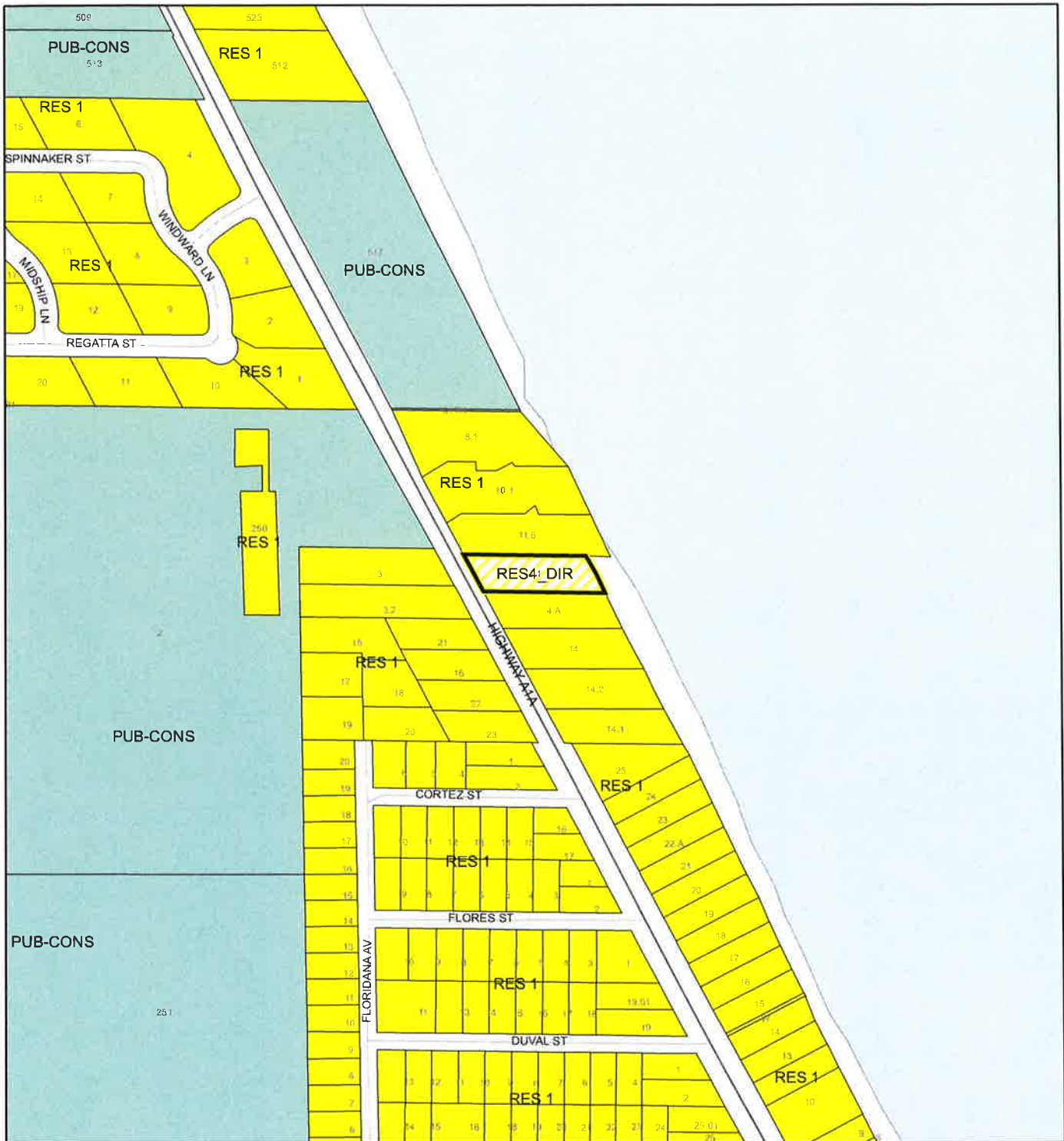
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/21/2022

-  Subject Property
-  Parcels
-  Zoning

# FUTURE LAND USE MAP

TYTKO, Dieter  
22Z00039



1:4,800 or 1 inch = 400 feet

— Subject Property

□ Parcels

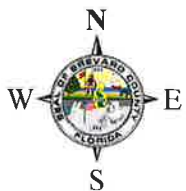
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/21/2022

# AERIAL MAP

TYTKO, Dieter

22Z00039




1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2021

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: 7/21/2022

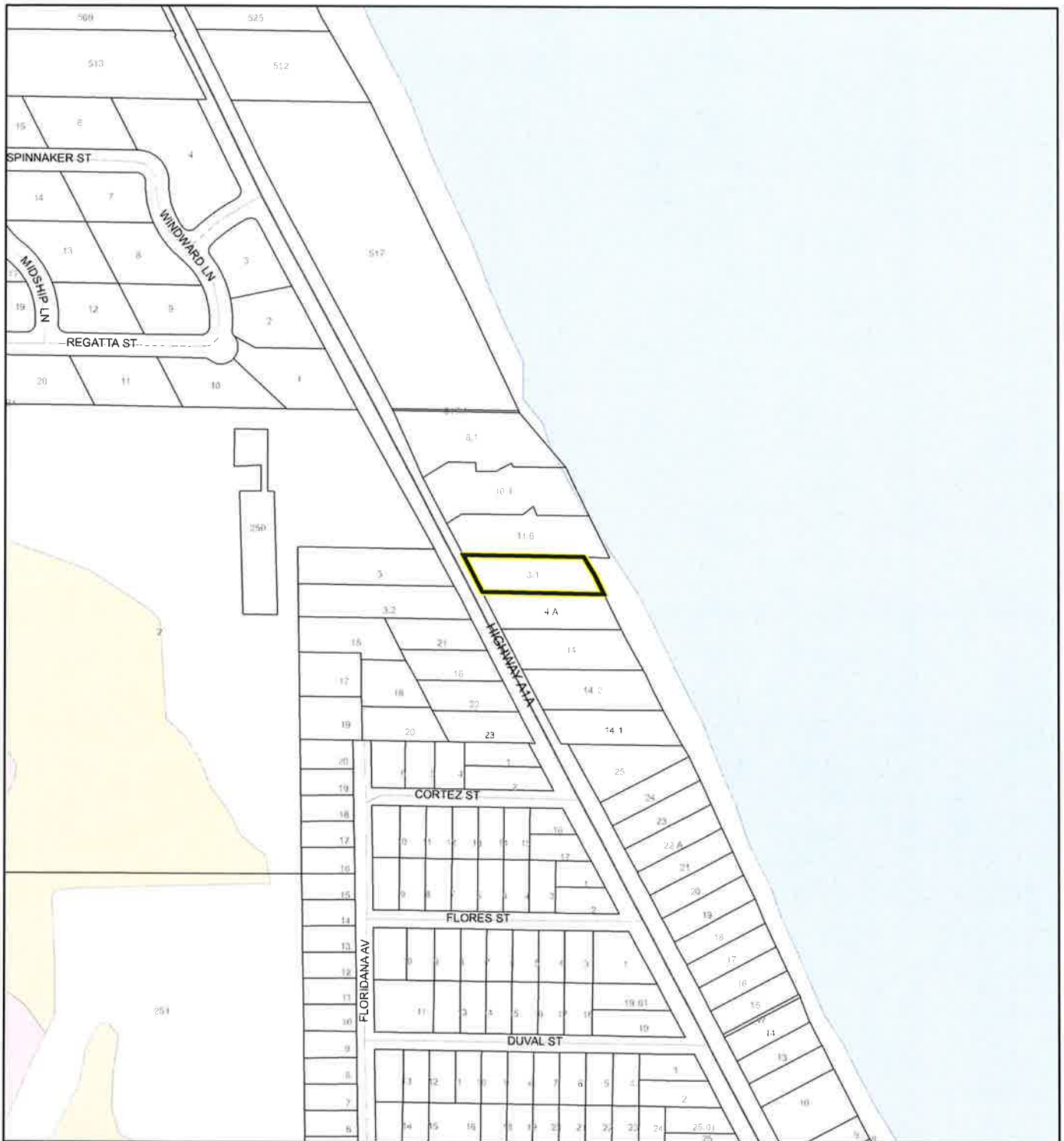
 Subject Property

 Parcels

# NWI WETLANDS MAP

TYTKO, Dieter

22Z00039





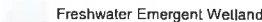







1:4,800 or 1 inch = 400 feet

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: 7/21/2022

### National Wetlands Inventory (NWI)

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

# SJRWMD FLUCCS WETLANDS - 6000 Series MAP

TYTKO, Dieter

22Z00039



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: 7/21/2022

### 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

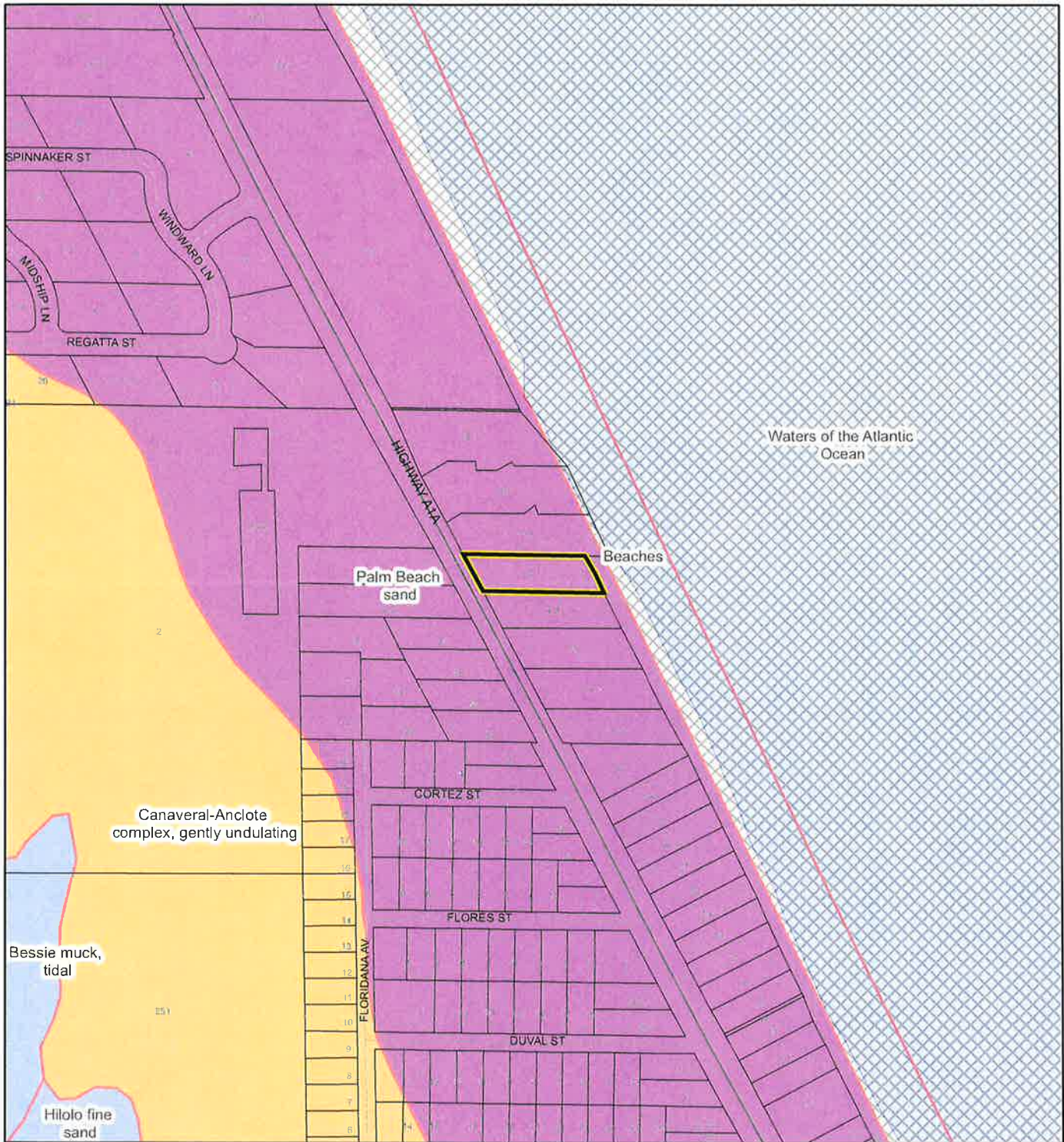
Parcels



# USDA SCSSS SOILS MAP

TYTKO, Dieter

22Z00039



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: 7/21/2022

## USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

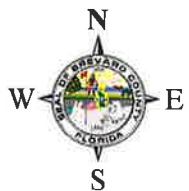
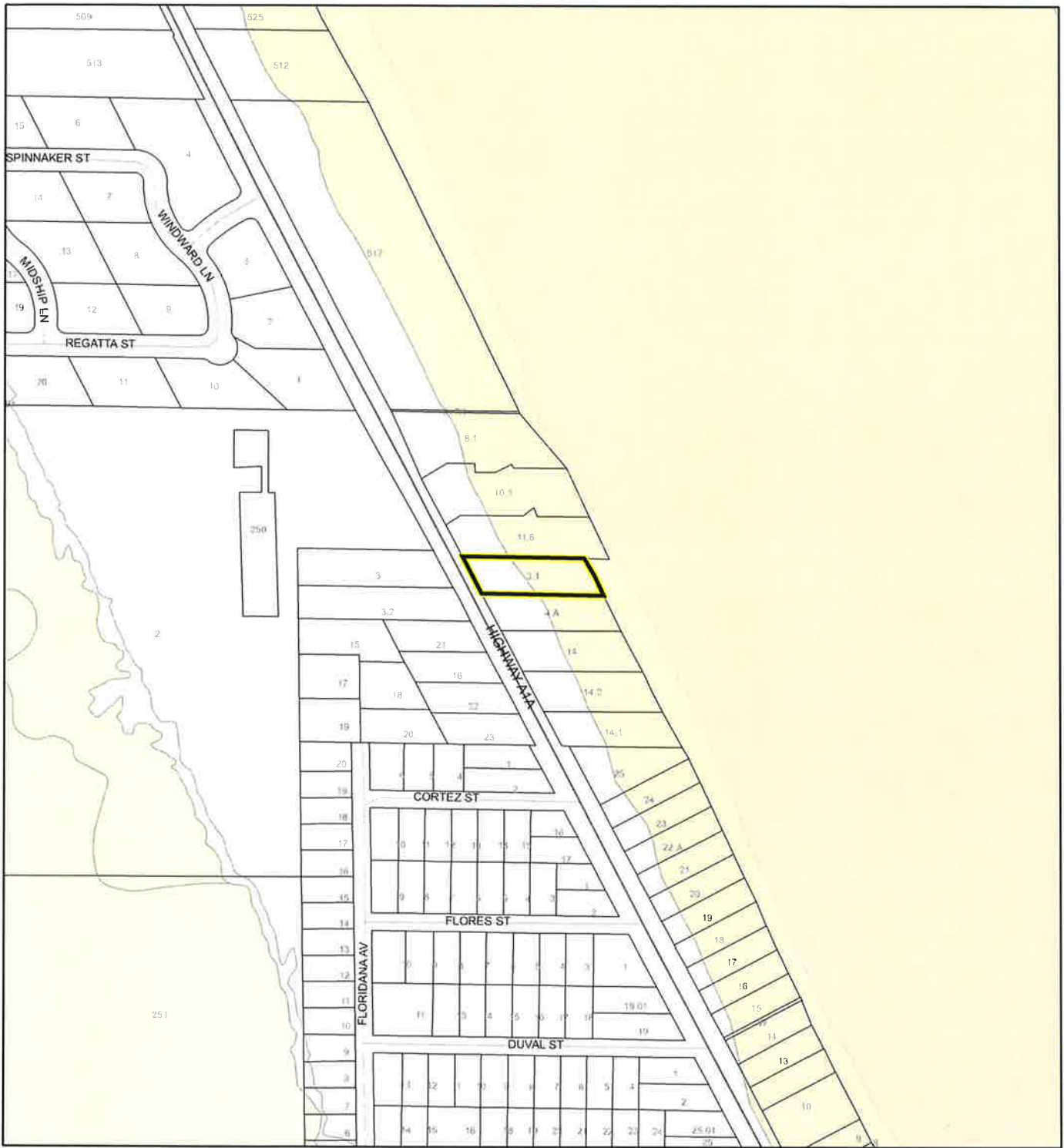
Subject Property

Parcels

# FEMA FLOOD ZONES MAP

TYTKO, Dieter

22Z00039



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: 7/21/2022

**FEMA Flood Zones**

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

# COASTAL HIGH HAZARD AREA MAP

TYTKO, Dieter

22Z00039



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: 7/21/2022

 Subject Property

 Parcels

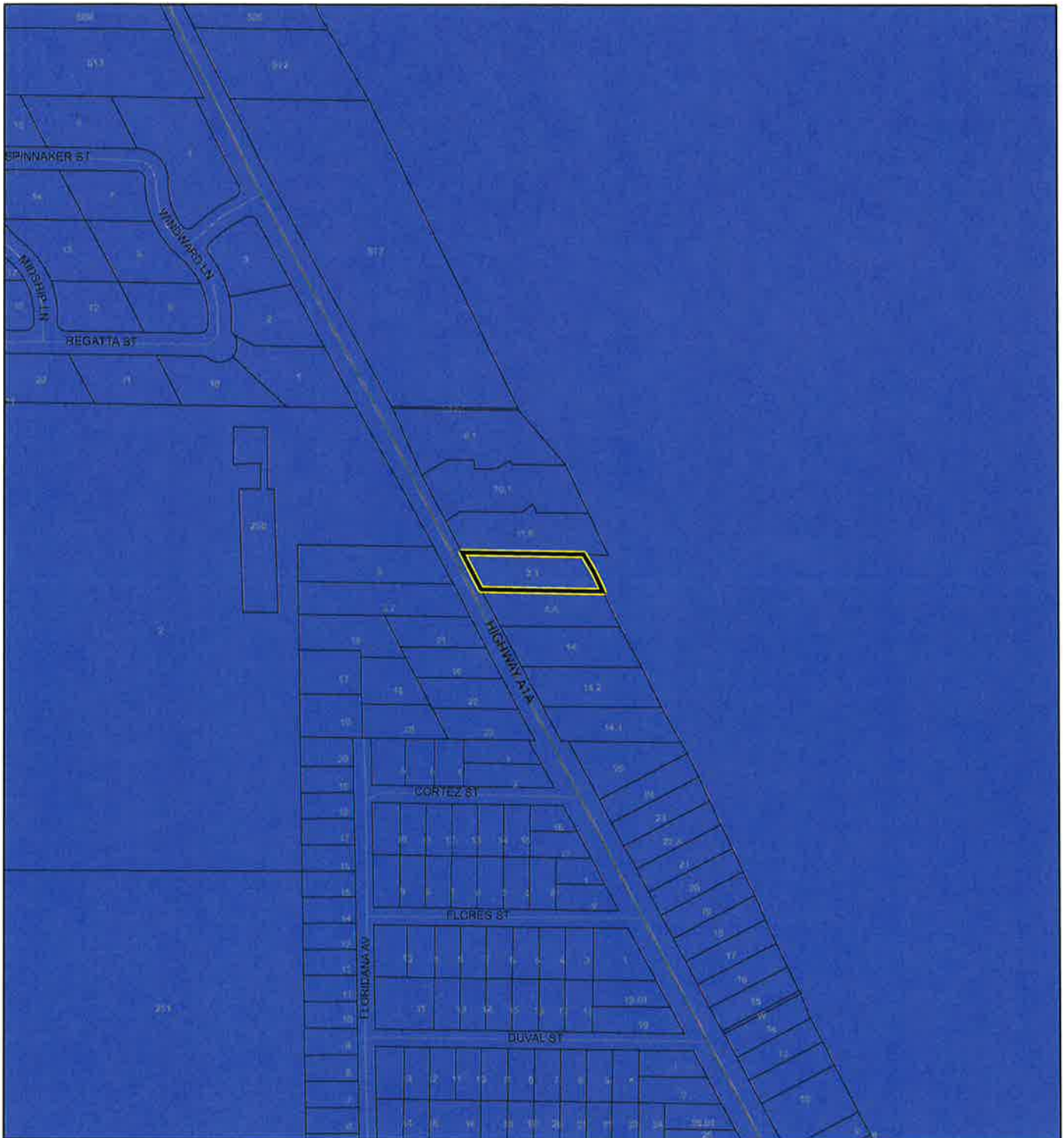
**Coastal High Hazard Area**

 SurgeZoneCat1

# INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

TYTKO, Dieter

22Z00039



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: 7/21/2022

— Subject Property

□ Parcels

**Septic Overlay**

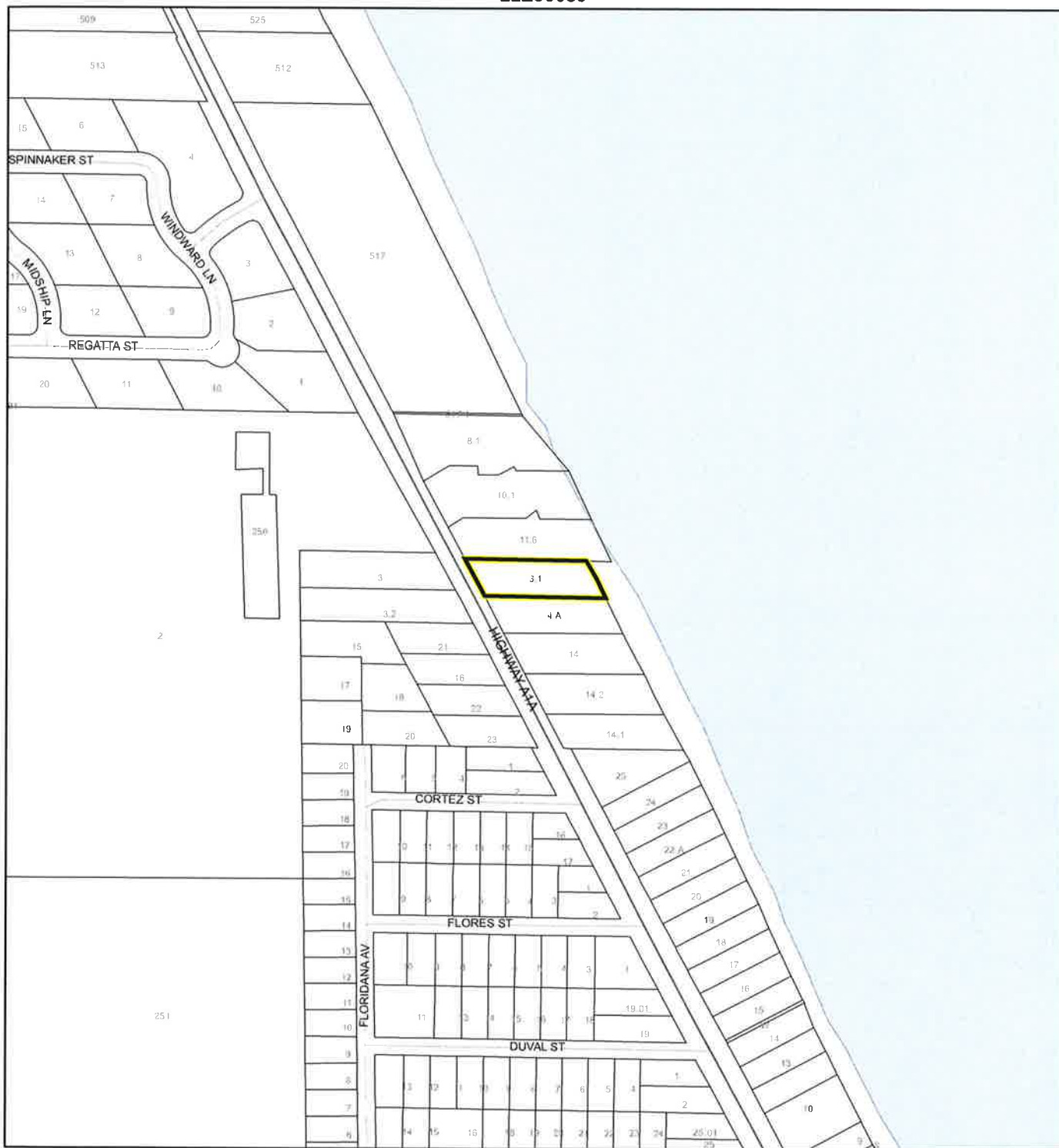
■ 40 Meters

■ 60 Meters

■ All Distances

# EAGLE NESTS MAP

TYTKO, Dieter  
22Z00039



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.

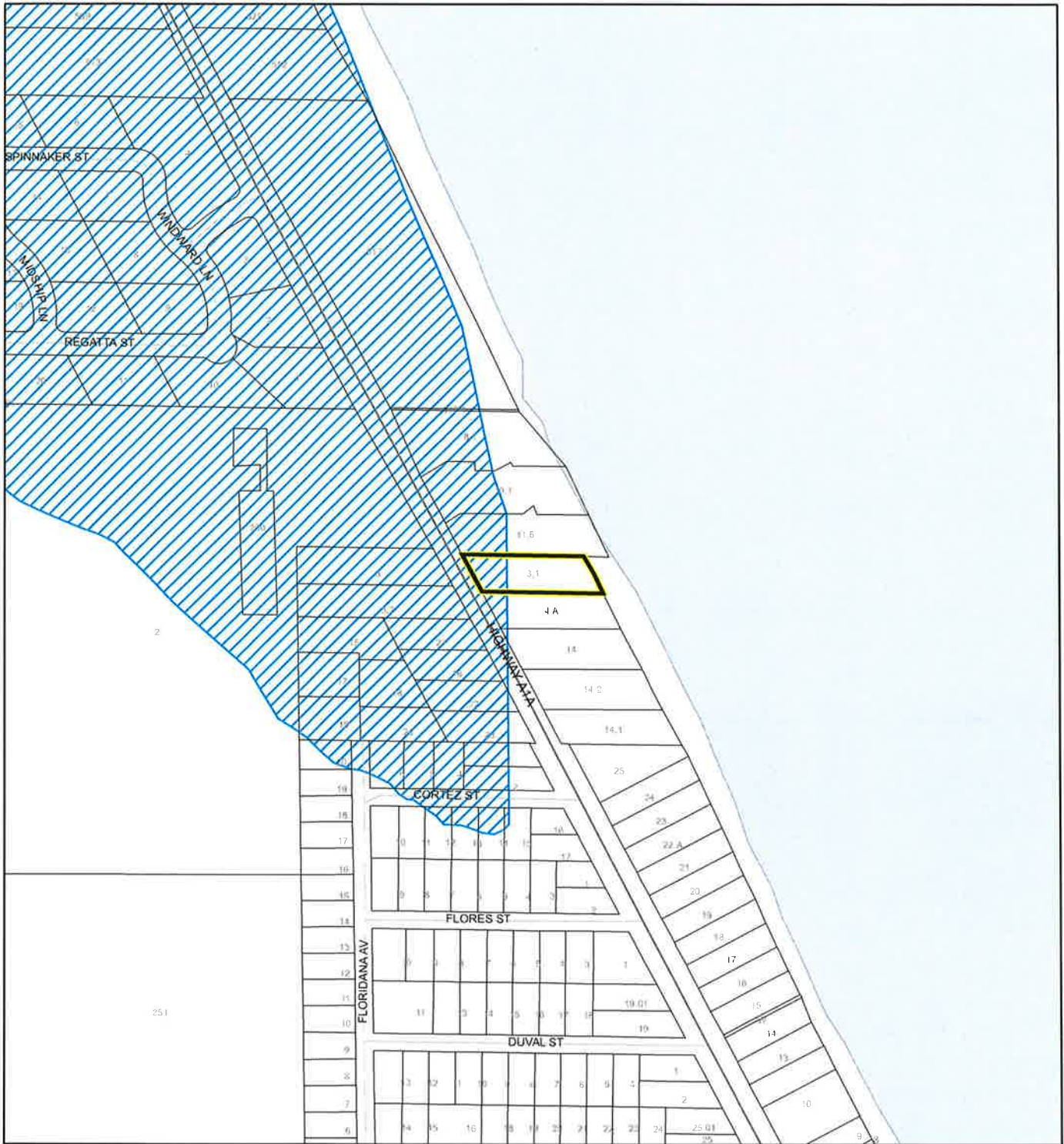
Produced by BoCC - GIS Date: 7/21/2022

-  Subject Property
-  Parcels
-  Eagle Nests FWS 2010

# SCRUB JAY OCCUPANCY MAP

TYTKO, Dieter

22Z00039



1:4,800 or 1 inch = 400 feet

 Subject Property

 Parcels

 Scrub Jay Occupancy

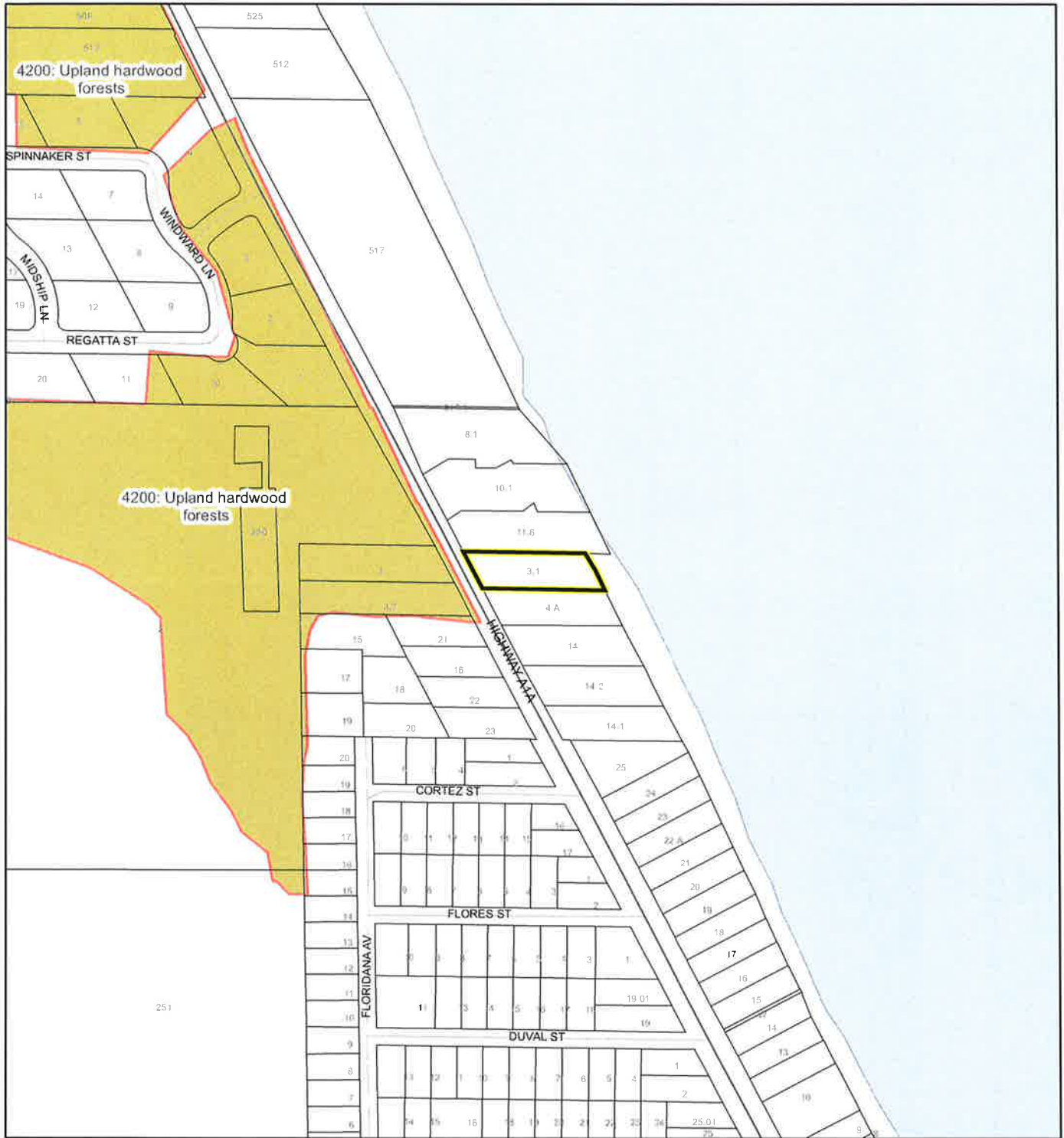
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/21/2022

# SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

TYTKO, Dieter

22Z00039



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: 7/21/2022

## 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

## NOTICE OF ADMINISTRATIVE REZONING

Pursuant to the provisions of Future Land Use Policy 10.3\*, Brevard County Comprehensive Plan, as adopted on September 8, 1988, et seq. and at the direction of the Board of County Commissioners of Brevard County, Florida, this notice is sent to you

Mariano & Nancy Stefano

as the owner designated in the record of the Property Appraiser of Brevard County of the following property(ies) or a portion thereof:

Section 23, Township 29, Range 38, Parcel 3.1

You are hereby notified of a proposed change in the zoning of the above described parcel,

CURRENT ZONING

RU-2-4

PROPOSED

RR-1\*\*

Public hearing will be held for the consideration of said proposed change in zoning classification for the aforescribed property(ies) before the Planning and Zoning Board at 3:00 P.M. on MONDAY, OCTOBER 5, 1998, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building "C", Viera, Florida.

The final public hearing will be held by the Board of County Commissioners at 5:30 P.M. on THURSDAY, OCTOBER 29, 1998, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building "C", Viera, Florida. At this public hearing the Board of County Commissioners shall have the power to change the zoning classification for the aforescribed property(ies) to the proposed land use classification indicated above or one of lower intensity consistent with the Brevard County Comprehensive Plan.

By Order of the Board of County  
Commissioners of Brevard County, Florida

By: 

Mel W. Scott, AICP, Zoning Official  
Planning & Zoning Office  
2725 Judge Fran Jamieson Way  
Viera, Florida - (407) 633-2070

\*\*The RR-1 and SEU zoning classifications are both consistent with the 1 unit per acre Residential Comprehensive Plan designation for this property(ies). The Board could designate the property(ies) RR-1 or SEU pursuant to this action and the above referenced public hearing. RR-1 is a 1 acre, single-family residential zoning classification which allows horses and requires a minimum 1,200 sq. ft. of living area. SEU is a 1 acre, single-family residential zoning classification which requires a minimum 2,000 sq. ft. of living area.

Developed properties may be entitled to apply for a Pre-Existing Use Designation which could allow you additional rights. Please contact the number above regarding Pre-Existing Use if your property is developed.

If a member of the public decides to appeal any decision made by the Brevard County Board of County Commissioners with respect to any matter considered at this meeting, a record of the proceeding will be needed, and for such purposes, such member of the public may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The needs of the hearing or visually impaired persons shall be met if the Planning and Zoning Office is contacted at least 48 hours before the public hearing by any person wishing assistance.

\* Future Land Use Element 10.3 - ".....Brevard County shall administratively rezone those properties with zoning classifications which are inconsistent with the Future Land Use and Density Area Maps....."

NOTE: The aforementioned zoning classification that is PROPOSED is consistent with the Future Land Use and Density Area Maps.



93-1(A)

RECEIVED

**LISTING OF ADDITIONAL CHANGES NOT PREVIOUSLY REVIEWED AND A STATEMENT INDICATING THE RELATIONSHIP OF THESE CHANGES TO THE DEPARTMENT OF COMMUNITY AFFAIRS "OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT".**

BUREAU OF LOCAL PLANNING / PLAN DIVISION

**Adoption Ordinance.** This is a copy of Brevard County Ordinance 93-02 which adopts the 1992B (93-1) Comprehensive Plan Amendments.

**\*Objections, Recommendations, and Comments Report.** The Department of Community Affairs "Objections, Recommendations, and Comments Report" and the Brevard County staff response is noted on Pages A1-A29 of the amendment package.

**\*92B.1** This amendment item has been updated to include information that was requested in the ORC report. The additional information includes the consistency of the proposed amendment with the current comprehensive plan goals, objectives, and policies, and consistency with the Intergovernmental Coordination Element. There has also been additional environmental information included as requested by the ORC report. The changes are on Pages 1-4 of the amendment package.

**92B.4.1** This amendment item has been changed to remove a larger area of "mixed use district" on the Future Land Use Map than proposed during the transmittal amendments. The removal of 45 acres of mixed use district land use designation has been increased to 56 acres. This change is shown on Pages 10-12 of the amendment package.

**South Beaches Future Land Use Element Directives.** The South Beaches amendments in part included residential density reductions from eight and six units per acre to two units per acre and from four units per acre to one unit per acre. The South Beaches Directives exclude nine specific properties from these residential density changes. The area that is affected by these "exceptions" totals 3.5 acres. The area that was affected by the overall residential density changes was over 4000 acres. These directives do not increase density, rather, densities were not reduced as part of this amendment process. This change is shown on Pages 39-40 of the amendment package.

**Future Land Use Element, Policy 4.3.** The wording in Criterion B of the policy was amended such that one sentence was removed: "only if it can be demonstrated additional commercial uses are necessary to meet the needs of an existing residential population, or the future needs of a projected population". The remaining portions of the policy remain as they were transmitted to the Department of Community Affairs. This change is reflected on Pages 41-42 of the amendment package.

**Future Land Use Element, Policy 4.4.** This policy amendment was withdrawn by the County as it was directly related to Item 92B.4.1. With the removal of the entire mixed use district in item 92B.4.1, this policy amendment was not necessary. This change is shown on Page 43 of the amendment package.

**\*92B.5.8** This amendment item has been updated to include information that was requested in the ORC report. The information includes the consistency of the amendment item with the comprehensive plan, additional environmental analysis, a suitability analysis, and a statement about sanitary sewer service for the subject land. The changes are on Pages 59-61 of the amendment package.

**\*92B.5.9** This amendment item has been updated to include information that was requested in the ORC report. The information includes the consistency of the amendment item with the comprehensive plan, additional environmental analysis, a suitability

RECEIVED

FEB 24 1993

BUREAU OF LOCAL PLANNING / PLAN DIVISION

## FUTURE LAND USE ELEMENT DIRECTIVE

### **Rationale:**

The South Beaches Small Area Plan Study included significant reductions in the residential density in the south beaches. However, it was recognized that in a limited number of instances the lower densities would result in significant incompatibilities based upon areas of existing higher land use densities and intensities. Compatibility with surrounding land uses is a criterion contained in Future Land Use Policy 1.6 for determining residential density designations. The following areas have been identified as areas where somewhat higher densities are preferable than the densities contained within Future Land Use Map amendments 92B4.11 and 92B4.12. In no case have densities been increased above those which were adopted on the Future Land Use Map on September, 1988. The densities contained within the directives are consistent with the surrounding character of each area, existing or programmed infrastructure, levels of service for required facilities and services, current zoning designation, and the intent of the South Beaches Small Area Plan Study.

The parcels contained referenced in the following directives are very small. A brief description of each parcel is presented below.

### **Property 1**

The parcel is 0.56 acres in size and is currently vacant. The density is remaining at the current density of six (6) dwelling units per acre due to its location between a small motel and several triplex units. Other development in the immediate vicinity include several condominiums at a density of ten (10) units per acre and a small restaurant.

### **Property 2**

The property is composed of four (4) parcels, approximately 0.6 acres each and are zoned for six (6) units per acre. Two of the parcels are vacant, and the remaining include triplex units. Development in the vicinity includes a condominium at a density of ten (10) units per acre, a small motel and restaurant.

### **Property 3**

These parcels, totaling 1.26 acre, contain two (2) triplexes currently, and are located adjacent to a high rise condominium. Immediately to the west of the property is a partially constructed high rise motel which has been grandfathered from the density reductions recommended for the remainder of the area.

### **Property 4**

The property is located between the Sterling House and Gull House III condominiums, both of which are constructed at ten (10) dwelling units per acre. This property is approximately .87 acres in size, and is vacant.

### **Property 5**

The property is approximately 0.5 acres in size and is the location of an existing triplex. The character of the area has been established by other triplex development.

## **Future Land Use Element Directives**

### South Beaches Study Area

Brevard County shall implement the recommendations of the South Beaches Small Area Plan Study through the following directives:

1. The property described as the south half of Parcel 501, Sections 33 and 34, Township 28 South, Range 38 East shall be designated within the Urbanizing residential density area, with a maximum density to be considered of six (6) dwelling units per acre.
2. The property described as Parcels 3, 4, 5, and 6, Section 34, Township 28 South, Range 38 East shall be designated within the Urbanizing residential density area, with a maximum density to be considered of six (6) dwelling units per acre.
3. The property described as Parcels 763 and 776, Sections 10 and 11, Township 29 South, Range 38 East shall be within the Urban Fringe residential density area, with a maximum density to be considered of four (4) dwelling units per acre.
4. The property described as Parcel 3.1, Section 23, Township 29 South, Range 38 East shall be within the Urban Fringe residential density area, with a maximum density to be considered of four (4) dwelling units per acre.
5. The property described as Lot 32, Block 7, New Melbourne Beach Subdivision, Section 3, Township 29 South, Range 38 East shall be within the Urbanizing residential density area, with a maximum density to be considered of six (6) dwelling units per acre.

249.92bfluea

**Recycling** - the reuse of materials and/or wastes.

**Redevelopment** - activities or projects in an area to eliminate and prevent the development or spread of slums and blight, or to provide affordable housing, whether for rent or sale, to low and moderate income households; or to generate renewed economic activity and development.

**Regional Park** - ideally, there should be a minimum of twenty (20) acres per one thousand (1,000) individuals or a minimum of one park per County wide area. The regional park is usually the largest of all parks, and typically serves an area encompassing one county or region of adjacent counties, depending on population concentrations of the counties, size, and location generally resource-oriented and designed to blend highly specialized recreational facilities with the natural environment.

**Regulatory Discharge** - discharges of water from canals in order to regulate the water level of lands within the drainage basin of the canal.

**Rehabilitation** - the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values.

**Reliever Aviation Facilities** - general aviation airports designated by the Federal Aviation Administration as alternatives to busy commercial service airports for business and cargo aircraft traffic.

**Relocation Housing** - those dwellings made available to households displaced by public programs, provided that such dwellings are sound, safe and sanitary and within the financial means of the households displaced.

**Resident** - a person who makes his/her home in a particular place, may be of permanent or temporary status and would include both existing and future residents and special populations.

**Residential Land Use Designations** - areas designated on the Future Land Use Map for use in providing housing including single-family, multi-family, and mobile home dwelling units. Residential land use designations stipulate varying density allowances which are based upon various factors, including the availability of public facilities and services, compatibility with surrounding land uses, and environmental constraints. These land use classifications are defined as follows:

**Residential 30 Directive** - a classification providing for a maximum residential density of thirty (30) dwelling units per acre, unless otherwise established by the Comprehensive Plan

**Residential 15** - a classification providing for a maximum residential density of fifteen (15) dwelling units per acre, unless otherwise established by the Comprehensive Plan.

**Residential 6** - a classification providing for a maximum residential density of six (6) dwelling units per acre, unless otherwise established by the Comprehensive Plan.

**Residential 4** - a classification providing for a maximum residential density of four (4) dwelling units per acre, unless otherwise established by the Comprehensive Plan.

**Residential 2** - a classification providing for a maximum residential density of two (2) dwelling units per acre, unless otherwise established by the Comprehensive Plan.

**Residential 1** - a classification providing for a maximum residential density of one (1) dwelling unit per acre, unless otherwise established by the Comprehensive Plan.

**Residential 1:2.5** - a classification providing for a maximum residential density of one (1) dwelling unit per two and one-half (2.5) acres, unless otherwise established by the Comprehensive Plan.

**Resource Recovery** - the process of obtaining materials or energy from wastes; recycling.

**Retention (surface water)** -- a drainage technique that retards or detains runoff or discharge to enhance groundwater recharge and reduce erosion and surface water pollution, such as a retention basin, parking lot storage, porous pavement, dry well, or any combination thereof.

**Reverter Clause** - a clause in a deed which stipulates that unless certain conditions are followed, ownership of the property involved will return to the conveyor or to a designated third party.

**Rights of Boaters, Fishermen, and Waterskiers (as they apply under 370.12(2)(j-k), F.S.)** means that boaters, fisherpersons and waterskiers have the right to use the waters of the State of Florida for recreational or commercial purposes in a manner consistent with all applicable federal, state and local laws and regulations. Such laws and regulations include, but are not limited to, those governing the operation and safety of vessels on the water to promote public safety, environmental/natural resource protection, and/or responsible use of the waters of the State.

**Riverine Floodplain** - the area susceptible to being inundated by waters from the St. Johns River, freshwater Lakes, and freshwater tributaries to the Indian River Lagoon System from a given storm event.

**Roadway Network** - the vehicular and pedestrian traffic circulation system including roads, bicycle paths and lanes, sidewalks, and traffic control devices.

## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, September 12, 2022**, 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: Board members present were: Henry Minneboo (D1); Ron Bartcher (D1); Brian Rodgers (D2); Robert Sullivan (D2); Lorraine Koss (Alt. D2); Ben Glover, Vice Chair (D3); Mark Wadsworth, Chair (D4); Logan Luse (Alt. D4); Bruce Moia (D5); Peter Filiberto (D5); and John Hopengarten (BPS). *Per Section 62-183(2), the District 2 Alternate member was not eligible to vote.*

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Melissa Wilbrandt, Associate Planner; Jane Hart, Planner III; Alex Esseesse, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

### Excerpt of Complete Agenda

#### **Dieter Tytko** (Kim Rezanka)

A change of zoning classification from RR-1 (Rural Residential) to RU-2-4 (Low Density Multi-Family Residential). The property is 1.01 acres) Located on the east side of Highway A1A, approx. 700 ft. north of Cortez St. (6345 Highway A1A, Melbourne Beach) (22Z00039) (Tax Account 2955625) (District 3)

Kim Rezanka, Lacey Lyons Rezanka, 1290 U.S. Highway 1, Rockledge, stated there are a number of rumors going around about the subject property, and she would like to clear them up. She said the request is not for 10 units, the property is only one acre in size and the most number of units it will hold is four, or maybe three. The property was administratively rezoned to RR-1 in 1998, but if the County Commission wanted to change it to one unit per acre, the Future Land Use would have been changed at the same time, and it was not. She stated Sterling House condominiums are to the north, which are 37 condos zoned RU-2-10, and Gull House condominium on the south side has 11 units and is also RU-2-10. The requested zoning of RU-2-4 is consistent with the Future Land Use of Residential 4, and is also consistent with the existing condos to the north and south. The sale price of the proposed units will be in the millions and will enhance the property values of Sterling House and Gull House, and the proposed units will be approximately 3,500 to 4,000 square feet. She stated another rumor is that the subject property is in the coastal high hazard area, but it is not. There is also a rumor that the proposed use will bring high traffic, but a four-unit townhouse will only bring seven trips per unit, for 28 maximum trips per day, which is not a lot of traffic. The property has remained vacant because it is not realistic to build without being able to have more than one unit, especially when it has a Residential 4 Directive land use. She said a statement that has been made repeatedly by residents in the area is that the request would violate the coastal management element of the Comprehensive Plan, but that is not true. The coastal management element does say that Brevard County shall increase residential density designations, but when you look at the glossary of the Comprehensive Plan it defines a residential land use designation as, 'designations that stipulate varying density allowances', and the request is not to change the Future Land Use of RES 4, it is only to change the zoning. She said she has confirmed with Environmental Health that high performance septic tanks can be used on the property, and they will also have to have well water, or find some way to bring water. She stated there are several residents in Gull House that are worried about views, but that is not a rezoning issue. A public comment letter was submitted by Jennifer Ognibene, who is a Gull House resident and she is worried about breezeway, height, setbacks, an increase in density, floodplain, land clearing, septic tanks, tree preservation, gopher tortoises, climate change, and blocked views. The only concern of hers that is of any relation to the zoning matter is an increase in

residential density, her other concerns are site plan issues, which will all be addressed during site plan and will be engineered to meet County codes. She stated some residents in the area are worried about 'creep', that if the zoning is changed for the subject property it will creep up and down the barrier island, but the property is between two condominiums and is not creeping anywhere. The request is consistent and compatible with what is there, and it is consistent and compatible with the comprehensive plan.

Bruce Moia asked for clarification on the water and sewer availability.

Clayton Bennett, Bennett Engineering and Consulting, stated the subject property is in an area that is serviced by the South Brevard Water Co-op and they have indicated that an 8-inch water main is available on the west side of A1A and they have provided a cost estimate to extend water service to the site to provide potable water. Sewer would be served by the nitrogen reducing septic tanks.

Mr. Moia stated the actual number of units that can go on the property depends on if that connection can be made. Mr. Bennett stated water is available and they are working to make that connection.

Ron Bartcher asked if there will be multiple septic tanks and drainfields, or if there will be a common tank. Mr. Bennett replied it could be designed either way. Mr. Bartcher asked if it would be preferable to have single tank. Mr. Bennett replied there will be an association, so the association can be over the one system with common maintenance, or it can be done individually.

Robert Sullivan asked if the applicant is willing to do a development plan that says the zoning will revert to RR-1 if the site cannot get water. Ms. Rezanka replied that has not been discussed with her client, but they will be limited by whatever they're allowed to do. She said at this point they believe they can have water and sewer and could have three or four units.

Henry Minneboo asked if the property is exactly one acre. Ms. Rezanka replied, the contract says it is exactly one acre, but the title company has been looking at the FDOT (Florida Department of Transportation) right-of-way that has been an issue, and that is why it may be three units instead of four. When they come in for site plan they will have to certify that they own one acre and it's not subject to right-of-way.

Public comment:

James McGrath, 6400 S. A1A, Melbourne Beach, stated he lives across the street from the subject property. He said but when he discussed water with the South Beach Water District for his house they told him they were maxed out, and he could not get water. He noted the water line runs on the west side of A1A, not on the east side. He stated there has not been an appraisal done to find out what's going to happen to the property values to the homes to the south. There are no multi-family homes south of the condominiums, they are one-acre, one-family homes. He said he would like to know the number of families that will be on the property.

Howard Kendall, 6309 S. A1A, Unit 353, stated he abuts the subject property to the south. He said he, along with many others in Sterling House, purchased their homes over the years at above market value with the understanding that the vacant subject property is zoned for a single-family home. Now the owner is asking to rezone to RU-2-4 with two to four units. If approved, it will negatively affect the value of the Sterling House residents and negatively impact their lives. He said the level of noise will be increased, as well as the level of pollution from automobiles, and depending on the type of septic

system installed, the air pollution could increase. He said the southeast views enjoyed from the Gull House residences will be substantially diminished and potentially eliminated, and that will substantially reduce the value of those condominiums. He said he requests that the Planning and Zoning Board maintain RR-1 zoning for the subject property.

Mel Scott, 6415 S. A1A, Melbourne Beach, stated he lives a couple of parcels to the south of the subject property. He said he would like to be established as a subject matter expert; he began his employment with the County in 1993 when the Comprehensive Plan Amendments began; and he also signed the zoning resolution as the Zoning Official in 1998 when the subject property was administratively rezoned to RR-1. He stated in 1998, the subject property was listed as .87 acres, and in the application today it is listed 1.01 acres. He said he doesn't know if an applicant can go through a zoning application and actually receive an increase in the bundle of rights on a piece of property without exactly knowing what the acreage is, and he recommends tabling the request until that is cleared up, because it is very consequential. He stated Ms. Rezanka said her client is limited by what they can do, but what they can do is RR-1, and the market has recognized this property as being RR-1 since 1998, and since then the market has reacted to the tremendous creation of sense of place in the South Beaches that started in the '90's and persists today. He noted recently a house two miles north of Sebastian Inlet broke the record for sale price, so value in the South Beaches is reacting to single-family, and most of Florida beach to the south of the subject property is single-family residential. The Sterling House and Gull House were the poster children for reducing density in the '90's because the area was going to be condo and multi-family all the way down to the inlet, but the amendments in the comp plan prevented that. He said the board is not obligated under the law to grant maximum density permitted conceptually by the Comprehensive Plan. He asked the board to consider compatibility and trends.

Mr. Moia asked if a certified boundary survey was submitted. Ms. Rezanka replied yes, and it is certified for one acre. She said the seller has a title policy for one acre, and the seller is selling it at one acre to the contract purchaser. FDOT has said they have not maintained it or taken it, but the title company is still excluding it, so she's trying to get the title company to figure out what it's going to do. She said an attorney is going to have to tell the County that the developer owns the one acre.

Mr. Moia asked if the boundary survey was done with the benefit of a title report. Kim Rezanka replied yes. Mr. Moia asked if the title report excludes what may or may not be a right-of-way taking by the DOT. Ms. Rezanka replied it excludes anything not of record, 'including but not limited to'. Mr. Moia asked if it could have been a potential dedication that never happened. Ms. Rezanka replied yes, it's not being used as right-of-way and it's not been maintained as right-of-way. It may be an easement that has never been taken and is still in the ownership of Dieter Tytko. If it is subject to a taking by FDOT, it likely would not be in the site plan.

Ms. Rezanka stated regarding Mr. McGrath's comments, the proposed zoning is RU-2-4 and Section 62-1371 of the zoning code is very clear that four houses could be built on one acre, or three houses on .87 acres. She said it will be a maximum of four homes and four families. She stated Mr. Kendall lives in Sterling House which is a 37-unit condo in three phases; Gull House is 11 units, and they both have RU-2-10 zoning. Regarding the noise and air pollution, there are specific performance standards for both construction and for the owners of the condo villas. She said she doesn't know why the Future Land Use wasn't changed when it was rezoned, but she suspects it's because of the condos on each side. The owner is selling one acre, the survey has been done at one acre, and that is what has been submitted, because that's what the surveyor has stated. She stated the board is not



obligated to permit, but it is certainly consistent and compatible with the condominiums on both sides at RU-2-10, and the requested RU-2-4 is less dense.

Mr. Hopengarten asked the anticipated height of the buildings. Ms. Rezanka replied up to 35 feet. Mr. Hopengarten asked the height of the condos next door. Ms. Rezanka replied she believes they are three floors over parking, which is allowable with the way height is calculated.

Mr. Moia stated he doesn't know when those condos were built, but the coastal control line has been moved. There was a 1988 line and now there is a new line that he thinks is west of A1A, so he thinks the proposed project would be subject to a lot more requirements for setbacks than the existing buildings would have been to the north and south, so the views will probably not be an issue when they have to meet the State's requirements in addition to the County's coastal setback.

Peter Filiberto stated regarding the traffic, the request meets the traffic concurrency data, the increase is only .03 percent. For school concurrency, it is below the threshold. He asked if the units will be rentals. Ms. Rezanka replied no, they will not.

Mr. Filiberto stated there is multi-family to the north and to the south, and usually he has the same concerns as the neighbors when it comes to creep or urban sprawl, but with two multi-family buildings next to this vacant lot, he sees it as consistent and compatible.

Motion by Peter Filiberto, seconded by Ben Glover for discussion, to recommend approval of the change of zoning classification from RR-1 to RU-2-4.

Robert Sullivan stated barrier islands are particularly vulnerable to evacuation, and increased density is directly proportional to how many people can get out. He said it's not just about septic tanks or the water supply, which is pretty much maxed out, a lot has to do with the evacuation capabilities, the roadways, and other congestions, and he would like the board to consider those things.

Ben Glover stated he agrees with Mr. Filiberto that the subject property is a sliver of land between two multi-family units, and he understands it is zoned for a single-family home, but no one would want to build a single-family house there because it would be between two multi-family units.

Motion by Peter Filiberto, seconded by Ben Glover, to recommend approval of the change of zoning classification from RR-1 to RU-2-4. The motion passed 7:3, with Henry Minneboo, Bruce Moia, and Robert Sullivan voting nay.

September 1, 2022

Paul Moran

6340 S Highway A1a

Melbourne Beach, FL 32951

To: Brevard County Zoning Board

Subject: Zoning Change request 22Z00039, RR-1 to RU-2-4

My wife Cynthia and I are owners of 2 parcels ID 29-38-23-00-3.2 and 29-38-23-00-3 (tax ID 2955626, 2955624) approximately 2 acres combined, zoned single family, located directly west from subject parcel requesting zoning reclassification in file 22Z00039. We request zoning reclassification 22Z00039 be denied due to following reasons:

- This subject parcel acts as a buffer to the condominiums developed on parcels abutting to north and south on the east side of A1a. Both condominium developments were developed between 1980 and 1986, maximum density under zoning codes. Granting additional zoning density to this subject parcel will only add to congestion and safety concerns on Highway A1a. While FL Dot indicates that A1a has an average vehicle load at about 20% max capacity (24 hrs.) the fact remains, A1a in the South Beaches has experienced numerous accidents and traffic fatalities in the last year. I have personally witnessed, many times vehicles pulling into the abutting condominium complexes from A1a stop the A1a traffic flow, impatient driver's pass using the multipurpose pathway on the west side of A1a, creating a dangerous situation. Presently, FL DOT is evaluating improved ways to manage traffic flows on traffic A1a but is uncommitted on a solution.
- The average residential parcel in the immediate area is .95 acres. Granting the request of 22Z00039 to RU-2-4 would increase the density of this parcel to be 4 times greater as compared to other immediate residential area parcels, a much broader sample of lots the east side of A1a as the average is more in the .68 acres per residential lot which is 2.5 times density. Excluding existing condo developments. There is no need to grant the zoning density to 4 units per acre as requested, as there are several of other residential lots available in the immediate area for sale.
- In 1998 this parcel was rezoned from RU-2-4 to RR-1, the development over the last 25 years in the South Beaches area has been exponential which questions the impact of rezoning to RU-2-4. Coastal Management Element Policy 7.1 "States Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet." Increasing the density of the subject property would be in direct conflict with Coastal Management Policy.
- The current owner purchased subject parcel as a RR-1 zoned lot, 10 years ago and now wants a rezone as the property has a pending sales contract on it for the last 6 months. Why would the present owner want to rezone if he has a sales contract on the property?
- My wife and I enjoy being Brevard County residents since 2013, purchased this property 9 years ago and our house in 2016, a gated single family 5100 ft<sup>2</sup> house on 2 acres, with residential parcels in the immediate area all zoned single family. Granting rezoning of abutting lots to

increase density has the potential of a greater 5% negative impact on market value of our property.

- While each rezoning request is handled on an individual merit basis granting the zoning density of this request will only set precedence for other developers to follow suit on properties in the immediate area further adding to the over development. Specifically parcel id 29-38-23-00-14.2 and 29-38-23-00-14 (tax ids 2959157 and 2961222) which are single family 1+acre lots located within 300ft to the south of subject parcel on the east side of A1a, presently owned by out of county developers.

My wife and I, fully support the development of the subject parcel at the current RR-1, as the current owner purchased the parcel several years ago as single family residential, now has a sale contract on it as it was marketed as a potential RU-2-4.

Regards,

Paul and Cynthia Moran

Email: 6340pem@gmail.com

Phone: 6076433052

## Property Details

Attention OCEANFRONT Lovers! Beautifully located parcel over 1 acre. Zoned RR-1 perfect for your beachside single-family home (no HOA). But this lot has more to offer re-zoning up to 4 units per acre (RU-2-4) according to Melbourne building & zoning dept. upon request/application. Please reconfirm during buyers' due diligence. Super close to great surf break, awesome fishing, and wide sandy unpopulated beach. Natural Wildlife Refuge just minutes away. Great schools, close to shopping and restaurants. Quiet laid-back community just north of Vero Beach in a natural setting only a 20 min. drive to Melbourne International Airport and 1.5-hour drive to Orlando! Directions: East over New Haven 192 Bridge, Right on A1A, Left on Ocean Ave, slight Right to A1A, approx. 8.75 miles to Gullhouse Condos. The parcel is nestled between Gull House and Sterling House condominiums.



**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Community Opposition to increased density/re-zoning on South Beaches: Notice # 22Z00039  
**Date:** Friday, September 9, 2022 9:26:23 AM

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FYI

**From:** sea <seabomds@aol.com>  
**Sent:** Thursday, September 8, 2022 3:43 PM  
**To:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Cc:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>  
**Subject:** Community Opposition to increased density/re-zoning on South Beaches: Notice # 22Z00039

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

Dear Commissioners,

This is about the **first** re-zoning request on the south beaches that we have seen in many, many years.  
Subject: Increasing RR-1 zoning to a RU-2-4 zoning (22Z00039).  
Location: 6345 S. A1A

Public Zoning Hearing: **Monday , Sept. 12<sup>th</sup> at 3 pm**

**FINAL** Commission Meeting: **Thursday Oct. 6<sup>th</sup> at 5 pm**

We at BIPPA believe this is a bad idea, not to mention, just **bad precedence** that needs to be stopped so other development requests do not follow. The attorney or owner will most likely say it should be approved because multi-family is already adjacent. Using that logic, this up-zoning will creep up and down the entire island and eventually engulf every home, destroying the fabric of neighborhoods and families that have lived peacefully for generations.

**There is no hardship as the adjacent multi-family property the applicant will mention was there for years before the current owner bought the property in 2012.**

**He was well aware of the restriction of RR-1 zoning when he purchased, which should immediately disqualify him as having a hardship.**

Further, there is already too much density in the south beaches for evacuations, flooding, natural habitat, day-to-day traffic, infrastructure and preservation of Sea Turtle nesting.

#### **WE DO NOT NEED MORE DENSITY**

Satellite Beach began with small up-zoning like this and now look what they have. Quite a mess!  
Miami Beach started with small up-zoning like this and were soon at 125 units per acre! Crazy!

This will aggravate our residents by disrupting the current balance of population and natural habitat and wildlife.

Lets not have another "vacation rental" scenario if we can help it.

Please express these concerns to whomever you think is necessary. If you have any questions, feel free to call me anytime at 321-733-6123.

Thank You,

Mark Shantzis, President

Barrier Island Preservation and Protection Association (BIPPA)

"Leading Efforts To Preserve The Balance of Population Growth, Wildlife and Habitat on the Barrier Islands for over 40 Years"

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning  
**Date:** Friday, September 9, 2022 2:01:52 PM

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FYI

**From:** R Cobb <captcobb@sprynet.com>  
**Sent:** Friday, September 9, 2022 1:54 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>  
**Subject:** Fwd: Rezoning

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

Dear Mr. Calkins,

After speaking with several neighbors, I am asking that you maintain the county's density plan for the South Beaches and prevent raising RR-1 zonings to RU-2-4 for all properties located between Melbourne Beach and the Sebastian Inlet.

Resources, infrastructure and evacuation routing are limited in this area. We have witnessed the impact to these essentials over the years from the expected growth in this area. Allowing the rezoning of RR-1 properties will create unplanned growth that will lead to increased issues and costs for the county as well as impacting the safety of its residents.

I ask that you retain the county's comp plan and prevent the rezoning of RR-1 properties between Melbourne Beach and the Sebastian Inlet.

Thank you and best regards,

Ronald Cobb  
450 Ross Ave  
Melbourne Beach

**From:** [Commissioner, D4](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Alward, Keith A](#)  
**Subject:** Fwd: Rezoning 22Z00039  
**Date:** Saturday, September 10, 2022 3:56:59 PM

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Jennifer,

Came across this weekend ( sat) when checking emails, just sending along to you. With them being “ new” I think they meant to notify the P & Z Board (meeting) so fyi, I didn’t respond just passing your way and Keith can keep a copy for Commissioner.

*Christine*

Begin forwarded message:

**From:** m7beard@gmail.com  
**Date:** September 10, 2022 at 11:59:14 AM EDT  
**To:** "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>  
**Subject: Rezoning 22Z00039**

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

Hello

We are a new resident to brevard county since march 2022. And currently live next door to this empty lot at the Gullhouse. Obviously we are completely against the rezoning. One of the things that drew us and many people to the Melbourne beach area is the secluded woodsy feel. Unlike the cocoa beach or other areas north. Its less of a touristy place and more of a “home”. Also if a rezoning is allowed the size of the building will directly affect our gorgeous view of the ocean. Also there could be a possibility of change in habitat of the sea turtles. I am not sure what else to do regarding the rezoning. But we do not agree with it. If This rezoning is allowed the whole area will become over populated and touristy when all the other lots request a rezoning.

I would appreciate it if my letter could be considered during the rezoning hearing on monday.

Thank you

Mark Beardsley and jennifer ognibene  
6355 s hwy 1a  
Melbourne beach florida

Sent from my iPhone



**From:** [Hart, Jane](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezone 22Z00039  
**Date:** Monday, September 12, 2022 7:43:04 AM

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Jane Hart, M.S., Planner III  
Brevard County Planning & Development  
Phone: 321-633-2070 ext. 58270  
Direct line: 321-350-8270

This office can only provide zoning and comprehensive plan information. You may wish to contact other County agencies to fully determine the development potential of this property. This letter does not establish a right to develop or redevelop the property and does not constitute a waiver to any other applicable land development regulations. At the time of development, this property will be subject to all such regulations. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Brevard County is currently in the process of implementing changes to increase the accessibility of information and documents on its website. If you require assistance to better access this document or information contained therein, please contact Brevard County's A.D.A Coordinator by phone at 321-637-5347, or by email at [ADACompliance@brevardfl.gov](mailto:ADACompliance@brevardfl.gov)

**From:** Jennifer Ognibene <jencatando22@yahoo.com>  
**Sent:** Saturday, September 10, 2022 9:16 PM  
**To:** Hart, Jane <Jane.Hart@brevardfl.gov>  
**Cc:** m7beard@gmail.com  
**Subject:** Rezone 22Z00039

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

Hi Jane,  
Please include my well prepared questions regarding rezone 22z00039. I live at 6355 A1A S Hwy Melbourne Beach Florida 32951.

If I am able to watch the rezoning meeting virtually please provide me with the information/ link on how to do so.

Thank you for your attention on this very important matter.

Best,  
Jennifer Ognibene

Sent from Yahoo Mail for iPhone

9-8-22

Dear Rezoning Board,

Thank you for the opportunity to voice our concerns regarding the land at

We are currently residing in the adjacent building that was built in 1986. Most of the residents in the unincorporated Brevard County on our stretch of AI A S. Hwy are single family homes. The area has a more rural feel because of the single family homes without sky rise or multi-unity per gross acre. The serenity of the area will be compromised with the expansion away from single family units

(1) Breezeway / visual corridor: All riverfront and oceanfront properties are subject to breezeway / visual corridor regulations enumerated in section 62-2105  
What are the regulations?

(2) What are the structural height standards?

(3) If re-zoned what is the distance between the building and the lot line

(4) In Sec. 62-2105, No building, structures, berms or solid fences or any combination thereof, more than four feet in height shall be permitted in the breezeway/visual corridor.

(5) In Sec. 62-4210 Coastal setback line established so please explain the coastal setback line of 25 feet west by perpendicular measurement from a line previously described by or in Brevard county survey book 2A pages 15-28 and delineated on the county Coastal setback line map. Are setbacks 25 feet west based on a building that was built adjacent to the lot that was built in 1986?

(6) Natural Resources Management Zoning Review + Summary item # 22200039 Rezoning from a RRI- to RU2-4 would dramatically increase residential density designated for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet as in the Coastal Management Element of the Comprehensive Plan Policy 7.1 Coastal Residential Densities.

⑦ How will a RU 2-4 rezoning impact the coastal management, flood plain, Indian River Lagoon nitrogen reduction septic overlay, protected + specimen trees and protected species such as logger head, green + leatherback turtles?

⑧ Did the applicant contact NRM at 321-633-2016 prior to any land clearing? There is already significant land clearing that occurred in the last few months. This is in accordance with the Coastal Management Element of Comprehensive Plan, Policy 7.1 Coastal Residential Densities

⑨ Flood plain Will the applicant adhere to the development criteria in Conservation Element Objective 4 its subsequent policies + Flood plain ordinance?

⑩ Will applicant provide at least 65% total nitrogen reduction through multi stage treatment processes since this is required?

(11) Will the applicant adhere to requirements for tree preservation + canopy coverage requirements?  
A significant amount of land has already been cleared.

(12) Has the applicant contacted the Florida Fish + Wildlife Conservation Commission at 561-882-5714 or 561-365-5696 with necessary permits or clearance letters for Gopher tortoises?  
I have personally witnessed several gopher tortoises on the property.

(13) Climate change and its impact on the Florida coast can significantly increase sea levels jeopardizing residence built along the Melbourne beach coastline. NASA study projects surge in coastal flooding starting in the 2030's due to climate change (NASA July 8, 2021 article in the Space Coast daily.com). Brevard County, FL by the mid 2030's will experience rapidly increasing high tide floods + lunar cycle will amplify rising sea levels caused by climate change. This will put homes, sea life at risk.

(14) How will adding a R<sub>U</sub> 2-4  
adversely affect the adjacent  
homes that may have blocked  
views, added noise + loss of habitation  
from substantially increasing the  
dwelling size?

**From:** [Calkins, Tad](#)  
**To:** [Miss Jantzer](#)  
**Subject:** FW: Please Oppose A Zoning Change To 6345 S Hwy A1A, Melbourne Beach  
**Date:** Monday, September 12, 2022 8:10:51 AM

FYI

**From:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Sent:** Monday, September 12, 2022 7:34 AM  
**To:** [dccapemay@aol.com](mailto:dccapemay@aol.com)  
**Cc:** Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
**Subject:** RE: Please Oppose A Zoning Change To 6345 S Hwy A1A, Melbourne Beach

Ms. Conway,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** [dccapemay@aol.com](mailto:dccapemay@aol.com) <[dccapemay@aol.com](mailto:dccapemay@aol.com)>  
**Sent:** Monday, September 12, 2022 6:47 AM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** Please Oppose A Zoning Change To 6345 S Hwy A1A, Melbourne Beach

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

Dear Darcie McGee,



I am writing to ask that you please oppose the request for a zoning change to the property at 6345 S. HWY A1A, Melbourne Beach, FL 32951.



The zoning request is scheduled to be heard at the Planning and Zoning Meeting today, Monday, September 12, 2022.

The property at 6345 Hwy A1A is currently zoned RR-1 for Single Family Residential Oceanfront. The request is to up-zone the vacant lot from RR-1, Single Family to RU-2-4, Multi-family. A zoning change would increase the density against a mandate by FEMA.

It is without question that this property is in a Coastal High Hazard Zone. Evacuation is difficult due to the inadequate two lane Hwy and the great distance between the Causeways. This section of A1A is a two lane Hwy with no parallel roads, no shoulder and no turn lanes. The Level Of Service grade from the Dept of Transportation is a 'D'. A grade of 'D' means there is limited ability for drivers to maneuver. Traffic is unable to absorb accidents, disruptions or even minor incidents. Pulling off the road for an Ambulance is even challenging and dangerous. When there is a fatality on A1A and A1A is closed for hours, it is necessary to drive back over the 192 Causeway South to Vero Beach and come back by way of the Wabasso Bridge. A zoning change would not be in the interest of the public safety and welfare.

To address Evacuation and reduce density, FEMA down-zoned the lots to R-1 in the area of South Melbourne Beach from Crystal Lakes to the Sebastian Inlet. Besides the issue of distance to the Causeways there are no Public Utilities. Public water and sewer hookups are not available and none are planned.

The Owner/Developer is using the character of the adjacent properties as a reason for you to grant a change in zoning for the subject property. However, the adjacent properties have been Grandfathered in, granted an exception since they were built way before FEMA guidelines.

The subject property has not been built out so it must comply with the RR-1 zoning and density. The current and future land use for the area are Single Family Residential Homes. That is the character of the area.

Thank you for reading my letter and considering my request to vote no on changing the zoning.

Respectfully,

Dolores Conway  
123 Cardinal Dr  
Melbourne Bch, FL 32951

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Please Oppose The Zoning Change To 6345 S. Hwy A1A Melbourne Beach  
**Date:** Monday, September 12, 2022 8:11:58 AM

---

FYI

**From:** dccapemay@aol.com <dccapemay@aol.com>  
**Sent:** Monday, September 12, 2022 6:43 AM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>  
**Subject:** Please Oppose The Zoning Change To 6345 S. Hwy A1A Melbourne Beach

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

Dear Tad Calkins,

I am writing to ask that you please oppose the request for a zoning change to the property at 6345 S. HWY A1A, Melbourne Beach, FL 32951. The zoning request is scheduled to be heard at the Planning and Zoning Meeting today, Monday, September 12, 2022.

The property at 6345 Hwy A1A is currently zoned RR-1 for Single Family Residential Oceanfront. The request is to up-zone the vacant lot from RR-1, Single Family to RU-2-4, Multi- family. A zoning change would ncrease the density against a mandate by FEMA.

It is without question that this property is in a Coastal High Hazard Zone. Evacuation is difficult due to the inadequate two lane Hwy and the great distance between the Causeways. This section of A1A is a two lane Hwy with no parallel roads, no shoulder and no turn lanes. The Level Of Service grade from the Dept of Transportation is a 'D'. A grade of 'D' means there is limited ability for drivers to maneuver. Traffic is unable to absorb accidents, disruptions or even minor incidents. Pulling off the road for an Ambulance is even challenging and dangerous. When there is a fatality on A1A and A1A is closed for hours, it is necessary to drive back over the 192 Causeway South to Vero Beach and come back by way of the Wabasso Bridge. A zoning change would not be in the interest of the public safety and welfare.

To address Evacuation and reduce density, FEMA down-zoned the lots to R-1 in the area of South Melbourne Beach from Crystal Lakes to the Sebastian Inlet. Besides

**the issue of distance to the Causeways there are no Public Utilities. Public water and sewer hookups are not available and none are planned.**

The Owner/Developer is using the character of the adjacent properties as a reason for you to grant a change in zoning for the subject property. However, the adjacent properties have been Grandfathered in, granted an exception since they were built way before FEMA guidelines.

The subject property has not been built out so it must comply with the RR-1 zoning and density. The current and future land use for the area are Single Family Residential Homes. That is the character of the area.

Thank you for reading my letter and considering my request to vote no on changing the zoning.

Respectfully,

Dolores Conway  
123 Cardinal Dr  
Melbourne Bch, FL 32951

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: 6345 Highway A1A Melbourne Beach Zoning Change  
**Date:** Monday, September 12, 2022 8:12:25 AM

---

FYI

**From:** Bob Riley <riley@mangrove.org>  
**Sent:** Sunday, September 11, 2022 7:24 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>  
**Subject:** 6345 Highway A1A Melbourne Beach Zoning Change

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

Good day,

As a long-time South Beaches resident, I oppose the zoning change & increase in density proposed for 6345 Highway A1A Melbourne Beach 32951.

The proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district. This change does not comply with the Brevard County Comprehensive Plan which states, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

Please comply with the Comprehensive Plan and deny this zoning change to higher density.

Best regards,

Bob Riley  
321-431-6595  
340 Beverly Ct  
Melbourne Beach

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Oppose Zone Change 6345 A1A  
**Date:** Monday, September 12, 2022 8:12:49 AM

---

FYI

**From:** Ginny <gmagda@gmail.com>  
**Sent:** Sunday, September 11, 2022 4:07 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; D.5commissioner@brevardfl.gov  
**Subject:** Oppose Zone Change 6345 A1A

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

I am writing to strongly oppose any increase in zoning density from south Melbourne Beach to the Inlet. Please do not allow additional zoning density at 6345 S A1A. Any increase in density makes future applications more likely to be approved.

We need to preserve density at current levels to protect Sea Turtles and other endangered wildlife in this protected area. There is already far too much traffic coming down A1A. Our area does not need increased density and more residents.

As a lifetime resident looking to preserve our community, I strongly oppose the density increase from RR-1 to RU 2-4 at 6345 A1A Melbourne Beach. Please protect our area and oppose this change. I don't want to see our area turn into Satellite Beach or Indialantic.

Sincerely,  
Virginia Daut  
221 Ivory Dr  
Melbourne Beach  
708-341-3822

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Up-zoning RR-1 to RU-2-4  
**Date:** Monday, September 12, 2022 8:13:11 AM

---

FYI

**From:** Richard Hohenberger <[havhogwilltravel@gmail.com](mailto:havhogwilltravel@gmail.com)>  
**Sent:** Sunday, September 11, 2022 3:51 PM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Cc:** Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
**Subject:** Re: Up-zoning RR-1 to RU-2-4

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

Great, thanks!

On Sun, Sep 11, 2022 at 3:32 PM Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)> wrote:

Mr. Hohenberger,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** Richard Hohenberger <[havhogwilltravel@gmail.com](mailto:havhogwilltravel@gmail.com)>  
**Sent:** Saturday, September 10, 2022 10:11 AM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** Up-zoning RR-1 to RU-2-4

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

I'm Opposed to this change!

Richard Hohenberger, 135 Flamingo Dr., Melbourne Beach, FL. 32951

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: 6345 S Hwy A1A up zoning  
**Date:** Monday, September 12, 2022 8:13:39 AM

---

FYI

**From:** Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>  
**Sent:** Sunday, September 11, 2022 3:38 PM  
**To:** [glovprop@bellsouth.net](mailto:glovprop@bellsouth.net)  
**Cc:** Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>  
**Subject:** RE: 6345 S Hwy A1A up zoning

Ms. Glover,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** [glovprop@bellsouth.net](mailto:glovprop@bellsouth.net) <[glovprop@bellsouth.net](mailto:glovprop@bellsouth.net)>  
**Sent:** Friday, September 9, 2022 4:23 PM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** 6345 S Hwy A1A up zoning

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

Good Afternoon;

**I urge you to **vote no** on the Up Zoning Request for 6345 S Highway A1A, Melbourne Beach, FL 32951**

We are already at full capacity without the Up Zoning of another acre. We are all on septic tanks here. The water would have to come from wells or Aquarina, which I have been lead to believe is almost at full capacity. Highway A1A is a dangerous highway now and it takes hours for Highway Patrol to attend to accidents down here.

Please no more Multifamily Developments in South Beaches!

Beth Glover  
[glovprop@bellsouth.net](mailto:glovprop@bellsouth.net)  
321-726-0800



**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: No upzoning  
**Date:** Monday, September 12, 2022 8:13:56 AM

---

FYI

**From:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Sent:** Sunday, September 11, 2022 3:37 PM  
**To:** Nancy Sayre <[nancyesayre@gmail.com](mailto:nancyesayre@gmail.com)>  
**Cc:** Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
**Subject:** RE: No upzoning

Ms. Sayre,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** Nancy Sayre <[nancyesayre@gmail.com](mailto:nancyesayre@gmail.com)>  
**Sent:** Friday, September 9, 2022 5:08 PM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** No upzoning

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

Protect the pristine and serene beach environment of Melbourne Beach.  
Do not allow upzoning of 6345 S A1A.  
Owner, 125 Cardinal Drive, MB

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Please vote NO on rezoning of lot 6345 S A1A Melbourne Bch  
**Date:** Monday, September 12, 2022 8:14:40 AM

---

FYI

**From:** McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>  
**Sent:** Sunday, September 11, 2022 3:34 PM  
**To:** T&C <b40feather@yahoo.com>  
**Cc:** Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>  
**Subject:** RE: Please vote NO on rezoning of lot 6345 S A1A Melbourne Bch

Mr. & Mrs. Glinski,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** T&C <[b40feather@yahoo.com](mailto:b40feather@yahoo.com)>  
**Sent:** Saturday, September 10, 2022 9:24 AM  
**To:** McGee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** Please vote NO on rezoning of lot 6345 S A1A Melbourne Bch

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

Dear Ms. McGee,

This letter regards an oceanfront parcel of land (1.01) at 6345 S A1A on which the owner is requesting a zoning change from the current Single Family (RR-1) to RU-2-4.

Melbourne Beach, particularly the property within the city limits and near-by, is already quite developed. Melbourne Beach south of the city limits along A1A to Sebastian Inlet State Park is one of the very few coastal sections along Florida's east coast that offers a glimpse of what Florida's natural environment was just 50 years ago. People move to this section of Brevard County for its rural "feel", nature, relative solitude, beauty and safety.

Traffic density has increased, wild habitat and wildlife have diminished. Thousands of female land crabs not so long ago crossed A1A annually to lay their eggs. They were so thick you could hardly avoid them-- that is finished. We have protected and endangered plant species, small mammals, the Florida Scrub Jay, the alligator the tortoise. This area is the most active turtle nesting beach in N. America. We have open beaches, the best fishing.

Fortunately, previous citizens and officials recognized the rare beauty of this area. They created parks, both onshore and offshore. The Archie Carr National Wildlife Refuge is a Federal Preserve of both terrestrial and aquatic habitats. Directly offshore is one of the only hard and soft coral aggregates this far north in the Atlantic. Visitors from around the world come to see and enjoy this area for what it is. Additional population density will not only negatively impact residents and visitors, but nature as well.

Increasing density with up-zoning has numerous concerns, logistical safety concerns, sewage and run-off concerns. Infra-structure such as potable water, sewage, emergency and fire response capability-- particularly if there were an unusual incident. Additional population density through zoning changes has the potential to open the county to increased liability should necessary services be unavailable.

Prior officials in the DEP, and state and local government established a certain level of protection to this unusual section of coastal Florida. One of the best tools available to them at the time was zoning. This tool is still available to us. Please respect the work of those who came before and established the existing zoning designations for a reason. Please respect the needs of the community, the current residents, and local and out of town visitors who come to enjoy this area. Please respect those that purchased their building lots with the expectation that the current planned zoning and thus planned density would remain.

For these reasons we ask that an increased density change NOT BE GRANTED on the lot known as 6345 South A1A Melbourne Beach. The lot was purchased with the full knowledge it is zoned Single Family (RR-1) and so it should remain. Please do not sacrifice the many for the few.

Thank you. Respectfully,

Thomas and Cynthia Glinski  
Pelican Dr. Melbourne Beach FL

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning  
**Date:** Monday, September 12, 2022 8:14:16 AM

---

FYI

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

From: Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
Sent: Sunday, September 11, 2022 3:36 PM  
To: [m7beard@gmail.com](mailto:m7beard@gmail.com)  
Cc: Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
Subject: RE: Rezoning

Mr. Beardsley & Ms. Ognibene,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

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

From: [m7beard@gmail.com](mailto:m7beard@gmail.com) <[m7beard@gmail.com](mailto:m7beard@gmail.com)>  
Sent: Friday, September 9, 2022 8:11 PM  
To: Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
Subject: Rezoning

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

Hello

We are a new resident to brevard county since march 2022. And currently live next door to this empty lot at the Gullhouse. Obviously we are completely against the rezoning. One of the things that drew us and many people to the Melbourne beach area is the secluded woodsy feel. Unlike the cocoa beach or other areas north. Its less of a touristy place and more of a "home". Also if a rezoning is allowed the size of the building will directly affect our gorgeous view of the ocean. Also there could be a possibility of change in habitat of the sea turtles. I am not sure what else to do regarding the rezoning. But we do not agree with it. If This rezoning is allowed the whole area will become over populated and touristy when all the other lots request a rezoning.

I would appreciate it if my letter could be considered during the rezoning hearing on monday.

Thank you

Mark Beardsley and jennifer ognibene  
6355 s hwy a1a  
Melbourne beach florida

Sent from my iPhone

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW:  
**Date:** Monday, September 12, 2022 8:15:06 AM

---

FYI

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

From: Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
Sent: Sunday, September 11, 2022 3:31 PM  
To: Jean Bayer <[bayerjean@yahoo.com](mailto:bayerjean@yahoo.com)>  
Cc: Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
Subject: RE:

Ms. Bayer,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

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

From: Jean Bayer <[bayerjean@yahoo.com](mailto:bayerjean@yahoo.com)>  
Sent: Saturday, September 10, 2022 2:20 PM  
To: Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
Subject:

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

No more multi housing on A-1-A  
Sent from my iPhone

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning  
**Date:** Monday, September 12, 2022 8:15:27 AM

---

FYI

**From:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Sent:** Sunday, September 11, 2022 3:30 PM  
**To:** Roberta Crapo <[r.crapo@yahoo.com](mailto:r.crapo@yahoo.com)>  
**Cc:** Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
**Subject:** RE: Rezoning

Ms. Crapo,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** Roberta Crapo <[r.crapo@yahoo.com](mailto:r.crapo@yahoo.com)>  
**Sent:** Saturday, September 10, 2022 4:17 PM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** Rezoning

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

I oppose the rezoning of 6345 Hwy. A1A Melbourne Beach which is located within the FEMA Coastal High Hazard Zone.  
Roberta Crapo  
117 Caledonia Dr.  
Melbourne Beach, FL 32951

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: "No" for up-zoning request - 6345 S. HWY A1A  
**Date:** Monday, September 12, 2022 8:15:52 AM

---

FYI

**From:** Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>  
**Sent:** Sunday, September 11, 2022 3:29 PM  
**To:** Craig Nichols <craiginichols@gmail.com>  
**Cc:** Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>  
**Subject:** RE: "No" for up-zoning request - 6345 S. HWY A1A

It helps to actual copy them!

**From:** Mcgee, Darcie A  
**Sent:** Sunday, September 11, 2022 3:27 PM  
**To:** Craig Nichols <[craiginichols@gmail.com](mailto:craiginichols@gmail.com)>  
**Subject:** RE: "No" for up-zoning request - 6345 S. HWY A1A

Mr. Nichols,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** Craig Nichols <[craiginichols@gmail.com](mailto:craiginichols@gmail.com)>  
**Sent:** Saturday, September 10, 2022 5:45 PM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** "No" for up-zoning request - 6345 S. HWY A1A

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

Dear Ms. McGee,  
To be direct and brief... please advise the County Commissioners to **NOT** approve the up-zoning request for the land located at 6345 S. HWY A1A south of Melbourne Beach, Florida that is scheduled for the County Commission meeting this Monday (Sept. 13).

As you know, Brevard County's extensive Comprehensive Plan established zoning in that area to be mostly residential R-1 in order not to create too much population density which would damage

this special barrier island. Every single request for an exception to zoning that is granted by the Commission adds to the slow erosion of the voter approved intent of the Comprehensive Plan.

Please advise the Commissioners to make a "no" vote to the up-zoning request for 6345 S. HWY A1A.

Thank you and Best Regards,  
Craig and Jane Nichols  
Melbourne Beach

Sent from my iPad



**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Please do NOT allow a zoning change on 6345 S A1A Melbourne Bch  
**Date:** Monday, September 12, 2022 8:16:11 AM

---

FYI

**From:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Sent:** Sunday, September 11, 2022 3:28 PM  
**To:** T&C <[b40feather@yahoo.com](mailto:b40feather@yahoo.com)>  
**Cc:** Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
**Subject:** RE: Please do NOT allow a zoning change on 6345 S A1A Melbourne Bch

Mr. & Mrs. Glinski,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** T&C <[b40feather@yahoo.com](mailto:b40feather@yahoo.com)>  
**Sent:** Saturday, September 10, 2022 5:00 PM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** Please do NOT allow a zoning change on 6345 S A1A Melbourne Bch

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

Dear Ms. McGee,

This letter regards an oceanfront parcel of land (1.01) at 6345 S A1A on which the owner is requesting a zoning change from the current Single Family (RR-1) to RU-2-4.

Melbourne Beach, particularly the property within the city limits and near-by, is already quite developed.. Melbourne Beach south of the city limits along A1A to Sebastian Inlet State Park is one of the very few coastal sections along Florida's east coast that offers a glimpse of what Florida's natural environment was just 50 years ago. People move to this section of Brevard County for its rural "feel", nature, relative solitude, beauty and safety.

Traffic density has increased, wild habitat and wildlife have diminished. Thousands of female land crabs not so long ago crossed A1A annually to lay their eggs. They were so thick you could hardly avoid them-- that is finished. We have protected and endangered plant species, small mammals, the Florida Scrub Jay, the alligator the tortoise. This area is the most active turtle nesting beach in N. America. We have open beaches, the best fishing.

Fortunately, previous citizens and officials recognized the rare beauty of this area. They created parks, both onshore and offshore. The Archie Carr National Wildlife Refuge is a Federal Preserve of both terrestrial and aquatic habitats. Directly offshore is one of the only hard and soft coral aggregates this far north in the Atlantic. Visitors from around the world come to see and enjoy this area for what it is. Additional population density will not only negatively impact residents and visitors, but nature as well.

Increasing density with up-zoning has numerous concerns, logistical safety concerns, sewage and run-off concerns. Infra-structure such as potable water, sewage, emergency and fire response capability-- particularly if there were an unusual incident. Additional population density through zoning changes has the potential to open the county to increased liability should necessary services be unavailable.

Prior officials in the DEP, and state and local government established a certain level of protection to this unusual section of coastal Florida. One of the best tools available to them at the time was zoning. This tool is still available to us. Please respect the work of those who came before and established the existing zoning designations for a reason. Please respect the needs of the community, the current residents, and local and out of town visitors who come to enjoy this area. Please respect those that purchased their building lots with the expectation that the current planned zoning and thus planned density would remain.

For these reasons we ask that an increased density change NOT BE GRANTED on the lot known as 6345 South A1A Melbourne Beach. The lot was purchased with the full knowledge it is zoned Single Family (RR-1) and so it should remain. Please do not sacrifice the many for the few.

Thank you. Respectfully,

Thomas and Cynthia Glinski  
Pelican Dr. Melbourne Beach FL

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Re Zoning  
**Date:** Monday, September 12, 2022 8:16:32 AM

---

FYI

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

From: Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
Sent: Sunday, September 11, 2022 3:26 PM  
To: Joan vaughan <[joanvaughanphoto@yahoo.com](mailto:joanvaughanphoto@yahoo.com)>  
Cc: Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
Subject: RE: Re Zoning

Ms. Vaughan,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

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

From: Joan vaughan <[joanvaughanphoto@yahoo.com](mailto:joanvaughanphoto@yahoo.com)>  
Sent: Sunday, September 11, 2022 7:56 AM  
To: Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
Subject: Re Zoning

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

My name is Joan Vaughan. Resident of Melb. Sh. for 37 years. This is one of the last beaches in Fl. that has not been destroyed, contaminated & over developed !

Please , don't destroy with re zoning. You already know how decremental this will be!!  
Thank you for doing what is right !

Sincerely  
Joan Vaughan

Sent from my iPhone

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Against increasing a RR-1 zoning to a RU-2-4 zoning. Location: 6345 S. A1A  
**Date:** Monday, September 12, 2022 8:16:50 AM

---

FYI

**From:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Sent:** Sunday, September 11, 2022 3:25 PM  
**To:** Alice <[arfbpf@gmail.com](mailto:arfbpf@gmail.com)>  
**Cc:** Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>  
**Subject:** RE: Against increasing a RR-1 zoning to a RU-2-4 zoning. Location: 6345 S. A1A

Ms. Robbins-Fox,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** Alice <[arfbpf@gmail.com](mailto:arfbpf@gmail.com)>  
**Sent:** Sunday, September 11, 2022 1:43 PM  
**To:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>  
**Subject:** Against increasing a RR-1 zoning to a RU-2-4 zoning. Location: 6345 S. A1A

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

Hello,

I am totally against any zoning or density changes in the South Beaches. I believe this has already been addressed in the Comprehensive Plan and by FEMA. No one will benefit from an increase in density of this property except the person who bought it knowing what the existing density was. We do not have the infrastructure for increased density and the Indian River Lagoon definitely does not have the capacity to absorb an increase in density.

Thank you,  
Alice Robbins-Fox  
5880 Riverside Drive  
Melbourne Beach, FL 32951

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Land Parcel at 6345 S A1A - Keep RR-1 Zoning  
**Date:** Monday, September 12, 2022 8:17:41 AM

---

FYI

**From:** Ray Restivo <rayrestivo@gmail.com>  
**Sent:** Sunday, September 11, 2022 3:05 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; D5commissioner@brevardfl.gov  
**Subject:** Land Parcel at 6345 S A1A - Keep RR-1 Zoning

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

Please deny the request for 6345 S A1A zoning change to RR-2-4 and keep the existing RR-1.

Currently, according to the County, Highway A1A's "Function Classification" or Level of Service is graded D, not to mention, the septic and water consumption, our environment especially the turtles.

The attorney for the owner will most likely say it should be approved because there is multi-family already adjacent. Using that logic, this up-zoning will creep up and down the entire island and eventually engulf every home.

There is already too much density for evacuations, flooding, natural habitat, day-to-day traffic, water consumption and preservation of Sea Turtle nesting.

**Thank you.**  
**Ray & Erin Restivo**  
**6355 S A1A**

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Opposition to requests change of zoning classification from RR-1 to RU-2-4  
**Date:** Monday, September 12, 2022 8:18:02 AM

---

FYI

**From:** brian hennessey <brianhennessey51@gmail.com>  
**Sent:** Sunday, September 11, 2022 2:48 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Opposition to requests change of zoning classification from RR-1 to RU-2-4

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The

property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.”*

Commissioner Tobia read the quote again *“limit densities in the Coastal High Hazard Zone”*. He asserted *“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”*

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you

Brian Hennessey  
Melbourne Beach

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: 6345 S. A1A Melbourne beach  
**Date:** Monday, September 12, 2022 8:45:31 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Mea Forbes <mea275@bellsouth.net>  
**Date:** September 11, 2022 at 11:07:08 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject:** 6345 S. A1A Melbourne beach  
**Reply-To:** Mea Forbes <mea2755@hotmail.com>

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

Please deny the request for up zoning on the above property. We already have enough water and septic problem. And most of all "the turtles".

Mea Forbes



**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Oppositon to RR1 changing to Ru-2-4  
**Date:** Monday, September 12, 2022 8:46:38 AM

---

FYI  
Sent from my iPhone

Begin forwarded message:

**From:** Joanne Fletcher <brianjoannef@gmail.com>  
**Date:** September 11, 2022 at 8:53:07 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject:** **Oppositon to RR1 changing to Ru-2-4**

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

I oppose the above upzoning in South Brevard due to it affecting the preservation of the balance of population, the wildlife and natural habitat. Joanne Fletcher

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Rezoning rezoning 6345 Hwy A1A  
**Date:** Monday, September 12, 2022 8:47:14 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** dianne shelton <dianneshelton@att.net>  
**Date:** September 10, 2022 at 11:53:37 PM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>  
**Subject:** Fw: Rezoning rezoning 6345 Hwy A1A  
**Reply-To:** dianne shelton <dianneshelton@att.net>

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

**Subject:** Rezoning rezoning 6345 Hwy A1A

Dear Sir and Madams,

I have lived in south Melbourne Beach since 1977. I currently live at 5930 Riverside Drive in South Melbourne Beach, just north of the proposed zoning change.. Within the last 2 years the traffic has become intolerable, not to mention public safety etc. PLEASE do not increase the density more than it is already. There is already too much density for evacuations, flooding, natural habitat ,day-to-day traffic and preservation of Sea Turtle nesting.

**Dianne Shelton 321-720-1199**

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.  
**Date:** Monday, September 12, 2022 8:48:31 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** brian hennessey <brianhennessey51@gmail.com>  
**Date:** September 9, 2022 at 2:56:11 PM EDT  
**Cc:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>  
**Subject:** Rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. The property is located within the FEMA designated Coastal High Hazard Zone. The Future Land USE for this area of the south beaches is all RES-1. This was voted on by Brevard County in the early 1990s.

The proposed zoning change does not comply with the Brevard County Comprehensive Plan. Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities states the following:

Objective 7

Limit densities within the coastal high hazard zone and direct development outside of this area

Policy 7.1

Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.

Policy 7.2

Brevard County shall continue to implement the Transfer of Development Rights program which has been established to transfer density from transfer districts within the coastal high hazard area to receiving districts outside of the coastal high hazard area.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change the FLU zoning to other than RES-1. This application was subsequently withdrawn.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: "Objective seven of the Coastal Management Element of the County's Comprehensive Plan specifically states the County should, and he quotes, "limit densities within the Coastal High Hazard Zone and direct development outside of this area."

Commissioner Tobia read the quote again, "**limit densities in the Coastal High Hazard Zone:** and he asserted if the Board grants the request, it would not be following the Coastal High Hazard Zone."

The County's position on similar zoning change requests is well established.

Thank you

Brian Hennessey  
Melbourne Beach

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Opposition to Proposed Zoning Change Request  
**Date:** Monday, September 12, 2022 8:49:25 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Amanda Notman <amanda.notman1@gmail.com>  
**Date:** September 12, 2022 at 8:17:00 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject: Opposition to Proposed Zoning Change Request**

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently

withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.”*

Commissioner Tobia read the quote again *“limit densities in the Coastal High Hazard Zone”*. He asserted *“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”*

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you,  
Amanda Notman

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Opposition to Proposed Zoning Change Request  
**Date:** Monday, September 12, 2022 8:49:59 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Derek & Amanda <notmancrew@gmail.com>  
**Date:** September 12, 2022 at 8:26:21 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject:** **Opposition to Proposed Zoning Change Request**

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently

withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.”*

Commissioner Tobia read the quote again ***“limit densities in the Coastal High Hazard Zone”***. He asserted ***“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”***

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you,  
Derek Notman



**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Proposed Zoning Change Request  
**Date:** Monday, September 12, 2022 8:50:27 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Lynn Gronosky <lgronosky@icloud.com>  
**Date:** September 12, 2022 at 8:45:47 AM EDT  
**To:** "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D.5commissioner@brevardfl.gov, "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject: Proposed Zoning Change Request**

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 Hwy A1A, Melbourne Beach, FL. The property is located within the FEMA designated Coastal High Hazard Zone. The Future Land USE for this area of the south beaches is all RES-1. This was voted on by Brevard County in the early 1990s.

The proposed zoning change does not comply with the Brevard County Comprehensive Plan. Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities states the following:

Objective 7

- Limit densities within the coastal high hazard zone and direct development outside of this area

Policy 7.1

- Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet.

Policy 7.2

- Brevard County shall continue to implement the Transfer of Development Rights program which has been established to transfer density from transfer districts within the coastal high hazard area to receiving districts outside of the coastal high hazard area.

In addition to not being compliant with the Brevard County Comprehensive Plan, this zoning change would cause even more problems than we currently have with traffic, car/bike/pedestrian accidents, hurricane evacuation issues, and Archie Carr Wildlife Refuge protections.

Regards,  
Lynn Gronosky  
393 Hiawatha Way  
Melbourne Beach

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning 22Z00039  
**Date:** Monday, September 12, 2022 8:58:25 AM

---

Received by D5 for your records

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

From: m7beard@gmail.com <m7beard@gmail.com>  
Sent: Saturday, September 10, 2022 11:59 AM  
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
Subject: Rezoning 22Z00039

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

Hello

We are a new resident to brevard county since march 2022. And currently live next door to this empty lot at the Gullhouse. Obviously we are completely against the rezoning. One of the things that drew us and many people to the Melbourne beach area is the secluded woodsy feel. Unlike the cocoa beach or other areas north. Its less of a touristy place and more of a "home". Also if a rezoning is allowed the size of the building will directly affect our gorgeous view of the ocean. Also there could be a possibility of change in habitat of the sea turtles. I am not sure what else to do regarding the rezoning. But we do not agree with it. If This rezoning is allowed the whole area will become over populated and touristy when all the other lots request a rezoning.

I would appreciate it if my letter could be considered during the rezoning hearing on monday.

Thank you

Mark Beardsley and jennifer ognibene  
6355 s hwy a1a  
Melbourne beach florida

Sent from my iPhone

**From:** [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: 6345 S Hwy A1A up zoning  
**Date:** Monday, September 12, 2022 8:58:49 AM

---

Received by D5 for your records

**From:** floridanabchcivassoc@gmail.com <floridanabchcivassoc@gmail.com>  
**Sent:** Friday, September 09, 2022 4:17 PM  
**To:** Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** 6345 S Hwy A1A up zoning

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

Good Afternoon;

**I urge you to **vote no** on the Up Zoning Request for 6345 S Highway A1A, Melbourne Beach, FL 32951**

We are already at full capacity without the Up Zoning of another acre. We are all on septic tanks here. The water would have to come from wells or Aquarina, which I have been lead to believe is almost at full capacity. Highway A1A is a dangerous highway now and it takes hours for Highway Patrol to attend to accidents down here.

Please no more Multifamily Developments in South Beaches!

Beth Glover  
[glovprop@bellsouth.net](mailto:glovprop@bellsouth.net)  
321-726-0800

Beth Glover,  
[www.floridanabeach.org](http://www.floridanabeach.org)  
[FloridanaBchCivAssoc@gmail.com](mailto:FloridanaBchCivAssoc@gmail.com)  
321-726-0800

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Vote no - up zoning request - 6345 S. HWY A1A  
**Date:** Monday, September 12, 2022 8:59:34 AM

---

Received by D5 for your records

**From:** Craig Nichols <craignichols@gmail.com>  
**Sent:** Saturday, September 10, 2022 5:14 PM  
**To:** Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Vote no - up zoning request - 6345 S. HWY A1A

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

Dear Commissioner Zonka,

To be direct and brief... please **DO NOT** approve the up-zoning request for the land located at 6345 S. HWY A1A south of Melbourne Beach, Florida that is scheduled for the County Commission meeting this Monday (Sept. 13).

You were elected to office to manage the county and make decisions consistent with the County Comprehensive Plan. As you know, Brevard County's extensive Comprehensive Plan established zoning in that area to be mostly residential R-1 in order not to create too much population density which would damage this special barrier island. Every single request for an exception to zoning that is granted by the Commission adds to the slow erosion of the voter approved intent of the Comprehensive Plan.

Please vote no to the up-zoning request for 6345 S. HWY A1A.

Thank you and Best Regards,  
Craig and Jane Nichols  
Melbourne Beach

Sent from my iPad

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning rezoning 6345 Hwy A1A  
**Date:** Monday, September 12, 2022 9:00:52 AM

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Received by D5 for your records

**From:** dianne shelton <dianneshelton@att.net>  
**Sent:** Saturday, September 10, 2022 11:53 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Fw: Rezoning rezoning 6345 Hwy A1A

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

**Subject:** Rezoning rezoning 6345 Hwy A1A

Dear Sir and Madams,

I have lived in south Melbourne Beach since 1977. I currently live at 5930 Riverside Drive in South Melbourne Beach, just north of the proposed zoning change.. Within the last 2 years the traffic has become intolerable, not to mention public safety etc. PLEASE do not increase the density more than it is already. There is already too much density for evacuations, flooding, natural habitat ,day-to-day traffic and preservation of Sea Turtle nesting.

**Dianne Shelton321-720-1199**

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Opposition to requests change of zoning classification from RR-1 to RU-2-4  
**Date:** Monday, September 12, 2022 9:01:35 AM

---

Received by D5 for your records

**From:** brian hennessey <brianhennessey51@gmail.com>  
**Sent:** Sunday, September 11, 2022 2:48 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Opposition to requests change of zoning classification from RR-1 to RU-2-4

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning

Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.”*

Commissioner Tobia read the quote again *“limit densities in the Coastal High Hazard Zone”*. He asserted *“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”*

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you

Brian Hennessey  
Melbourne Beach



**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning  
**Date:** Monday, September 12, 2022 9:01:52 AM

---

Received by D5 for your records

**From:** Roberta Crapo <r.crapo@yahoo.com>  
**Sent:** Sunday, September 11, 2022 6:12 PM  
**To:** Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Rezoning

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

I oppose the rezoning of 6345 Hwy. A1A, Melbourne Beach which is located within the FEMA Coastal High Hazard Zone.

Policy 7.1 of Administrative Policies of the Future Land Use Plan of the Brevard Comprehensive Plan. Brevard County SHALL NOT increase residential density designations for properties located on the barrier island

between the southern Boundary of Melbourne Beach and the Sebastian Inlet.

Regards,

Roberta Crapo

117 Caledonia Drive

Melbourne Beach, FL 32951

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Up Zoning for 6345 S Hwy A1A  
**Date:** Monday, September 12, 2022 9:02:25 AM

---

Received by D5 for your records

**From:** glovprop@bellsouth.net <glovprop@bellsouth.net>  
**Sent:** Sunday, September 11, 2022 7:39 PM  
**To:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Up Zoning for 6345 S Hwy A1A

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

Good Evening;

I would like for you to vote **NO** on the rezoning of this vacant land. There are so many reasons not to change the zoning, our density is already over loading A1A. Traffic studies are being done because of all the deadly accidents on A1A. The Level of Service is D I am told.

We are all on Septic tanks and the water would have to be brought under A1A from Aquariana, if they have the capacity.

We need less density not more. Please vote NO on this rezoning.

Beth Glover  
[glovprop@bellsouth.net](mailto:glovprop@bellsouth.net)  
321-726-0800

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: As a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951.  
**Date:** Monday, September 12, 2022 9:09:57 AM

---

Received by D5 for your records

**From:** Roland Pechulis <roland.pechulis@gmail.com>  
**Sent:** Monday, September 12, 2022 9:06 AM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** As a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951.

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.”*

Commissioner Tobia read the quote again *“limit densities in the Coastal High Hazard Zone”*. He asserted *“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”*

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thanking you in advance for your thoughtful consideration of this issue.

Respectfully

Roland Pechulis  
Melbourne Beach

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951  
**Date:** Monday, September 12, 2022 9:55:59 AM

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Received by D5 for your records

**From:** Bonnie Pechulis <bonnie.pechulis@gmail.com>  
**Sent:** Monday, September 12, 2022 9:36 AM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951

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

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The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

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Commissioner Tobia read the quote again ***“limit densities in the Coastal High Hazard Zone”***. He asserted ***“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”***

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thanking you in advance for your thoughtful consideration of this issue.

Respectfully

Bonnie Pechulis  
Melbourne Beach

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: 6345 S. Hwy. A1A zoning change from RR-1 to RU 2-4  
**Date:** Monday, September 12, 2022 10:33:10 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Anna Chavoustie <anna@appraisalfirst.net>  
**Date:** September 12, 2022 at 10:11:24 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D5commissioner@brevardfl.gov  
**Subject:** 6345 S. Hwy. A1A zoning change from RR-1 to RU 2-4

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

As a resident of the South Beaches since 1998 I have witnessed the increase in population which has caused traffic issues including several deadly accidents. The South Beaches does not have the utilities in place such as sewer to support new development. The leeching of septic tank systems into the Indian River has caused a deterioration of the water quality since I have lived here as I am an avid sailor and kayaker that has seen this first hand. Per Policy 7.1 of the Administrative Policies of the Future Land Use Element of the Brevard Comprehensive Plan, **"Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet"**.

The intent of this policy is that no increase in density occur in the South Beaches. We do not need to set a present for future changes in density.

Keep the South beaches the paradise it is that preserves the sea turtles and nature.

AnnaMaria Chavoustie, MAI  
President  
Appraisalfirst Real Estate Appraisers

8101 Biscayne Boulevard, R-516  
Miami, Florida 33138

[anna@appraisalfirst.net](mailto:anna@appraisalfirst.net)

305-632-3895

305-470-2113



**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Zoning application # 22Z00039  
**Date:** Monday, September 12, 2022 10:33:43 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** M Saffer and T Aborlleile <msaffer1@bellsouth.net>  
**Date:** September 12, 2022 at 9:40:08 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D.5commissioner@brevardfl.gov  
**Subject:** Zoning application # 22Z00039

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

Dear Directors, Managers and Commissioners,

I have been a homeowner here in the South Beaches since 1988. This area is beautiful and low-density which is one of the reasons for buying here and later relocating permanently.

Please vote no regarding this zoning change. RR-1 to RU 2-4. This will set a precedence that it will be okay to increase the density of this area and it is not okay. It will change the FLU.

Sincerely,

Terri Aborlleile

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.  
**Date:** Monday, September 12, 2022 10:37:53 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** sea <seabomds@aol.com>  
**Date:** September 12, 2022 at 10:33:50 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Cc:** "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Denninghoff, John P" <John.Denninghoff@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, morris.richardson@brevardfl.com  
**Subject: Re: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.**  
**Reply-To:** sea <seabomds@aol.com>

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

Dear Mr. Calkins,

Though we understand that staff believed they had an obligation to accept this request, the application is surely flawed and should be rejected. At the very least, P and Z and the Board still has an opportunity at 3p.m. today to reject this application.

Rejection of the application does not need to be specifically due to a change in designation.

1) **Policy 1.2, Criteria E** uses the word "shall" when restricting the maximum increase that this zoning request can be granted without central sewer service; 2du/ac. Though your staff did a good job of implying this by mentioning the 5-mile distance from central sewer, they did not specifically say that the RU 2-4 is prohibited, which it is.

2) **Intent** of the Coastal Residential Densities Objective 7 is to:  
"Limit densities within the coastal high hazard zone and direct development

outside of this area", and increasing from RR-1 to RU 2-4 is, in fact, increasing density.

No matter **how** the county increases density; whether by changing zoning maps, or Future Land Use maps, the County is violating the intended prohibition in the Comprehensive Plan.

The Plan was written for the long term with a very clear objective for the area south of Melbourne Beach to the Inlet: to manage the burden of additional population on infrastructure, flooding, natural habitats, wildlife, turtle nesting, **sewerage (specifically Policy 1.2, Criteria E, above)**, water, traffic, and evacuation from hurricanes.

Accordingly, please read this e-mail to the Board and inform them that this request is counter to the density cap in the Comp Plan.

Though we have been lucky enough to avoid a catastrophic hurricane for many years, let us not become complacent to the affect of increasing density on the barrier islands.

Respectfully,

Mark Shantzis, President  
Barrier Island Preservation and Protection Association (BIPPA)  
"Leading Efforts To Preserve The Balance of Population Growth, Wildlife  
and Habitat on the Barrier Islands for over 30 Years"  
321-733-6123

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

From: Calkins, Tad <tad.calkins@brevardfl.gov>  
To: sea <seabomds@aol.com>  
Cc: Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B  
<Frank.Abbate@brevardfl.gov>; Denninghoff, John P <John.Denninghoff@brevardfl.gov>  
Sent: Fri, Sep 9, 2022 11:05 am  
Subject: RE: Removal of rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

Mr. Shantzis,

18PZ00133 was a companion application to a Small Scale Future Land Use Change application (18PZ00134) which requested to increase residential density designation from Residential 1 (Res 1) to Residential 6 (Res 6). Since the requested action in 18PZ00133 was dependent on the RES 6 Future Land Use designation, both applications (18PZ00133 & 18PZ00134) were rejected due to the conflict with Policy 7.1.

Conversely, the current application (22Z00039) is requesting to change the Zoning

Classification from RR-1 to RU-2-4; it is not increasing the Future Land Use residential density designation of RES 4. It is beyond staff's administrative authority to reject the application since the application does not specifically increase the residential density designation.

Best regards,

*Tad Calkins*  
Planning & Development Director  
Brevard County Board Of County Commissioners  
Office Line: (321) 633-2070 x 58299  
Direct Line: (321) 350-8299

**From:** sea <seabomds@aol.com>  
**Sent:** Friday, September 9, 2022 8:08 AM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>  
**Cc:** Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>  
**Subject:** Removal of rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

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

Good Morning Tad,

Two and a half years ago application #18PZ00133 was removed from the Commission agenda in an embarrassing and expensive 11th hour realization that up-zoning on the Barrier Island between Melbourne Beach and the Sebastian Inlet is prohibited.

From the Comp Plan:

"Coastal Residential Densities Objective 7:

Limit densities within the coastal high hazard zone and direct development outside of this area.

**Policy 7.1 Brevard County shall not increase residential density designations** for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet"

After Erin Sterk's February 7, 2019 letter of apology and return of the applicants fees, and your comments to the press (see below), BIPPA's Board, attorneys and supporters are quite surprised to see another application for an up-zoning on the South Beaches.

Hopefully, yesterday's copy sent to you of my email to the commissioners has made you

aware of this oversight so you can remove #2200039 from Monday's agenda in a timely manner.

Please confirm this to me at your earliest convenience.

Sincerely,

Mark Shantzis, President

**Barrier Island Preservation and Protection Association (BIPPA)**

**"Leading Efforts To Preserve The Balance of Population Growth, Wildlife and Habitat on the Barrier Islands for over 40 Years"**

ofc-321-733-6123 c-321-431-742

References:

1) "It is our understanding that you intend to withdraw your application for both the Comp Plan Amendment (18PZ00134) and Rezoning (18PZ00133) in light of this new information, as our office has offered to refund the fees paid for both requests and the prior Variance request. Thank you for your candor in receiving this last minute information. Please confirm this the direction you have provided".

Erin Sterk, Planning & Zoning Manager, Brevard County (2-7-19)

2) March 22, 2019 at 3:02:47 PM ED email from Mr. Stephens  
Subject: Re: March 7 Beachsider. Facts Do Matter.

"I asked Tad Calkins, the county planning and development director, why this policy was just discovered so late in the game. I said county planners know the Comp Plan better than anyone else and should have found this policy up front and advised the prospective bakers not to bother applying. He said, typically, yes, that's exactly what they do. But they rarely have South Beach applications. Haven't in years. So they weren't familiar with this one, and didn't find it until the 11th hour. I guess they'll know next time".

Henry A. Stephens  
Brevard County government correspondent  
Melbourne Beachsider  
(321) 576-2636

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: 6345 HIGHWAY A1A Zoning Change  
**Date:** Monday, September 12, 2022 10:38:42 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** jackmurf@att.net  
**Date:** September 12, 2022 at 9:36:39 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>  
**Subject:** 6345 HIGHWAY A1A Zoning Change

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

6345 HIGHWAY A1A MELBOURNE BEACH FL 32951 is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

My understanding is that this type of rezoning was stopped before due to the Brevard County Comprehensive Plan and should be again.

Please do not let this zoning change go forward.

Thank You for your assistance

*Jack Murphy, President  
Wingate Reserve HOA  
321-917-3477*

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951  
**Date:** Monday, September 12, 2022 10:39:06 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Bonnie Pechulis <bonnie.pechulis@gmail.com>  
**Date:** September 12, 2022 at 9:36:32 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>  
**Subject:** AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."



The term “shall” in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.”*

Commissioner Tobia read the quote again ***“limit densities in the Coastal High Hazard Zone”***. He asserted ***“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”***

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thanking you in advance for your thoughtful consideration of this issue.

Respectfully

Bonnie Pechulis  
Melbourne Beach

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Opposing increasing density Zoning change from RR-1 to RU 2-4 at 6345, A1A, Mel.Bch.  
**Date:** Monday, September 12, 2022 10:51:02 AM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** bruce kamerman <brucekamerman@gmail.com>  
**Date:** September 12, 2022 at 10:48:32 AM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D.5commissioner@brevardfl.gov  
**Cc:** bruce kamerman <brucekamerman@gmail.com>  
**Subject: Opposing increasing density Zoning change from RR-1 to RU 2-4 at 6345, A1A, Mel.Bch.**

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

Good morning all,

My name is Bruce Kamerman. My wife and I reside, full time in the Melbourne Shores neighborhood of Melbourne Beach.

I am writing to express our opposition to the proposed density zoning change from RR-1 to RU 2-4 at 6345, A1A, Melbourne Beach.

I support my neighbors who have done the research and provided you with documentation of the regulations that prohibit this zoning change. I didn't think it was necessary for me to restate this information in my email. I certainly can, if you would find it helpful.

We have been fortunate to have avoided a catastrophic hurricane for a number of years. We should not become complacent. The Comprehensive Plan was written for the long term with a very clear objective: to manage the burden of additional population on infrastructure, flooding, natural

habitats, wildlife, turtle nesting, water, traffic, and evacuation from hurricanes. This is a matter of safety for our residents.

For the reasons stated above and the numerous other objections of my neighbors on the barrier island, I implore you to follow the regulations as written. Please deny the proposed density zoning change

Respectfully submitted,

Bruce Kamerman

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.  
**Date:** Monday, September 12, 2022 11:18:24 AM

---

Received by D5 for your records

**From:** sea <seabomds@aol.com>  
**Sent:** Monday, September 12, 2022 10:34 AM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>  
**Cc:** Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Denninghoff, John P <John.Denninghoff@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; morris.richardson@brevardfl.com  
**Subject:** Re: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

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

Dear Mr. Calkins,

Though we understand that staff believed they had an obligation to accept this request, the application is surely flawed and should be rejected. At the very least, P and Z and the Board still has an opportunity at 3p.m. today to reject this application.

Rejection of the application does not need to be specifically due to a change in designation.

1) **Policy 1.2, Criteria E** uses the word "shall" when restricting the maximum increase that this zoning request can be granted without central sewer service; 2du/ac. Though your staff did a good job of implying this by mentioning the 5-mile distance from central sewer, they did not specifically say that the RU 2-4 is prohibited, which it is.

2) **Intent** of the Coastal Residential Densities Objective 7 is to:

"Limit densities within the coastal high hazard zone and direct development outside of this area", and increasing from RR-1 to RU 2-4 is, in fact, increasing density.

No matter **how** the county increases density; whether by changing zoning maps, or Future Land Use maps, the County is violating the intended prohibition in the Comprehensive Plan.

The Plan was written for the long term with a very clear objective for the area south of Melbourne Beach to the Inlet: to manage the burden of additional population on infrastructure, flooding, natural habitats, wildlife, turtle nesting, **sewerage (specifically Policy 1.2, Criteria E, above)**, water, traffic, and evacuation from hurricanes.

Accordingly, please read this e-mail to the Board and inform them that this request is counter to the density cap in the Comp Plan.

Though we have been lucky enough to avoid a catastrophic hurricane for many years, let us not become complacent to the affect of increasing density on the barrier islands.

Respectfully,

Mark Shantzis, President  
Barrier Island Preservation and Protection Association (BIPPA)  
"Leading Efforts To Preserve The Balance of Population Growth, Wildlife and Habitat on the Barrier Islands for over 30 Years"  
321-733-6123

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

From: Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>  
To: sea <[seabomds@aol.com](mailto:seabomds@aol.com)>  
Cc: Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>; Abbate, Frank B <[Frank.Abbate@brevardfl.gov](mailto:Frank.Abbate@brevardfl.gov)>; Denninghoff, John P <[John.Denninghoff@brevardfl.gov](mailto:John.Denninghoff@brevardfl.gov)>  
Sent: Fri, Sep 9, 2022 11:05 am  
Subject: RE: Removal of rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

Mr. Shantzis,

18PZ00133 was a companion application to a Small Scale Future Land Use Change application (18PZ00134) which requested to increase residential density designation from Residential 1 (Res 1) to Residential 6 (Res 6). Since the requested action in 18PZ00133 was dependent on the RES 6 Future Land Use designation, both applications (18PZ00133 & 18PZ00134) were rejected due to the conflict with Policy 7.1.

Conversely, the current application (22Z00039) is requesting to change the Zoning Classification from RR-1 to RU-2-4; it is not increasing the Future Land Use residential density designation of RES 4. It is beyond staff's administrative authority to reject the application since the application does not specifically increase the residential density designation.

Best regards,

*Tad Calkins*  
Planning & Development Director  
Brevard County Board Of County Commissioners  
Office Line: (321) 633-2070 x 58299  
Direct Line: (321) 350-8299

**From:** sea <[seabomds@aol.com](mailto:seabomds@aol.com)>  
**Sent:** Friday, September 9, 2022 8:08 AM  
**To:** Calkins, Tad <[tad.calkins@brevardfl.gov](mailto:tad.calkins@brevardfl.gov)>  
**Cc:** Mcgee, Darcie A <[Darcie.Mcgee@brevardfl.gov](mailto:Darcie.Mcgee@brevardfl.gov)>; Abbate, Frank B <[Frank.Abbate@brevardfl.gov](mailto:Frank.Abbate@brevardfl.gov)>

**Subject:** Removal of rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

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

Good Morning Tad,

Two and a half years ago application #18PZ00133 was removed from the Commission agenda in an embarrassing and expensive 11th hour realization that up-zoning on the Barrier Island between Melbourne Beach and the Sebastian Inlet is prohibited.

From the Comp Plan:

"Coastal Residential Densities Objective 7:

Limit densities within the coastal high hazard zone and direct development outside of this area.

**Policy 7.1 Brevard County shall not increase residential density designations** for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet"

After Erin Sterk's February 7, 2019 letter of apology and return of the applicants fees, and your comments to the press (see below), BIPPA's Board, attorneys and supporters are quite surprised to see another application for an up-zoning on the South Beaches.

Hopefully, yesterday's copy sent to you of my email to the commissioners has made you aware of this oversight so you can remove #2200039 from Monday's agenda in a timely manner.

Please confirm this to me at your earliest convenience.

Sincerely,

Mark Shantzis, President

**Barrier Island Preservation and Protection Association (BIPPA)**

**"Leading Efforts To Preserve The Balance of Population Growth, Wildlife and Habitat on the Barrier Islands for over 40 Years"**

ofc-321-733-6123 c-321-431-742

References:

1) "It is our understanding that you intend to withdraw your application for both the Comp Plan Amendment (18PZ00134) and Rezoning (18PZ00133) in light of this new information, as our office has offered to refund the fees paid for both requests and the prior Variance request. Thank you for your candor in receiving this last minute information. Please confirm this the direction you have provided".

Erin Sterk, Planning & Zoning Manager, Brevard County (2-7-19)

2) March 22, 2019 at 3:02:47 PM ED email from Mr. Stephens  
Subject: Re: March 7 Beachsider. Facts Do Matter.

"I asked Tad Calkins, the county planning and development director, why this policy was just discovered so late in the game. I said county planners know the Comp Plan better than anyone else and should have found this policy up front and advised the prospective bakers not to bother applying. He said, typically, yes, that's exactly what they do. But they rarely have South Beach applications. Haven't in years. So they weren't familiar with this one, and didn't find it until the 11th hour. I guess they'll know next time".

Henry A. Stephens

Brevard County government correspondent  
Melbourne Beachsider  
(321) 576-2636

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Opposition to application # 22Z00039, Zoning change from RR-1 to RU 2-4 at 6345 S Hwy A1A, Mel.Bch  
**Date:** Monday, September 12, 2022 11:20:15 AM

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Received by D5 for your records

**From:** Brian Fox <brian.fox.riverside@gmail.com>  
**Sent:** Monday, September 12, 2022 10:01 AM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Opposition to application # 22Z00039, Zoning change from RR-1 to RU 2-4 at 6345 S Hwy A1A, Mel.Bch

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

Good Morning,

I want to express my strong opposition to allowing increased building density specifically at 6345 S Hwy A1A but also in general in the south beaches. Referencing Policy 7.1 of the Administrative Policies of the Future Land Use Element of the Brevard Comprehensive Plan, "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet".

No one will benefit from an increase in density of this property except the person who bought it knowing what the existing density was. We do not have the infrastructure for increased density and the Indian River Lagoon definitely does not have the capacity to absorb an increase in density.

Thank you,

Brian Fox

5880 Riverside Drive

Melbourne Beach, FL 32951



**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Brown, Charlene](#); [Roig, Janette](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Opposition to request for zoning change for 6345 A1A, Melbourne Beach, FL  
**Date:** Monday, September 12, 2022 11:54:28 AM

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Received from D5 for your records

**From:** Aaron Adams <flatsdoctor@att.net>  
**Sent:** Monday, September 12, 2022 11:46 AM  
**To:** Commissioner, D3 <d3.commissioner@brevardfl.gov>  
**Cc:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Opposition to request for zoning change for 6345 A1A, Melbourne Beach, FL

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

Commissioner Tobia:

We write to voice our very strong opposition to the request for a zoning change for this property. Such an allowance would set a precedent that would negatively impact the density limits for this area, which is a Coastal High Hazard Zone. Brevard County's Comprehensive Plan specifically states that densities in this area should be limited, and that development should be directed to locations outside this high hazard area. With recent and ongoing development, the residential population of this area has already noticeably increased - and this is with single-family dwellings that adhere to the Coastal High Hazard Zone density limitations. Allowing increasing density as per this zoning change request, would be irresponsible. Please vote against this zoning request.

Aaron Adams and Maria Cochran  
190 Ibis Drive  
Melbourne Beach

**From:** [Commissioner, D5](#)  
**To:** [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: I Oppose the Proposed Zoning Change from Low Density to High Density on Melbourne Beach  
**Date:** Monday, September 12, 2022 12:49:02 PM

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Received by D5 for your records

**From:** Mitchell Roffer <tunadoctor@me.com>  
**Sent:** Monday, September 12, 2022 12:47 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** I Oppose the Proposed Zoning Change from Low Density to High Density on Melbourne Beach

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

I am Mitchell Roffer living at 6025 Highway A1A, Melbourne Beach, FL. I oppose the proposed zoning change request

The property at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. Over the last several years there has been much feedback from FEMA and other federal organizations about decreasing the coastal population, not increasing it.

The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16. With 2-4 people living in this location this suggests that 32 to 64 people would be living there.

For your information this property is up for sale as its listing has been on Zillow. The proposed change would put an additional burden on the coastal resources especially the Indian River Lagoon. At best their wastewater would go to a nearby water treatment plant that is inefficient and would add a significant amount of nutrients and pharmaceuticals to the IRL. This is not what the County wishes to do with the ½ cent tax for the Restore the IRL Program.

The County Planning & Development is aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element for Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that

it would have violated the same Coastal Management Element and that there was substantial negative feedback from our neighbors in Melbourne Shores and other surrounding neighborhoods. From the emails that I have recently received it appears that the same negative feelings exist relative to the 6345 HIGHWAY property.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request in part because County Commissioner Tobia stated: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.””*

Commissioner Tobia read the quote again ***“limit densities in the Coastal High Hazard Zone”***. He asserted ***“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”***

For these reasons I am against the zoning change.

Mitchell A. Roffer, Ph.D.  
6025 Highway A1A  
Melbourne Beach, FL 32951  
321-806-8940

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Please Reject The Up-zoning Application For 6345 S. Hwy A1A Melbourne Beach  
**Date:** Monday, September 12, 2022 4:07:28 PM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>  
**Date:** September 12, 2022 at 3:24:41 PM EDT  
**To:** dccapemay@aol.com  
**Cc:** "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Ball, Jeffrey" <Jeffrey.Ball@brevardfl.gov>  
**Subject: RE: Please Reject The Up-zoning Application For 6345 S. Hwy A1A Melbourne Beach**

Mr. Segó,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,  
Darcie

**From:** dccapemay@aol.com <dccapemay@aol.com>  
**Sent:** Monday, September 12, 2022 2:00 PM  
**To:** Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>  
**Subject:** Please Reject The Up-zoning Application For 6345 S. Hwy A1A Melbourne Beach

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

Dear Darcie McGee,

My name is Michael Segó Sr, I live in Melbourne Shores, less than a mile away from 6345 S. Hwy A1A.

Please reject the Up-zoning application that will increase the density on the vacant lot at 6345 South Highway A1A, Melbourne Beach, FL 32951. I can not emphasize how important it is to oppose the zoning change.

The meeting is scheduled to be heard today, Monday, September 12, 2022 by the Planning and Zoning Board.

The subject property at 6345 Hwy A1A is currently zoned RR-1 for Single Family. The request is to change the zoning from RR-1 to RU-2-4, Multi-family.

Whether the words being used are a Designation, Future Land Use, Density or Zoning, it comes down to one simple way to make a decision on this issue. The vacant lot as of today can only be permitted to have one single family home.

The 2 multi-family properties next to the subject property, were built years ago when a new Causeway was planned. The adjacent properties are being used as a segway to allow the subject property to be up-zoned for all the wrong reasons and eliminating factors that would prohibit the change.

A new Causeway is no longer planned so the density must remain 1 single family home per lot. At RR-1 zoning, the density and evacuation can be managed well.

If the request to up-zone the lot at 6345 Hwy A1A is granted, it may very well set a precedent for all remaining RR-1 Single Family lots in the southern most Coastal part of Brevard County.

You are deciding something big. Something that may be used as an example in the future, as to how cases are decided.

Out of area Developers are not aware of the High Coastal Hazard that exists as well as the down-zoning to R-1 by FEMA..

A wave of density increases may trip the necessity for a new Causeway, public utilities, water / sewer and road widening at great expense to the Taxpayers.

Thank you for caring about the protection of our unique area of Melbourne Beach.

Sincerely yours,

Michael F. Segó Sr  
Phone #321-409-6276  
123 Cardinal Drive  
Melbourne Bch, FL 32951

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: No Upzoning for 6345 A1A Melbourne Beach  
**Date:** Monday, September 12, 2022 4:07:43 PM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Nancy Sayre <nanciesayre@gmail.com>  
**Date:** September 12, 2022 at 3:24:18 PM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject:** No Upzoning for 6345 A1A Melbourne Beach

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

PLEASE: We do not want the pristine and serene character of Melbourne Beach to change. Do not allow upzoning at 6345 HIGHWAY A1A MB 32951. Owner, 125 Cardinal Drive, Melbourne Beach.

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Please Reject The Up-zoning Application For 6345 S Hwy A1A Melbourne Beach  
**Date:** Monday, September 12, 2022 4:08:03 PM

---

FYI

Sent from my iPhone

Begin forwarded message:

**From:** dccapemay@aol.com  
**Date:** September 12, 2022 at 2:26:21 PM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject:** **Please Reject The Up-zoning Application For 6345 S Hwy A1A Melbourne Beach**  
**Reply-To:** "dccapemay@aol.com" <dccapemay@aol.com>

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

Director Tad Calkins,

My name is Michael Segó Sr, I live in Melbourne Shores, less than a mile away from 6345 S. Hwy A1A.

Please reject the Up-zoning application that will increase the density on the vacant lot at 6345 South Highway A1A, Melbourne Beach, FL 32951.

The meeting is scheduled to be heard today, Monday, September 12, 2022 by the Planning and Zoning Board.

The subject property at 6345 Hwy A1A is currently zoned RR-1 for Single Family. The request is to change the zoning from RR-1 to RU-2-4, Multi-family.

Whether the words being used are a Designation, Future Land Use, Density or Zoning, it comes down to one simple way to make a decision on this issue. The vacant lot as of today can only be permitted to have one single family home.

The 2 multi-family properties next to the subject property, were built years ago when a new Causeway was planned.

The adjacent properties are being used as a segway to allow the subject



property to be up-zoned for all the wrong reasons and eliminating factors that would prohibit the change.

A new Causeway is no longer planned so the density must remain 1 single family home per lot. At RR-1 zoning, the density and evacuation can be managed well.

If the request to up-zone the lot at 6345 Hwy A1A is granted, it may very well set a precedent for all remaining RR-1 Single Family lots in the southern most Coastal part of Brevard County.

You are deciding something big. Something that may be used as an example in the future, as to how cases are decided.

Out of area Developers are not aware of the High Coastal Hazard that exists as well as the down-zoning to R-1 by FEMA..

A wave of density increases may trip the necessity for a new Causeway, public utilities, water / sewer and road widening at great expense to the Taxpayers.

Thank you for caring about the protection of our unique area of Melbourne Beach.

Sincerely yours,

Michael F. Segó Sr  
Phone #321-409-6276  
123 Cardinal Drive  
Melbourne Bch, FL 32951

**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Fwd: Re zoning File #4985  
**Date:** Monday, September 12, 2022 4:08:49 PM  
**Attachments:** [zoning letter 1st pageDocument\\_20220912\\_0001.pdf](#)  
[2nd page zoning letterDocument\\_20220912\\_0001.pdf](#)

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FYI

Sent from my iPhone

Begin forwarded message:

**From:** pakscat@1791.com  
**Date:** September 12, 2022 at 1:47:17 PM EDT  
**To:** "Calkins, Tad" <tad.calkins@brevardfl.gov>  
**Subject:** Re zoning File #4985

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

Dear Sir,

My name is Patricia Keller, I live at 136 Regatta St.  
Melbourne Bch, Fl 32951

I have attached a letter regarding the re zoning of  
6345 Highway A1A Melbourne Beach,Fl.

Thank you,  
Patricia

:

The property was purchased in 2012 and I assume the owner new it was zoned for single family use. Sterling house and Gull house condos were already there. What was his intent to wait 10 years and then apply for rezoning? Could it be, now with the real estate market in high demand, he sees an opportunity to max out the use of the property by up zoning to RU-2-4?

How many other property owners may be thinking they would like to re zone.

I don't object to the owner of this parcel of land building 4 units on it.

What I do object to is the zoning having to be changed in order to do it.

If the zoning request for 6345 Highway A1A is granted wouldn't this set a precedent for other properties to apply for re zoning?. And how many other properties on A1A in this area may also go for zoning changes? Where do you draw the line?

Once you let the genie out of the bottle it is pretty

1

:

:

hard to put it back.

You only need to look at Indianharbor, Indian Harbor Beach and Satellite Beach.

We have something very special in this part of the county and we want to keep it that way!

:

Leave a sleeping dog lie and recommend against the up zoning request.

:

:

:

hard to put it back.

You only need to look at Indian Lantic, Indian Harbor Beach and Satellite Beach.

We have something very special in this part of the county and we want to keep it that way!

:

Leave a sleeping dog lie and recommend against the up zoning request.

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The property was purchased in 2012 and I assume the owner knew it was zoned for single family use. Sterling house and Gull house condos were already there. What was his intent to wait 10 years and then apply for rezoning? Could it be, now with the real estate market in high demand, he sees an opportunity to max out the use of the property by up zoning to RU-2-4?

How many other property owners may be thinking they would like to re zone.

I don't object to the owner of this parcel of land building 4 units on it.

What I do object to is the zoning having to be changed in order to do it.

If the zoning request for 6345 Highway A1A is granted wouldn't this set a precedent for other properties to apply for re zoning?. And how many other properties on A1A in this area may also go for zoning changes? Where do you draw the line?

Once you let the genie out of the bottle it is pretty

1

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**From:** [Calkins, Tad](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Proposed Zoning Change  
**Date:** Tuesday, September 13, 2022 9:42:55 AM

---

FYI

**From:** Frank and Cheryl Hernandez <hrnandii@bellsouth.net>  
**Sent:** Monday, September 12, 2022 5:45 PM  
**To:** Calkins, Tad <tad.calkins@brevardfl.gov>  
**Subject:** Proposed Zoning Change

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

I ask that you oppose the proposed zoning change request for 6345 Highway A1A ,  
Melbourne Beach, FL 32951

This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so that 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: "*Objective seven of the Coastal Management Element of the County's Comprehensive Plan specifically states the County should, and he quotes, "limit densities within the Coastal High Hazard Zone and direct development outside of this area."*

Commissioner Tobia read the quote again "***limit densities in the Coastal High Hazard***

**Zone". He asserted "if the Board grants the request, it would not be following the Coastal High Hazard Zone."**

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Approving this change will set a dangerous precedent for future development in the very sensitive FEMA designated Coastal High Hazard Zone.

Thank you,  
Frank and Cheryl Hernandez



September 12, 2022

To: Brevard County Planning and Zoning Board

Regarding: Rezoning Notice 22Z00039

Good Afternoon, my name is Howard Kendall. My wife, Ellen, and I are owners at 6309 South Highway A1A in Sterling House unit 353 and are among the immediate abutters to the undeveloped property located at 6345 South Highway A1A in Melbourne Beach.

We, as many owners at Sterling House, purchased our homes over the years at above market value with the understanding that this vacant lot is zoned for a single-family home (RR-1). The new lot owner wants this to be changed to a 2-4 multifamily residence (RU-2-4). If approved by the Planning and Zoning Board, this will certainly negatively impact the economic value of Sterling House residences and will negatively impact our lives as:

1. The level of noise from the new property will certainly be increased.
2. The level of air pollution from: (a) automobiles will be increased and (b) depending upon the type of septic system installed, air pollution is likely to be increased.
3. The Southeast views enjoyed from our residences will be substantially diminished and potentially eliminated.

Additionally, from a conservation perspective, the annual turtle nesting will be further impacted with less available beach front available to the turtles.

In summary we request that the Planning and Zoning Board maintain the RR-1 classification for this property as previously established with good reason by Brevard County.

Sincerely yours,

  
Ellen J. Kendall

  
Howard J. Kendall

In March 2022, Jennifer Ognibene and I purchased our dream retirement home located at 6355 S Hwy 91A, Melbourne Beach, FL. This is to be our home upon retirement and the views of the Atlantic Ocean are spectacular. We purchased the home due to the spectacular views. The interior of the residence was in a diminished state due to lack of upkeep. We spend almost a full month of vacation time 'fixing up' the home. We purchased the home with the intent of the empty lot sitting directly next our property was zoned as a single home. Knowing this we determined a single unit residence would not obstruct our view. Now with this rezoning as a possibility we are quite disheartened! Our unit #1 and Unit #2 of the Gullhouse will be the two most compromised properties affected by this rezoning. During the previous meeting on Monday September 12, 2022 rezoning was approved. Unfortunately, our units were not taken into direct consideration. The views of adjacent buildings were almost dismissed during the meeting. Whoever is in charge of this rezoning needs to look specifically at Unit #1 & #2 of the Gullhouse. Aerial maps presented during the previous meeting do NOT provide a

true representation of how a larger 4 or more unit building will impede our views and thus devalue our property.

Unfortunately, the direction our decks face the ocean are situated at a Northeast direction. This directional view will be directly looking into the new building that is proposed to be built, unless it is built further back from the property line - towards the road. If our unit faced South East towards the ocean the issue of obstructed views would be less significant.

I see this as a major concern for the proposed rezoning of this property. The lawyer at the previous meeting claimed our properties would increase in value based upon the construction of this new property. I disagree. We paid top-dollar at the top of the market based upon the exquisite views of the Ocean. If the views are impeded the value of our property will significantly suffer.

As a New Jersey State Trooper, I have always been engaged in honor, duty, and fidelity in my work & in my personal life. I have been a Jersey Trooper for 17 years investigating a multitude of criminal activity - this home was to be my dream home.

to retire peacefully and finally relax!

The property has not even been complexed for sale. It seems quite unfair to favor the wishes of a purchaser, non-florida resident, who is looking to rezone the property to maximize profits while not taking into consideration our property located at Unit #1 of the Gull house, owned by a NY State Trooper & an Ultrasound Technician (Jennifer Igniter). We both worked tirelessly during the Covid-19 pandemic risking our lives and this just does not seem fair.

At this time, we are asking that this rezoning is not approved or at least our property is physically looked at by someone from Brevard County, FL to identify our concerns with the size & location the larger building may be built.

Respectfully,

Mark L. Beardley

**From:** [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning of 6345 SA1A  
**Date:** Monday, October 3, 2022 2:50:45 PM  
**Attachments:** [Condo Rezoning.docx](#)

---

**From:** Garrett Root <gary.root.sh@gmail.com>  
**Sent:** Monday, October 03, 2022 2:31 PM  
**To:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Rezoning of 6345 SA1A

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

Commissioner Rita Pritchett  
Commissioner Fritz VanVolkenburgh  
Commissioner John Tobia  
Commissioner Curt Smith  
Commissioner Kristine Zonka

Garrett and Terri Root  
6305 S. A1A Unit 141  
Melbourne Beach, FL 32951

To: Brevard County Commissioners

RE: Rezoning of 6345 S A1A from Single Family Residential to Multifamily per Rezoning Notice 22Z00039

Terri and I respectfully request that the Brevard County Commission denies the request to rezone the parcel from single family to multifamily based on the following reasons.:

- 1) The developer purchased the property with the knowledge that this property was zoned RR-1- single-family. As a developer, he understood the risk involved with trying to have it rezoned. A denial in zoning change will simply force the developer to build a high end, beachfront single-family dwelling, still generating a large tax revenue for Brevard County.
- 2) Increasing the density between Melbourne Beach and Sebastian Inlet may violate certain sections of the 1988 Comprehensive Plan filed with the State of Florida for this area. Sections of the 1988 Brevard County Comprehensive Plan that may be impacted by this rezoning are:

- a. Chapter 1: Conservation Element

b. Chapter 2: Surface Water Management

c. Chapter 10: Coastal Management Element

3) Rezoning to a multifamily unit will create a minimum of 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$489 million Save Our Indian River Lagoon Program. Once completed, the Lagoon project is targeted to reduce and remove 1,272,347 pounds of nitrogen and 105,125 pounds of phosphorus annually from the Indian River Lagoon. To add another high-density project seems to be in direct opposition to this project.

4) The Archie Carr National Wildlife Refuge was designated to protect habitat at the most significant area for loggerhead sea turtle nesting in the world, and the most significant area for green turtle nesting in North America. To add a high-density load to this area would impact the Refuge and the Sealife that it protects.

In closing, our family purchased this property in 1989, predominantly due to the conservation plan for this area and feel that this needs to be preserved for future generations.

Sincerely,

Gary and Terri Root

Garrett and Terri Root  
6305 S. A1A Unit 141  
Melbourne Beach, FL 32951

To: Brevard County Commissioners

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Sincerely,

Gary and Terri Root

**From:** [Alward, Keith A](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Bellak, Christine](#)  
**Subject:** FW: Rezoning of 6345 SA1A  
**Date:** Monday, October 3, 2022 2:51:22 PM  
**Attachments:** [Condo Rezoning.docx](#)

---

FYI

*Keith Alward*



**Keith Alward**  
Legislative Aide  
Brevard County Commission, District 4  
Commissioner Curt Smith  
[321.350.9249](tel:321.350.9249) | [Keith.Alward@Brevardfl.Gov](mailto:Keith.Alward@Brevardfl.Gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite  
214,  
Viera, FL 32940

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**From:** Garrett Root <gary.root.sh@gmail.com>  
**Sent:** Monday, October 03, 2022 2:31 PM  
**To:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Rezoning of 6345 SA1A

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

Commissioner Rita Pritchett  
Commissioner Fritz VanVolkenburgh  
Commissioner John Tobia  
Commissioner Curt Smith  
Commissioner Kristine Zonka

Garrett and Terri Root  
6305 S. A1A Unit 141  
Melbourne Beach, FL 32951



To: Brevard County Commissioners

RE: Rezoning of 6345 S A1A from Single Family Residential to Multifamily per Rezoning Notice 22Z00039

Terri and I respectfully request that the Brevard County Commission denies the request to rezone the parcel from single family to multifamily based on the following reasons.:

- 1) The developer purchased the property with the knowledge that this property was zoned RR-1- single-family. As a developer, he understood the risk involved with trying to have it rezoned. A denial in zoning change will simply force the developer to build a high end, beachfront single-family dwelling, still generating a large tax revenue for Brevard County.
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In closing, our family purchased this property in 1989, predominantly due to the conservation plan for this area and feel that this needs to be preserved for future generations.

Sincerely,

Gary and Terri Root

Garrett and Terri Root  
6305 S. A1A Unit 141  
Melbourne Beach, FL 32951

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Sincerely,

Gary and Terri Root

Objection  
22Z00039  
Tytka

**From:** [Alward, Keith A](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Bellak, Christine](#)  
**Subject:** FW: Opposition to Rezoning Application #22Z00039  
**Date:** Monday, October 3, 2022 2:51:58 PM

---

FYI

Keith Alward  
Legislative Aide  
Brevard County Commission, District 4  
Commissioner Curt Smith  
321.350.9249 | [Keith.Alward@Brevardfl.Gov](mailto:Keith.Alward@Brevardfl.Gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite 214,  
Viera, FL 32940

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

From: Donna Lee Crawford <[donnalee.c@icloud.com](mailto:donnalee.c@icloud.com)>  
Sent: Monday, October 03, 2022 1:30 PM  
To: Commissioner, D4 <[D4.Commissioner@brevardfl.gov](mailto:D4.Commissioner@brevardfl.gov)>  
Subject: Opposition to Rezoning Application #22Z00039

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

Dear Commissioner Smith,

I am writing to you as I am out of town and unable to attend this Thursday's meeting to voice my opposition in person to the rezoning of 6345 S Hwy A1A in south Melbourne Beach from single family residential to multi family, application #22Z00039.

I grew up on the barrier island and have witnessed the foresight and dedication Commissioners have had over the years to preserve and protect the delicate balance of harmony with our precious natural resources and development of the island. I hope that you will honor the noble work of our Commissioners that have preceded you and vote against this unnecessary rezoning.

Most sincerely,  
Donna Lee Crawford  
201 Osprey Villas Court  
Melbourne Beach

Sent from my iPhone

**From:** [Alward, Keith A](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Bellak, Christine](#)  
**Subject:** FW: Zoning Application 22Z00039  
**Date:** Tuesday, October 4, 2022 7:54:46 AM

---

Good morning Jennifer,

Please find below another email regarding 22Z00039.

Thanks,

*Keith Alward*



**Keith Alward**  
Legislative Aide  
Brevard County Commission, District 4  
Commissioner Curt Smith  
[321.350.9249](tel:321.350.9249) | [Keith.Alward@Brevardfl.Gov](mailto:Keith.Alward@Brevardfl.Gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite  
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Viera, FL 32940

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**From:** M Saffer and T Aborlleile <[msaffer1@bellsouth.net](mailto:msaffer1@bellsouth.net)>  
**Sent:** Monday, October 03, 2022 11:36 PM  
**To:** Commissioner, D1 <[D1.Commissioner@brevardfl.gov](mailto:D1.Commissioner@brevardfl.gov)>; Commissioner, D4 <[D4.Commissioner@brevardfl.gov](mailto:D4.Commissioner@brevardfl.gov)>; Commissioner, D5 <[D5.Commissioner@brevardfl.gov](mailto:D5.Commissioner@brevardfl.gov)>  
**Subject:** Zoning Application 22Z00039

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

Dear Commissioners,

We bought in 1988 for the peaceful tranquility and low density.  
Please vote no for this zoning change It will set a precedence for single family residences to switch to multi-family zoning, means higher density, AirBNB/VRBO , more traffic,

Please keep unincorporated Brevard county and the south beaches peaceful.

Sincerely,

Terri Aborlleile

**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Zoning Application 22Z00039  
**Date:** Tuesday, October 4, 2022 8:39:53 AM

---

**From:** M Saffer and T Aborlleile <msaffer1@bellsouth.net>  
**Sent:** Monday, October 3, 2022 11:36 PM  
**To:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Zoning Application 22Z00039

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Sincerely,

Terri Aborlleile

**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Tuesday, October 4, 2022 11:28:11 AM

---

**From:** Gale Sellers <[gsellers417@gmail.com](mailto:gsellers417@gmail.com)>  
**Sent:** Tuesday, October 4, 2022 11:18 AM  
**To:** Commissioner, D5 <[D5.Commissioner@brevardfl.gov](mailto:D5.Commissioner@brevardfl.gov)>  
**Subject:** Fwd: Rezoning of 6345 S A1A from Single Family Residential to Multifamily

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

----- Forwarded message -----

From: **Gale Sellers** <[gsellers417@gmail.com](mailto:gsellers417@gmail.com)>  
Date: Tue, Oct 4, 2022 at 11:09 AM  
Subject: Re: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
To: <[D1.Commissioner@brevardfl.gov](mailto:D1.Commissioner@brevardfl.gov)>

To the Commission Members,

My husband and I OPPOSE the rezoning of 6345 S A1A for the following reasons:

**Reasons to oppose:**

- 1) Owner bought property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands.

Please OPPOSE the rezoning. Traffic on this 2 lane stretch of A1A is already too heavy and can have long backups.

Thank you,  
Gale S Sellers  
Jay W. True





# SEA TURTLE CONSERVANCY

S I N C E 1 9 5 9  
Formerly Caribbean Conservation Corporation



Brevard County Commissioners  
Sent Via Email

October 4, 2022

Dear Commissioners,

I am writing on behalf of the Sea Turtle Conservancy (STC). Founded by Dr. Archie Carr in 1959, we are the world's oldest sea turtle research and conservation group. STC has played a significant role working with Congress, the State of Florida and Brevard County to create and safeguard the Archie Carr National Wildlife Refuge on Brevard's south beaches.

The Carr Refuge is globally unique; it is not an exaggeration to say it is the most important nesting site in the world for loggerhead sea turtles and the most important site for green turtles in the United States. Decisions by the Brevard County Commission on zoning and beach management will forever impact the survival of these federally protected species.

This letter is to express our strong opposition to a proposed zoning change for the property at 6345 S HWY A1A, Melbourne Beach. The owner is seeking to have his property rezoned from Single-Family Residential to Multi-Family (App. #22Z00039). The property is located within the north and south boundaries of the Carr Refuge, and any increase in building density within this region poses a significant long-term threat to sea turtles and their habitats. We respectfully urge you to deny this application, which goes against several long-standing coastal development policies in Brevard County and would set an untimely precedent of expanding building density in the highly sensitive Archie Carr Refuge.

In the immediate wake of the destruction wrought by Hurricane Ian, it can't possibly escape the Commission's attention that Florida's beachfront is highly vulnerable to the increasing frequency and ferocity of hurricanes, sea level rise and other coastal erosion events. Expanding density at this time—in this location—would be both unwise and dangerous, and it would threaten to the sensitive coastal habitat that makes this part of Brevard County so special.

Our organization has witnessed the consequences of inappropriate beachfront development before. Short term profiteering leads to unwise and unsustainable siting of new beachfront construction, which soon requires sea walls to protect. And once seawalls are erected in one location, they spread rapidly down the beach as erosion from these structures creates a domino effect. It doesn't take very long before the dry, sandy beach is gone—replaced by rock revetments and vertical walls that block sea turtles from reaching suitable nesting habitat and destroy the aesthetic of the beach people want to visit. We urge you to vote no.

Sincerely,

David Godfrey  
Executive Director



**From:** [Alward, Keith A](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Bellak, Christine](#)  
**Subject:** FW: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Tuesday, October 4, 2022 1:10:24 PM

---

Here is one more for 22Z00039.

Thanks

*Keith Alward*



**Keith Alward**  
Legislative Aide  
Brevard County Commission, District 4  
Commissioner Curt Smith  
[321.350.9249](tel:321.350.9249) | [Keith.Alward@Brevardfl.Gov](mailto:Keith.Alward@Brevardfl.Gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite  
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Viera, FL 32940

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**From:** Gale Sellers <[gsellers417@gmail.com](mailto:gsellers417@gmail.com)>  
**Sent:** Tuesday, October 04, 2022 11:18 AM  
**To:** Commissioner, D4 <[D4.Commissioner@brevardfl.gov](mailto:D4.Commissioner@brevardfl.gov)>  
**Subject:** Fwd: Rezoning of 6345 S A1A from Single Family Residential to Multifamily

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

----- Forwarded message -----

From: **Gale Sellers** <[gsellers417@gmail.com](mailto:gsellers417@gmail.com)>  
Date: Tue, Oct 4, 2022 at 11:09 AM  
Subject: Re: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
To: <[D1.Commissioner@brevardfl.gov](mailto:D1.Commissioner@brevardfl.gov)>

To the Commission Members,

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Gale S Sellers  
Jay W. True

**From:** [Bellak, Christine](#)  
**To:** [Alward, Keith A](#); [Jones, Jennifer](#)  
**Subject:** Zoning - Call  
**Date:** Tuesday, October 4, 2022 1:14:29 PM  
**Attachments:** [image003.png](#)

---

Good afternoon,

On behalf of **- Diane Nicholson 321-537-9364** , please note she called in **opposition / against** any zoning change . Please keep it single , 6345 A1A .

Tuesday – October 4<sup>th</sup> at 1:05pm . She asked I pass the information as she doesn't have email available to her at this time.

Thank you,

*Christine Bellak*



**Christine Bellak**  
Administrative Assistant  
Brevard County, District 4  
[321 633 2044](tel:3216332044) | [Christine.Bellak@brevardfl.gov](mailto:Christine.Bellak@brevardfl.gov)  
2725 Judge Fran Jamieson Way,  
Bldg. C – Suite 214  
Viera, FL 32940

***Please note:***

*Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.*

**From:** [Wallace Rice](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** Rezoning of 6345 South A1A from single family residential to multifamily, ID # 22Z00039  
**Date:** Tuesday, October 4, 2022 2:50:16 PM

---

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

As homeowners and full-time residents of Floridana Beach we strongly oppose any zoning change from Single Family Residential to Multifamily in the South Beaches. This would set a precedent that would lead to others doing the same; crowding A1A with more density in taller buildings. We have seen what Multifamily Zoning looks like in Indialantic and Satellite Beach and we don't want it in the South Beaches. It's bad for the environment, bad for the Indian River Lagoon and may negatively impact turtle nesting. It will cause more congestion on the roads and will have a negative impact on the property values of single family homes.

We urge you to support not changing Single Family Zoning to Multifamily Zoning in the South Beaches.

Respectfully,

Susan Page & Wallace Rice  
160 Cortez St.  
Melbourne Beach, Fl 32951  
321 722-9576 (landline)

**From:** [Wallace Rice](#)  
**To:** [Commissioner, D4](#)  
**Subject:** Rezoning of 6345 South A1A from single family residential to multifamily, application #22Z00039  
**Date:** Tuesday, October 4, 2022 2:39:50 PM

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

As homeowners and full-time residents of Florida Beach we strongly oppose any zoning change from Single Family Residential to Multifamily in the South Beaches. This would set a precedent that would lead to others doing the same; crowding A1A with more density in taller buildings. We have seen what Multifamily Zoning looks like in Indian River and Satellite Beach and we don't want it in the South Beaches. It's bad for the environment, bad for the Indian River Lagoon and may negatively impact turtle nesting. It will cause more congestion on the roads and will have a negative impact on the property values of single family homes.

We urge you to vote NO on changing Single Family Zoning to Multifamily Zoning in the South Beaches.

Respectfully,

Susan Page & Wallace Rice  
160 Cortez St.  
Melbourne Beach, Fl 32951  
321 722-9576 (landline)

Objection  
22Z00039  
Tytko

**From:** [Carolyn C. Powell](#)  
**To:** [Commissioner, D4](#)  
**Subject:** Rezoning 6345  
**Date:** Tuesday, October 4, 2022 6:31:40 PM

---

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

I am not in favor of rezoning on any of our beach towns. I truly believe it only negatively impacts our small already very over populated towns !!! So I say NO to rezoning. Carolyn Powell

Sent from my iPhone

Sent from my iPhone

Objection  
22Z00039  
Tytko

**From:** [larry.biagi](#)  
**To:** [Commissioner, D4](#)  
**Subject:** Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Tuesday, October 4, 2022 7:45:17 PM

---

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

Dear Commissioner,

I am not understanding the point of this rezoning. Isn't there already enough building going on in this very sacred area? Are these multi family homes going to enhance the natural habitat of the already very threatened south beach's? When I drive down A1A in the morning the animal carnage is heart breaking. The animals have no where to go. One family homes is one thing but multi family? The impact for this development could not be good. I wonder what the EPA would really say if they could. Why are the commissioner's allowed to decide on this why is there not a vote by the locals. At this point development has become a critical impact on our area. Please consider the fragility of this situation.

Thankyou  
Patricia Biagi



**From:** [Bob Riley](#)  
**To:** [Commissioner, D4](#)  
**Subject:** Oppose 6345 Highway A1A Melbourne Beach Zoning Change  
**Date:** Tuesday, October 4, 2022 4:38:37 PM

---

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

Good day Commissioner Smith:

We oppose the zoning change & increase in density proposed for 6345 Highway A1A Melbourne Beach 32951.

This change does not comply with the Brevard County Comprehensive Plan, which states "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

The proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district.

Please comply with the Comprehensive Plan and deny this zoning change to higher density.

Best regards,

Bob & Annette Riley  
321-431-6595  
340 Beverly Ct  
Melbourne Beach

**From:** [L](#)  
**To:** [Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5; Commissioner, D1](#)  
**Subject:** Re: OPPOSE Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Tuesday, October 4, 2022 6:37:13 PM

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

**Reasons to oppose:**

- 1) Owner bought property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands.

In March 2022, Jennifer Ognibene and I purchased our dream retirement home located at 6355 S Hwy 91A, Melbourne Beach, FL. This is to be our home upon retirement and the views of the Atlantic Ocean are spectacular. We purchased the home due to the spectacular views. The interior of the residence was in a diminished state due to lack of upkeep. We spent almost a full month of vacation time 'fixing up' the home. We purchased the home with the intent of the empty lot sitting directly next our property was zoned as a single home. Knowing this we determined a single unit residence would not obstruct our view. Now, with this rezoning as a possibility we are quite disheartened! Our unit #1 and Unit #2 of the Gullhouse will be the two most compromised properties affected by this rezoning. During the previous meeting on Monday September 12, 2022 rezoning was approved. Unfortunately, our units were not taken into direct consideration. The views of adjacent buildings were almost dismissed during the meeting. Whoever is in charge of this rezoning needs to look specifically at Unit #1 & #2 of the Gullhouse. Aerial maps presented during the previous meeting do NOT provide a

true representation of how a larger 4 or more unit building will impede our views and thus devalue our property.

Unfortunately, the direction our decks face the ocean are situated at a Northeast direction. This directional view will be directly looking into the new building that is proposed to be built, unless it is built further back from the property line - towards the road. If our unit faced South East towards the ocean the issue of obstructed views would be less significant.

I see this as a major concern for the proposed rezoning of this property. The lawyer at the previous meeting claimed our properties would increase in value based upon the construction of this new property. I disagree. We paid top-dollar at the top of the market based upon the exquisite views of the Ocean. If the values are impeded the value of our property will significantly suffer.

As a New Jersey State Trooper, I have always been engaged in honor, duty, and fidelity in my work & in my personal life. I have been a Jersey Trooper for 17 years investigating a multitude of criminal activity. This home was to be my dream home.

to retire peacefully and finally relax!

The property has not even been complexed for sale. It seems quite unfair to favor the wishes of a purchaser, non-florida resident, who is looking to rezone the property to maximize profits while not taking into consideration our property located at Unit #1 of the Gull house, owned by a NY State Trooper & an Ultrasound Technician (Jennifer Agniron). We both worked tirelessly during the Covid-19 pandemic risking our lives and this just does not seem fair.

At this time, we are asking that the rezoning is not approved or at least our property is physically looked at by someone from Brevard County, FL to identify our concerns with the size & location the larger building may be built.

Respectfully,

Ma J By  
Mark L. Beardley

**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [D5 Users](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Oppose 6345 Highway A1A Melbourne Beach Zoning Change  
**Date:** Wednesday, October 5, 2022 8:31:08 AM

---

D5

**From:** Bob Riley <riley@mangrove.org>  
**Sent:** Tuesday, October 4, 2022 4:38 PM  
**To:** Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** Oppose 6345 Highway A1A Melbourne Beach Zoning Change

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

Good day Commissioner Zonka:

We oppose the zoning change & increase in density proposed for 6345 Highway A1A Melbourne Beach 32951.

This change does not comply with the Brevard County Comprehensive Plan, which states "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

The proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district.

Please comply with the Comprehensive Plan and deny this zoning change to higher density.

Best regards,

Bob & Annette Riley  
321-431-6595  
340 Beverly Ct  
Melbourne Beach

**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: OPPOSE Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Wednesday, October 5, 2022 8:31:32 AM

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**From:** L <lminnick@hotmail.com>  
**Sent:** Tuesday, October 4, 2022 6:37 PM  
**To:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>  
**Subject:** Re: OPPOSE Rezoning of 6345 S A1A from Single Family Residential to Multifamily

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

**Reasons to oppose:**

- 1) Owner bought property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands.

Objection  
22Z00039  
Tytko

**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning of 6345  
**Date:** Wednesday, October 5, 2022 8:31:33 AM

---

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

From: Carolyn C Powell <carolynpowell62@yahoo.com>  
Sent: Tuesday, October 4, 2022 6:33 PM  
To: Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
Subject: Rezoning of 6345

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

I am not in favor of rezoning on any of our beach towns. I truly believe it only negatively impacts our small already very over populated towns !!! So I say NO to rezoning. Carolyn Powell

Sent from my iPhone

Sent from my iPhone



**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [D5 Users](#)  
**Cc:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Wednesday, October 5, 2022 8:32:22 AM

---

4 emails and 1 call in opposition since yesterday

**From:** larry biagi <[biagi@bellsouth.net](mailto:biagi@bellsouth.net)>  
**Sent:** Tuesday, October 4, 2022 7:51 PM  
**To:** Commissioner, D5 <[D5.Commissioner@brevardfl.gov](mailto:D5.Commissioner@brevardfl.gov)>  
**Subject:** Fw: Rezoning of 6345 S A1A from Single Family Residential to Multifamily

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

-----  
**Subject:** Rezoning of 6345 S A1A from Single Family Residential to Multifamily

Dear Commissioner,

I am not understanding the point of this rezoning. Isn't there already enough building going on in this very sacred area? Are these multi family homes going to enhance the natural habitat of the already very threatened south beach's? When I drive down A1A in the morning the animal carnage is heart breaking. The animals have no where to go. One family homes is one thing but multi family? The impact for this development could not be good. I wonder what the EPA would really say if they could. Why are the commissioner's allowed to decide on this why is there not a vote by the locals. At this point development has become a critical impact on our area. Please consider the fragility of this situation.

Thankyou  
Patricia Biagi

**From:** [Alward, Keith A](#)  
**To:** [Jones, Jennifer](#)  
**Cc:** [Bellak, Christine](#)  
**Subject:** FW: The beauty of Floridana and MB  
**Date:** Wednesday, October 5, 2022 9:58:21 AM

---

Jennifer below is another email regarding 22Z00039

Thanks

*Keith Alward*



**Keith Alward**  
Legislative Aide  
Brevard County Commission, District 4  
Commissioner Curt Smith  
[321.350.9249](tel:321.350.9249) | [Keith.Alward@Brevardfl.Gov](mailto:Keith.Alward@Brevardfl.Gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite  
214,  
Viera, FL 32940

***Please note:***

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**From:** G. Patrick Pawling <pat@pawling.net>  
**Sent:** Wednesday, October 05, 2022 8:48 AM  
**To:** Commissioner, D4 <D4.Commissioner@brevardfl.gov>  
**Subject:** The beauty of Floridana and MB

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

Good day, Mr. Smith. I think you would agree that Floridana and parts of Melbourne Beach are special. Uncrowded. Laid back. Few high-rises and condos. I think you would also agree that it's critically important to keep it this way, especially in light of much of the runaway development we see in neighboring communities.

For these reasons and others, I strongly disagree with any proposal to change the zoning and density requirements. Changes like the one proposed for 6345 Highway A1A, Melbourne Beach, will erode the beauty, character and quite possibly the environment of this beautiful area. Plus this would likely be a slippery slope, with additional changes being sought after this barrier goes down.

Let's not forget that the Brevard County Comprehensive Plan makes it very clear: "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

And yet, before you, you have a proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district.

Please comply with the Comprehensive Plan and deny this zoning change to higher density. Please don't let Floridana become another crowded disaster.

**Best,**

Patrick Pawling

6458 Floridana Avenue

Melbourne Beach

**STERLING HOUSE CONDOMINIUMS**

6309 South Highway A1a, Melbourne Beach, FL

**SIGNED PETITIONS**

OPPOSING THE REZONING OF VACANT LOT:

6345 SOUTH HIGHWAY A1A, MELBOURNE BEACH, FL

FROM RR-1 – TO- RU 2-4 (LOW DENSITY MULTI-FAMILY  
RESIDENTIAL)

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, Fl 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Eric Schulze</u>	<u>352</u>	<u>Eric Schulze</u> <u>Gillian C. Schulze</u>

**STERLING HOUSE CONDOMINIUMS**

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Homeowner Name	Unit #	Signature
<u>Kathleen VanLindt</u> Dominic Dalfonso	<u>243</u>	<u>Kathleen VanLindt</u> <u>Dominic Dalfonso</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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**Homeowner Name**

**Unit #**

**Signature**

Chad Williams

121

Chad Williams

**STERLING HOUSE CONDOMINIUMS**

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**Homeowner Name**

**Unit #**

**Signature**

Rachel Williams

121

R Williams

**STERLING HOUSE CONDOMINIUMS**

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**Homeowner Name**

**Unit #**

**Signature**

John S Wilson  
JOHN S WILSON

252

John Wilson

**STERLING HOUSE CONDOMINIUMS**

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Homeowner Name

Unit #

Signature

Lee Schmudde

163

[Signature]

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name

Unit #

Signature

HERIHA DORRIS

343

[Signature]

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name

Unit #

Signature

Bruce Grine

322

[Signature]

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u>Steven T. Utterdyke</u>	<u>143</u>	<u>[Signature]</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u>NyRA Welchel</u>	<u>231</u>	<u>[Signature]</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, Fl 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>CHRISTOPHER WESE</u>	<u>333</u>	<u>[Signature]</u>



**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u>Sean Ellermeyer</u>	<u>131</u>	<u>Sean Ellermeyer</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u>Marlene Pagel</u>	<u>332</u>	<u>Marlene Pagel</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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**Homeowner Name**

**Unit #**

**Signature**

Karen Parrillo

222

Karen Parrillo

**STERLING HOUSE CONDOMINIUMS**

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**Homeowner Name**

**Unit #**

**Signature**

SHELLY COX  
BRIAN COX

233

Brian Cox

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u>HOWARD KENDALL</u>	<u>353</u>	<u>Howard J Kendall</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>ELLEN KENDALL</u>	<u>353</u>	<u>Ellen Kendall</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

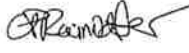
Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Terry D. McNew</u>	<u>153</u>	<u>T. D. McNew</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**


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<b>Homeowner Name</b>	<b>Unit #</b>	<b>Signature</b>
<u>Christa Rainwater</u>	<u>261</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

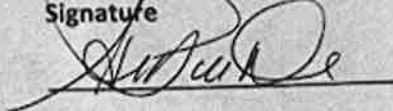
Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, Fl 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

<b>Homeowner Name</b>	<b>Unit #</b>	<b>Signature</b>
<u>Brooks Rainwater</u>	<u>261</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**


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<b>Homeowner Name</b>	<b>Unit #</b>	<b>Signature</b>
<u>Steven Parrillo</u>	<u>222</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**


Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, Fl 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Eric Wolfe</u>	<u>323</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**


Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, Fl 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Tom Reisert</u>	<u>241</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**


Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, Fl 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Root</u>	<u>141</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

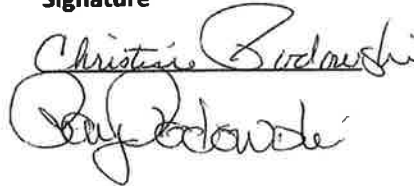
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Homeowner Name	Unit #	Signature
<u>JOHN E PETTIGREW, JR</u>	<u>123</u>	

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Raymond + Christine Podowski</u>	<u>232</u>	

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

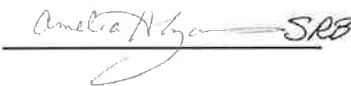
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Homeowner Name	Unit #	Signature
<u>BONNIE BLACQUAN</u>	<u>242</u>	<u>Bonnie Blacquan</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

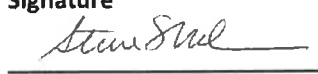
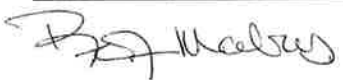
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Homeowner Name	Unit #	Signature
<u>Amelia Lyons and Stephen Bubar</u>	<u>142</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

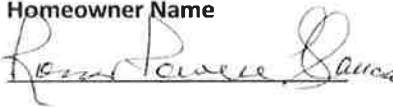
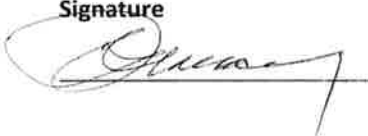
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Homeowner Name	Unit #	Signature
<u>STEVE MABUS</u>	<u>331</u>	<u></u>
<u>Robyn Mabus</u>	<u>331</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u> Rose Powell</u>	<u>133</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

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**Homeowner Name**

**Unit #**

**Signature**

Tom Duncan

132

Tom Duncan

**STERLING HOUSE CONDOMINIUMS**

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**Homeowner Name**

**Unit #**

**Signature**

Terry Letner

251

Terry Letner

**STERLING HOUSE CONDOMINIUMS**

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**Homeowner Name**

**Unit #**

**Signature**

Cynthia Letner

251

Cynthia Letner



**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u>Patricia Tzbiecki</u>	<u>362</u>	<u>Patricia Tzbiecki</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

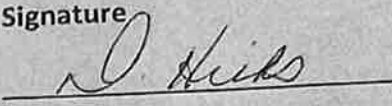
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Homeowner Name	Unit #	Signature
<u>ZACHARY PETTIGREW</u>	<u>123</u>	<u>ZP</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

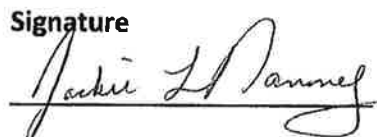
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Homeowner Name	Unit #	Signature
<u>DIANNE HICKS</u>	<u>341</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**


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Homeowner Name	Unit #	Signature
<u>Jackie L Nanney</u>	<u>151</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

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Homeowner Name	Unit #	Signature
<u>Thomas Bayne</u>	<u>263</u>	<u></u>

**STERLING HOUSE CONDOMINIUMS**

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Homeowner Name	Unit #	Signature
<u>MICHAEL KOMAROWSKI</u>	<u>122</u>	<u>M. Komarowski</u>
<u>JILL SPEEG</u>		<u>Jill Speeg</u>

**STERLING HOUSE CONDOMINIUMS**

**PETITION AGAINST REZONING:**

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Homeowner Name	Unit #	Signature
<u>Charles Fasciano</u>	<u>121</u>	<u>Charles Fasciano</u>

Homeowner Name	Unit #	Signature
<u>Ann Fasciano</u>	<u>121</u>	<u>Ann Fasciano</u>

H.5.

## **Brevard County Board of County Commissioners**

10.6.2022

- PRESENTED ON BEHALF OF -

**Dieter Tytko**

**Item # H.5. Requests a change of zoning classification from RR-1 to RU-2-4.  
(22Z00039) (Tax Account 2955625) (District 3)**

**KIMBERLY BONDER REZANKA, ESQ.  
LACEY LYONS REZANKA  
U.S. Highway 1, Suite 201  
Rockledge, FL 32955**

# AERIAL MAP

TYTKO, Dieter  
22Z00039




1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2021

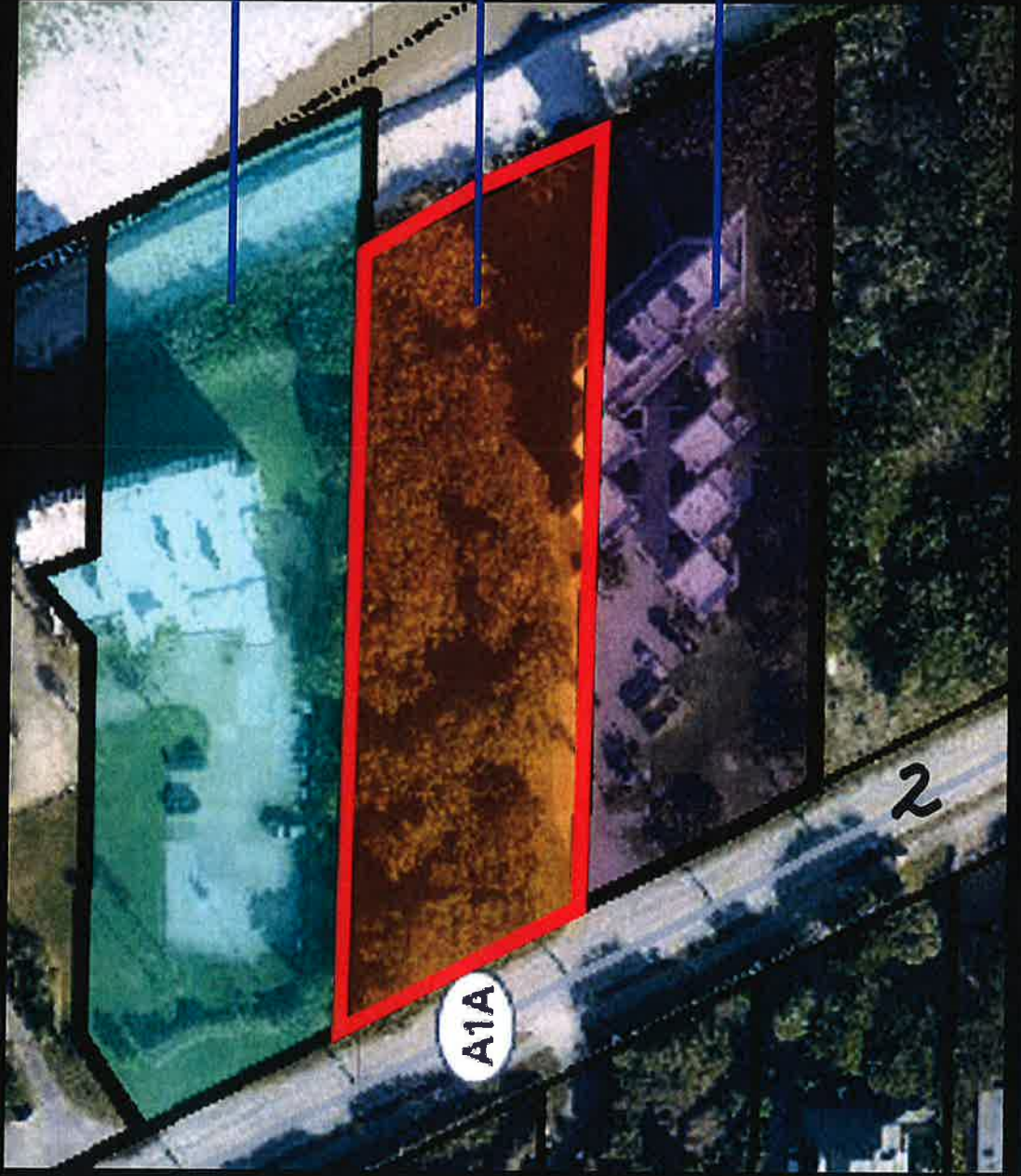
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 7/21/2022

 Subject Property

 Parcels

# DENSITY IN RELATION TO THE PROPERTY AT 6345 HIGHWAY A1A, MELBOURNE BEACH

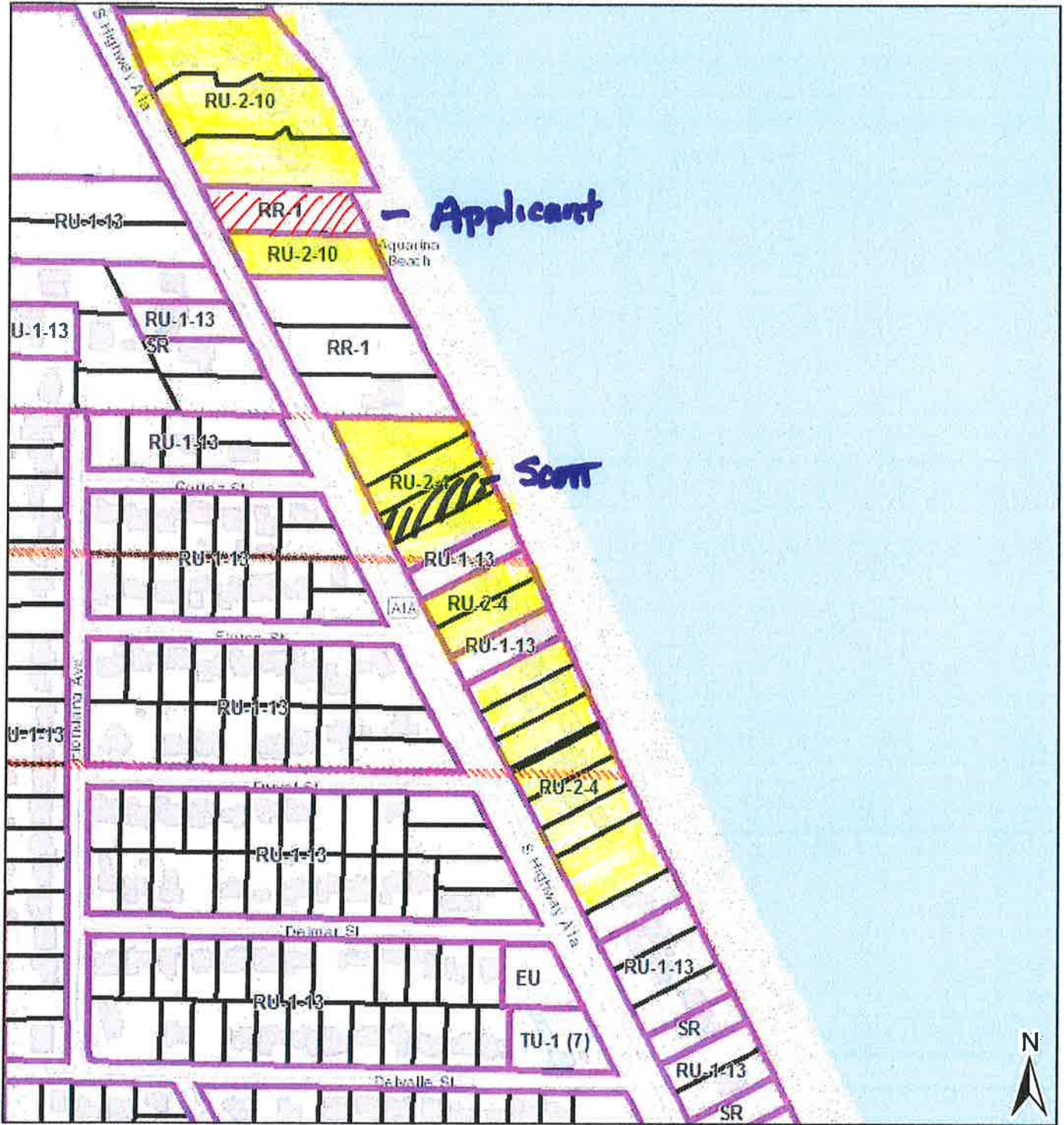






**Sterling House:**  
1.3 acres  
15 units  
*~12 du/ac*

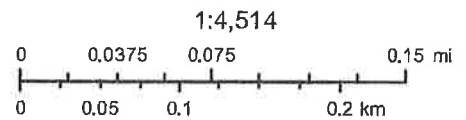
**Applicant's Property:**  
1.01 acres  
4 units  
*~4 du/ac*

**Gull House:**  
0.8 acres  
11 units  
*~14 du/ac*

# Zoning & Future Land Use Map

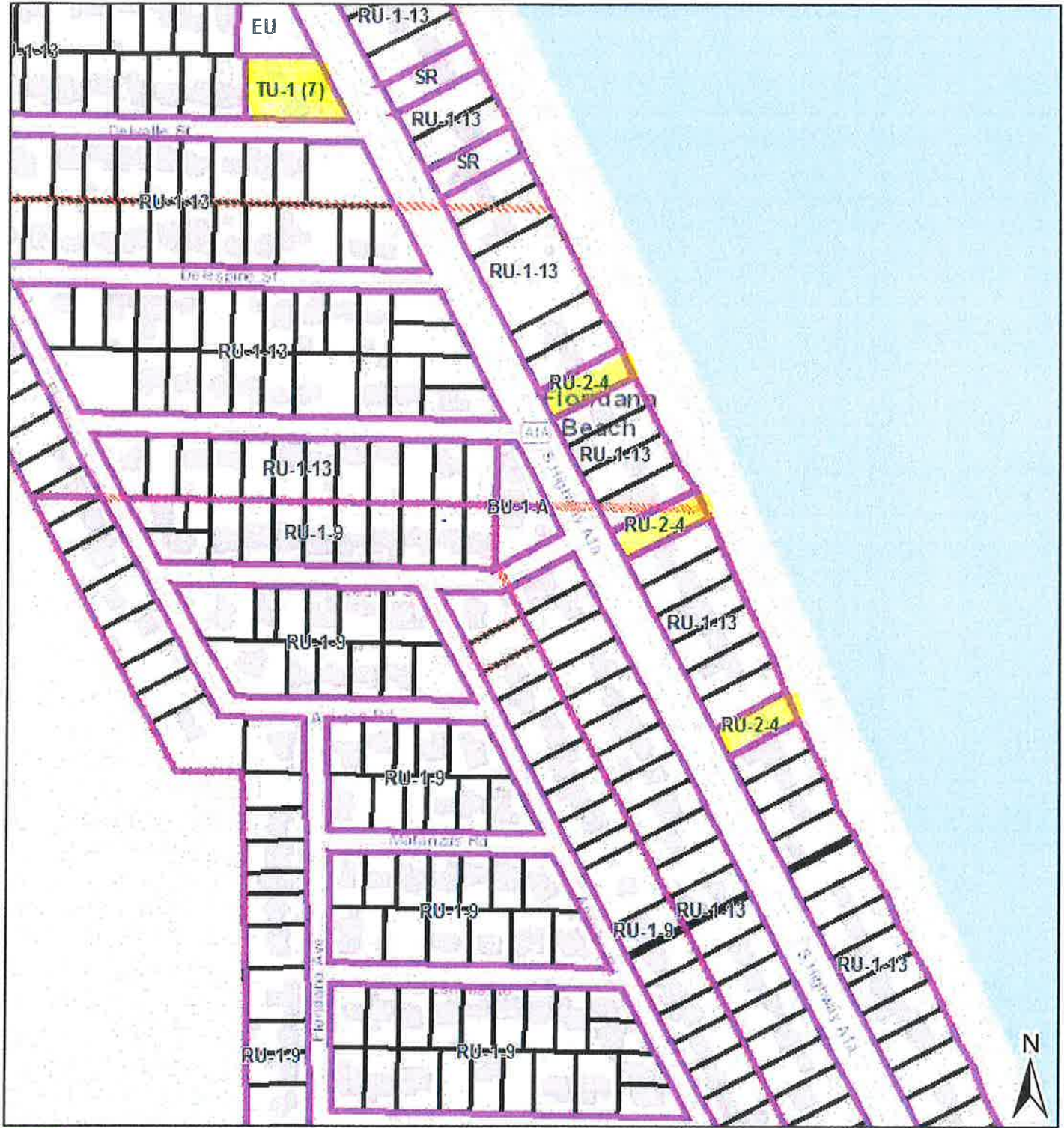


-  Zoning
-  Subdivisions
-  Parcels
-  Parcel Property

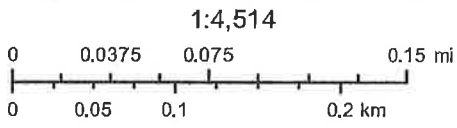


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

# Zoning & Future Land Use Map



- Zoning
- Subdivisions
- Parcels
- Parcel Property



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



Accurate Utilities Inc.  
 5475 NW St. James Drive #142  
 Port St. Lucie FL 34983  
 772.216.4277 Phone  
 772.489.4778 Fax

# Estimate

Date	Estimate #
9/1/2022	3454

*So. Brevard Water Coop  
 PO Box 510697  
 Melbourne Bch, FL. 32951*

Jobsite Address
6345 S A1A Hwy Melbourne Beach, FL 32951

Terms	Rep	Customer phone
NET 10	David	

Description	Qty	Cost	Total
Scope of work: Supply a new water service coming from the west side of A1A bike path, dig up bike path and tap the 8" water main set a 2" service tap and 3"-80' bore under A1A to Frontside of North property line. Set SINGLE 1.5" meter, curb stop and place inside a meter box. Connecting from meters to house by others.	1	7,775.00	7,775.00
FDOT utility permit is required.	1	500.00	500.00
8' bike path restoration.	1	1,950.00	1,950.00
Engineering Bennett Consultant To be paid directly by owner.			
Valid for 30 days.		<b>Total</b>	<b>\$10,225.00</b>

Signature \_\_\_\_\_

## HOUSING ELEMENT

### Objective 4

Brevard County shall continue to provide for adequate lands for residential land uses in a wide variety of housing types, housing price levels, and broad geographic choices to meet the needs of all existing and anticipated residents in the County.

### Policy 4.1

Land development regulations and Comprehensive Plan policies shall continue to designate adequate lands for residential development which allows for a variety of housing types, while providing residents with choices in residential locations. The following criteria shall apply:

#### Criteria:

- A. Land development regulations shall continue to designate lands for single-family, multi-family and mobile home residential development in a range of densities consistent with the service sectors, Future Land Use Map, and this Comprehensive Plan.
- B. Land development regulations shall continue to designate lands for residential development where the public facilities and services are available at the adopted levels of service in this Comprehensive Plan. Where public facilities are not available, residential development should only be permitted at densities which allow for self-sufficiency for water and sewer service.

## PRIVATE PROPERTY RIGHTS ELEMENT

### Objective 1

Brevard County shall follow a set of policies to ensure that private property rights are considered in the local decision making process.

### Policy 1.1

Brevard County shall consider the following in the local decision making process:

- A. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
- B. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state law and local ordinances.
- C. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
- D. The right of a property owner to dispose of his or her property through sale or gift.



**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER JOHN TOBIA, DISTRICT 3**

---

2539 Palm Bay Rd NE, Suite 4  
Palm Bay, FL 32905  
[www.Brevardfl.gov](http://www.Brevardfl.gov)

Phone: (321) 633-2075  
Fax: (321) 633-2196  
[John.Tobia@Brevardfl.gov](mailto:John.Tobia@Brevardfl.gov)

September 20, 2022

To: Jennifer Jones  
From: John Tobia, Brevard County Commissioner, District 3  
Re: Phone Disclosure

Ms. Jones,

Regarding the upcoming agenda item H.5, for the Brevard County Zoning meeting on October 6, 2022, please be advised in advance that I spoke with the following party via telephone on September 20, 2022.

Kim Rezanka, Esq.

The phone call lasted approximately ten minutes, during which the above individual and I discussed the specifics of the applicant's zoning request.

Sincerely,

John Tobia  
County Commissioner, District 3



BOARD OF COUNTY COMMISSIONERS

**District 3 Includes:**

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco

**From:** [Kim Rezanka](#)  
**To:** [Prasad, Bethany](#)  
**Subject:** RE: 6345 Highway A1A DU/AC Calculations  
**Date:** Tuesday, September 20, 2022 2:51:27 PM  
**Attachments:** [image002.jpg](#)

---

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

Thank you.

Sincerely,  
**Kim Rezanka**

**LACEY LYONS REZANKA**  
1290 US Highway 1, Suite 201  
Rockledge, FL 32955  
[krezanka@llr.law](mailto:krezanka@llr.law)  
Office 321.608.0892

**IMPORTANT:** The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

**From:** Prasad, Bethany <Bethany.Prasad@brevardfl.gov>  
**Sent:** Tuesday, September 20, 2022 2:50 PM  
**To:** Kim Rezanka <krezanka@LLR.Law>  
**Subject:** 6345 Highway A1A DU/AC Calculations

Kim,

Good afternoon. Commissioner Tobia asked that I send you over the graphic we created for the property at 6345 Highway A1A to show the dwelling unit/acre breakdown of the applicant's property along with the properties to the north and south. Let me know if you have any questions.

Thank you,

**Bethany Prasad**  
*Chief of Staff*  
County Commissioner John Tobia, District 3  
PH: (321) 633-2075 \* Fax: (321) 633-2196  
2539 Palm Bay Road NE, Suite 4  
Palm Bay, FL 32905

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

**From:** [County Commissioner District 1](#)  
**To:** [Schmadeke, Adrienne](#)  
**Subject:** Phone Log - Mel Scott  
**Date:** Monday, October 3, 2022 1:41:44 PM

---

 Mel Scott has been added



Schmadeke, Adrienne

10/3/2022 1:41 PM

**Name/Company:** Mel Scott

**Phone Number:** 321-288-6844

**Date/Time Call Received:** 10/3/2022 12:30 PM

**Purpose of Call:** RE: 22Z00039

In 1998 Mel Scott was the Director of Brevard County Planning & Development.

Item H.5. will have an orchestrated set of speakers and knowing it is quasi-judicial will have facts.

Burden of proof is with applicant

1. At 1 acre with RR-1 Zoning, 1 single-family home
2. RU 2-4 will enable up to 4 units per acre.

Rezanka's claims RR-1 are incompatible due to neighbors.

Notion of compatibility exists due to forever east neighbor is the ocean and residential and state-owned conservation to the west. Single family will be compatible due to low-density nature.

Nature of beach in the area has become single-family detached.

Proposed density increase will be first approved in 24 years.

1993: Comp Plan Amendment followed plan to Res 4.

1998: Because remained vacant, change from RU 2-4 to RR-1 to be consistent with single-family on beaches. Administrative rezoning. Part of ~4000 acres from Melbourne Beach to Sebastian Inlet. (same time as when 1st Future Land Use Map was adopted). Had 5 years to take advantage of RU2-4 before changing to RR-1.

Property has changed hands with increasing value over 24 years (asking above market).

Owner is out of state and out of country (German).

Will represent 1st reversal of Zoning since it was adopted.

Purchased \$495,000 in 2012. Change zoning to get more money with sell.

Knows 99% of applicants on Thursday night zoning meetings are asking for more density.

After all this time does it make sense to increase in density when all the other properties in South Beaches have not? 1st increase in density in 24 yrs.

This is not a decision regarding buildability and profit. Simply allows the

German owner to make more money and increase density in the Coastal High Hazard.

3 wks ago Florida Today published the record high property sale for Brevard County: \$5.3 million, 1 acre beachfront, 7500 sq ft., 2 miles north of Sebastian Inlet

**Date Received:** 10/3/2022

[Modify my alert settings](#) | [View Phone Log](#)



**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER JOHN TOBIA, DISTRICT 3**

---

2539 Palm Bay Rd NE, Suite 4  
Palm Bay, FL 32905  
www.Brevardfl.gov

Phone: (321) 633-2075  
Fax: (321) 633-2196  
John.Tobia@Brevardfl.gov

October 4, 2022

To: Jennifer Jones  
From: John Tobia, Brevard County Commissioner, District 3  
Re: Phone Disclosure

Ms. Jones,

Regarding the upcoming agenda item H.5, for the Brevard County Zoning meeting on October 6, 2022, please be advised in advance that I spoke with the following party via telephone on October 4, 2022.

Paul Moran

The phone call lasted approximately twenty minutes, during which the above individual and I discussed the specifics of the applicant's zoning request.

Sincerely,

John Tobia  
County Commissioner, District 3



BOARD OF COUNTY COMMISSIONERS

**District 3 Includes:**

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco





**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER JOHN TOBIA, DISTRICT 3**

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John.Tobia@Brevardfl.gov

October 4, 2022

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From: John Tobia, Brevard County Commissioner, District 3  
Re: Phone Disclosure

Ms. Jones,

Regarding the upcoming agenda item H.5, for the Brevard County Zoning meeting on October 6, 2022, please be advised in advance that I spoke with the following party via telephone on October 4, 2022.

Caroline Shea

The phone call lasted approximately ten minutes, during which the above individual and I discussed the specifics of the applicant's zoning request.

Sincerely,

John Tobia  
County Commissioner, District 3



BOARD OF COUNTY COMMISSIONERS

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**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER JOHN TOBIA, DISTRICT 3**

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Phone: (321) 633-2075  
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John.Tobia@Brevardfl.gov

October 4, 2022

To: Jennifer Jones  
From: John Tobia, Brevard County Commissioner, District 3  
Re: Phone Disclosure

Ms. Jones,

Regarding the upcoming agenda item H.5, for the Brevard County Zoning meeting on October 6, 2022, please be advised in advance that I spoke with the following party via telephone on October 4, 2022.

Kim Rezanka, Esq.

The phone call lasted approximately five minutes, during which the above individual and I discussed the specifics of the applicant's zoning request.

Sincerely,

John Tobia  
County Commissioner, District 3



BOARD OF COUNTY COMMISSIONERS

**District 3 Includes:**

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco

**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Wednesday, October 5, 2022 12:45:48 PM

---

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

From: debbie wilson <cusmile1000@gmail.com>  
Sent: Wednesday, October 5, 2022 12:38 PM  
To: Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
Subject: Rezoning of 6345 S A1A from Single Family Residential to Multifamily

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

Please be aware as a resident of South Brevard county I am opposed to any zoning changes as to the 6345 S A1A lot.

This will simply set a precedent for similar properties here.

I am well aware that these will not be multiple families living in our community but merely high priced rentals for profit as in VRBO.

We wish to keep our community as a community of families.

I'm sure many have attested to the environmental concerns and population density issues. These are serious concerns and have been addressed with the present zoning set down for these barrier properties.

I would find it negligent to vote in favor of future developers that have no interest in the families and communities that live here.

Thank you for your time and please vote in favor for of our local residence and families of Brevard County. Vote No to zoning changes .

Debra Wilson  
110 Amigos rd  
S Melbourne Bch

Sent from my iPhone

**From:** [Roig, Janette](#) on behalf of [Commissioner, D5](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: The beauty of Floridana and MB  
**Date:** Wednesday, October 5, 2022 12:46:13 PM

---

**From:** G. Patrick Pawling <pat@pawling.net>  
**Sent:** Wednesday, October 5, 2022 8:48 AM  
**To:** Commissioner, D5 <D5.Commissioner@brevardfl.gov>  
**Subject:** The beauty of Floridana and MB

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

**Good day, Ms. Zonka.** I think you would agree that Floridana and parts of Melbourne Beach are special. Uncrowded. Laid back. Few high-rises and condos. I think you would also agree that it's critically important to keep it this way, especially in light of much of the runaway development we see in neighboring communities.

**For these reasons and others,** I strongly disagree with any proposal to change the zoning and density requirements. Changes like the one proposed for 6345 Highway A1A, Melbourne Beach, will erode the beauty, character and quite possibly the environment of this beautiful area. Plus this would likely be a slippery slope, with additional changes being sought after this barrier goes down.

Let's not forget that the Brevard County Comprehensive Plan makes it very clear: "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

And yet, before you, you have a proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district.

Please comply with the Comprehensive Plan and deny this zoning change to higher density. Please don't let Floridana become another crowded disaster.

**Best,**

Patrick Pawling  
6458 Floridana Avenue  
Melbourne Beach

**From:** [Bellak, Christine](#)  
**To:** [Alward, Keith A](#); [Jones, Jennifer](#)  
**Subject:** zoning  
**Date:** Tuesday, October 4, 2022 4:36:05 PM  
**Attachments:** [image003.png](#)

---

Good afternoon,

On behalf of **-Patricia Keller 321-298-4733** , please note she called in **opposition / against** any zoning change . Please keep it single , 6345 A1A .

Tuesday – October 4<sup>th</sup> at 4:21pm

Thank you,

*Christine Bellak*



**Christine Bellak**  
Administrative Assistant  
Brevard County, District 4  
[321 633 2044](tel:3216332044) | [Christine.Bellak@brevardfl.gov](mailto:Christine.Bellak@brevardfl.gov)  
2725 Judge Fran Jamieson Way,  
Bldg. C – Suite 214  
Viera, FL 32940

***Please note:***

*Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.*

Objection  
22Z00039  
Tytko

**From:** [Bellak, Christine](#)  
**To:** [Alward, Keith A](#); [Jones, Jennifer](#)  
**Subject:** Zoning call  
**Date:** Wednesday, October 5, 2022 10:14:14 AM  
**Attachments:** [image003.png](#)

---

Good morning ,

On behalf of **- Jeff Jared 321-288-2054** ,it directly effect's him he resides at ( 108 Medina St Melbourne Beach 32951 )- please note he called in **opposition / against** any zoning change . Please keep it single , 6345 A1A .

Weds – October 5<sup>th</sup> at 9:41 am

*Christine Bellak*



**Christine Bellak**  
Administrative Assistant  
Brevard County, District 4  
[321 633 2044](tel:3216332044) | [Christine.Bellak@brevardfl.gov](mailto:Christine.Bellak@brevardfl.gov)  
2725 Judge Fran Jamieson Way  
Bldg. C – Suite 214  
Viera, FL 32940

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**From:** [Bellak, Christine](#)  
**To:** [Alward, Keith A](#); [Jones, Jennifer](#)  
**Subject:** 2- Zoning- Calls  
**Date:** Wednesday, October 5, 2022 10:28:06 AM  
**Attachments:** [image003.png](#)

---

Good morning ,

On behalf of **- [Toni Chan 321-327-7643](#)** ,it directly effect's her she resides at ( 116 Medina St Melbourne Beach 32951 )- please notes he called in **opposition / against** any zoning change . Please keep it single , 6345 A1A .

Weds – October 5<sup>th</sup> at 10:18 am

On behalf of **- [Deb Wilson 321-698-1573](#)** ,it directly effect's her she resides at ( 110 Amigos Rd Melbourne Beach 32951 )- please notes he called in **opposition / against** any zoning change . Please keep it single , 6345 A1A .

Weds – October 5<sup>th</sup> at 10:23 am

*Christine Bellak*



**Christine Bellak**  
Administrative Assistant  
Brevard County, District 4  
[321.633.2044](tel:3216332044) | [Christine.Bellak@brevardfl.gov](mailto:Christine.Bellak@brevardfl.gov)  
2725 Judge Fran Jamieson Way,  
Bldg. C – Suite 214  
Viera, FL 32940

***Please note:***

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**From:** [Bellak, Christine](#)  
**To:** [Alward, Keith A](#); [Jones, Jennifer](#)  
**Subject:** Zoning - Call  
**Date:** Tuesday, October 4, 2022 1:14:29 PM  
**Attachments:** [image003.png](#)

---

Good afternoon,

On behalf of **- Diane Nicholson 321-537-9364** , please note she called in **opposition / against** any zoning change . Please keep it single , 6345 A1A .

Tuesday – October 4<sup>th</sup> at 1:05pm . She asked I pass the information as she doesn't have email available to her at this time.

Thank you,

*Christine Bellak*



**Christine Bellak**  
Administrative Assistant  
Brevard County, District 4  
[321.633.2044](tel:3216332044) | [Christine.Bellak@brevardfl.gov](mailto:Christine.Bellak@brevardfl.gov)  
2725 Judge Fran Jamieson Way  
Bldg. C – Suite 214  
Viera, FL 32940

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Objection  
22Z00039  
Tytko

**From:** [Maners, Suzette](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: Zoning change 6345 S A1A lot  
**Date:** Wednesday, October 5, 2022 2:57:11 PM

---

Kindest Regards,  
Suzette Maners  
Legislative Aide to Commissioner Rita Pritchett

District 1 Commission Office  
7101 S. Highway 1  
Titusville, FL 32780  
Telephone: 321-607-6901

Please note:

Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

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

From: debbie wilson <cusmile1000@gmail.com>  
Sent: Wednesday, October 5, 2022 12:43 PM  
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>  
Subject: Zoning change 6345 S A1A lot

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

Please be aware as a resident of South Brevard county I am opposed to any zoning changes as to the 6345 S A1A lot.

This will simply set a precedent for similar properties here.

I am well aware that these will not be multiple families living in our community but merely high priced rentals for profit as in VRBO.

We wish to keep our community as a community of families.

I'm sure many have attested to the environmental concerns and population density issues. These are serious concerns and have been addressed with the present zoning set down for these barrier properties.

I would find it negligent to vote in favor of future developers that have no interest in the families and communities that live here.

Thank you for your time and please vote in favor for of our local residence and families of Brevard County. Vote No to zoning changes .

Debra Wilson  
110 Amigos rd  
S Melbourne Bch

Sent from my iPhone

Sent from my iPhone

**From:** [glovprop@bellsouth.net](mailto:glovprop@bellsouth.net)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Subject:** 6345 S Hwy A1A Vacant Land Rezoning Vote NO  
**Date:** Monday, October 3, 2022 9:46:00 AM

---

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

Good Morning Commissioners;

On Thursday, October 6 you will be voting to change the zoning of a vacant parcel of land which is now zoned Single Family Residential.

There are many reasons not to allow this Multifamily zoning along our Barrier Island. You have voted against other similar request in the pass.

This parcel is a narrow strip of land which the acreage has been questionable. My biggest objection to this rezoning is that it will increase density along our already stress Highway A1A, which I believe is at Level D already. DOT is already doing studies along A1A because of all the traffic accidents and deaths that have occurred in the past few years. I have been in communication with Michael Sanders, Assistant District Traffic Operations Engineers, Dist Five, with this Study.

Also, with the devastating destruction of property and death toll of **Hurricane Ian**, I wonder what would happen to South Brevard Barrier Island if we had to evacuate? We have only 2 bridges, Wabasso and Melbourne and a 2 lane highway!

Please we do not need more Multifamily units bordering Highway A1A. **Please vote NO for this rezoning.**

-

Beth Glover  
6630 Floridana Ave  
Melbourne Beach, Fl 32951  
[glovprop@bellsouth.net](mailto:glovprop@bellsouth.net)  
321-726-0800

-

Objection  
22Z00039  
Tytka

**From:** [Matthew Conneen](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Do not increase zoning in S Melbourne Beach  
**Date:** Monday, October 3, 2022 5:07:25 PM

---

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

To my commissioner:

I'm requesting you to vote no on any zoning changes.

Matt Conneen  
7124 Floridana Ave.

Sent from Yahoo Mail for iPhone

Objection  
22Z00039  
Tytko

**From:** [Robert Baldwin](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Fwd: Rezoning 6345 S A1A to Multifamily  
**Date:** Monday, October 3, 2022 9:59:49 AM

---

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

Dear Commissioner Tobia,

I cannot attend the meeting Thursday night in person so please accept this note instead. I am firmly opposed to this rezoning as I believe that greater density in our south beaches will place more pressure on roads and infrastructure as more and more property owners will seek the same changes in order to reap greater profit when selling their property. A1A is already only 2 lanes and will become ever more congested, harming the nature of our enjoyable beachside area. I do not want this density increase. Please vote to deny the change.

Thank you,

Robert Baldwin  
446 Riverview Ln, Melbourne Beach, FL 32951

**From:** Gale Sellers  
**To:** Commissioner, D3  
**Subject:** Fwd: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Tuesday, October 4, 2022 11:16:51 AM

---

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

----- Forwarded message -----

From: **Gale Sellers** <[gsellers417@gmail.com](mailto:gsellers417@gmail.com)>  
Date: Tue, Oct 4, 2022 at 11:09 AM  
Subject: Re: Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
To: <[DL.Commissioner@brevardfl.gov](mailto:DL.Commissioner@brevardfl.gov)>

To the Commission Members,

My husband and I OPPOSE the rezoning of 6345 S A1A for the following reasons:

**Reasons to oppose:**

- 1) Owner bought property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands.

Please OPPOSE the rezoning. Traffic on this 2 lane stretch of A1A is already too heavy and can have long backups.

Thank you,

Gale S Sellers

Jay W. True

Objection  
22Z00039  
Tytka

**From:** [Bob Riley](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Oppose 6345 Highway A1A Melbourne Beach Zoning Change  
**Date:** Tuesday, October 4, 2022 4:38:08 PM

---

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

Good day Commissioner Tobia:

We oppose the zoning change & increase in density proposed for 6345 Highway A1A Melbourne Beach 32951.

This change does not comply with the Brevard County Comprehensive Plan, which states "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

The proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district.

Please comply with the Comprehensive Plan and deny this zoning change to higher density.

Best regards,

Bob & Annette Riley  
321-431-6595  
340 Beverly Ct  
Melbourne Beach

Objection  
22Z00039  
Tytko

**From:** [Donna Lee Crawford](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Opposition to Rezoning Application #22Z00039  
**Date:** Monday, October 3, 2022 1:28:15 PM

---

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

Dear Commissioner Tobia,

I am writing to you as I am out of town and unable to attend this Thursday's meeting to voice my opposition in person to the rezoning of 6345 S Hwy A1A in south Melbourne Beach from single family residential to multi family, application #22Z00039.

I grew up on the barrier island and have witnessed the foresight and dedication Commissioners have had over the years to preserve and protect the delicate balance of harmony with our precious natural resources and development of the island. I hope that you will honor the noble work of our Commissioners that have preceded you and vote against this unnecessary rezoning.

Most sincerely,  
Donna Lee Crawford  
201 Osprey Villas Court  
Melbourne Beach

Sent from my iPhone



**Phone Call log regarding change of zoning request, Agenda Item H.5, on the October 6<sup>th</sup>  
Zoning Meeting**

1. Diane Nicholson, called received on 10/4/22 at 1:02pm
2. Patricia Keller, called received on 10/4/22 at 4:19pm
3. Jeff Jared, called received on 10/5/22 at 9:20am
4. Toni Chan, called received on 10/5/22 at 10:14am
5. Debra Wilson, called received on 10/5/22 at 10:16am
6. Robert Finckley, called received on 10/5/22 at 10:23am
7. Wendi Turman, called received on 10/5/22 at 10:30am
8. Susan Hasner, called received on 10/5/22 at 12:27pm

**From:** [Vince Lamb](#)  
**To:** [Commissioner, D3](#)  
**Cc:** [bippaf@yahoo.com](mailto:bippaf@yahoo.com)  
**Subject:** Please deny zoning change request on Oct. 6, 2022 agenda  
**Date:** Monday, October 3, 2022 11:20:29 AM

---

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

Comm. Tobia,

Please do not grant the first density increase in the South Beaches in 24 years. I understand that the owner of a single family lot is requesting a change to allow four residences to be constructed on a one acre lot. I further understand that this property is located in an area where septic systems are the only sewage option.

In 2016, Brevard County residents voted to approve a half cent sales tax for ten years to restore and protect the Indian River Lagoon. Six years later, only minor progress has been made. Septic systems remain one of the largest sources of nutrient pollutants entering the Lagoon. In the Florida Keys, septic systems were determined to be a threat to the coral reefs and all were removed in a project that cost \$1 Billion. Brevard County may need to do something similar to restore our Lagoon. Allowing zoning changes to increase density in areas served by septic tanks simply should not happen.

While this is a small property, your vote to approve a zoning change to increase density could be precedent setting. Owners of larger properties are likely to request similar changes if this one is approved. The quality of life in the South Beaches is largely influenced by population density. Please vote to preserve this quality of life in this special area of our cou

Vince Lamb  
Merritt Island Resident  
321-258-5168

**From:** L  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Commissioner, D1](#)  
**Subject:** Re: OPPOSE Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Tuesday, October 4, 2022 6:37:14 PM

---

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

**Reasons to oppose:**

- 1) Owner bought property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands.

Objection  
22Z00039  
Tytko

**From:** [helen.stamatacos](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [D5commissioner@brevardfl.gov](mailto:D5commissioner@brevardfl.gov)  
**Cc:** [Charlie Magal](#)  
**Subject:** Re: Stop Increasing Density  
**Date:** Monday, October 3, 2022 11:28:37 AM

---

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

Dear Commisioners,

Thank you so much for your consideration on stopping increasing density zoning at 6345 A1A, Melbourne Beach.

We are in strong support and agreement with the Barrier Island Preservation and Protection Association's stance on this issue.

Respectfully submitted,

Helen Stamatacos  
Charles Magal, MD  
9010 S A1A  
321-728-8876

**From:** [Joan vaughan](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Re Zoning  
**Date:** Monday, October 3, 2022 11:14:05 AM

---

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

My name is  
Joan Vaughan. [265 Pelican Drive Melbourne](#) Shores a resident since 1984.  
Observing Over Development is destroying an American treasure !

This was paradise !  
Part of the south beach area still is paradise!

Your greedy  
developers & some corrupt politicians have plans to re zone, ignore restrictions & the  
comprehensive Plan!  
What you will bring to this area is Contamination, Crime, Horrendous Traffic,  
Devastation of endangered birds, manatee, nesting turtles, habitats  
preserves ,  
aquatic life, pollutants causing major fish kill, sewage leaks from our underground pipes  
breaking & raw sewage released into streets, water, soil, IRL & even backing up into homes.  
Our beaches & dunes are being destroyed from row after row of high rise condos in Indilantic,  
Sat. Beach, Indian Harbor & many more beach communities.  
You know in many area the soil is contaminated.  
Seems like you only care about money?  
There will be a very short term gain in revenue.  
The law suits to the county from contaminated drinking water, soil, IRL, ocean, more raw  
sewage leaks from underground pipes that already cannot handle the pressure will destroy  
business , homes & the health of the citizens. Our habitats & preserves will die as well.  
The biggest risk is the inability to evacuate with traffic miles & miles long.  
The Comprehensive Plan & Zoning need to be honored for the Health & Welfare of our  
environment & the public for today & generations to come.  
It will cost over \$50 Billion in clean & take years to rebuild.  
Thank you for doing what is right.  
Sent from my iPhone

Objection  
22Z00039  
Tytko

**From:** [Carolyn C Powell](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Rezoning 6345  
**Date:** Tuesday, October 4, 2022 6:30:51 PM

---

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

I am not in favor of rezoning on any of our beach towns. I truly believe it only negatively impacts our small already very over populated towns !!! So I say NO to rezoning. Carolyn Powell

Sent from my iPhone

Sent from my iPhone

Objection  
22Z00039  
Tytko

**From:** [Amber J Rollins](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Rezoning 6345 S A1A from single family to multi family  
**Date:** Monday, October 3, 2022 10:26:44 AM

---

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

Dear Mr. Tobia,

I am writing to oppose the rezoning.

Owner bought property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies the rezoning.

Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.

Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.

Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.

\*

Creeping of multi-family will change the nature of the Archie Car National Wildlife Reserve and the degradation of the turtle population.

6) Many Hurricane lan evacuees of the west coast could not get out because of the density of the multi-family buildings residents on the barrier islands

Sincerely,

Amber Rollins (Melbourne Beach)

Collect moments not things

Objection  
22Z00039  
Tytko

**From:** [larry biagi](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Tuesday, October 4, 2022 7:30:17 PM

---

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

Dear Commissioner Tobia,

I am not understanding the point of this rezoning. Isn't there already enough building going on in this very sacred area? Are these multi family homes going to enhance the natural habitat of the already very threatened south beach's? When I drive down A1A in the morning the animal carnage is heart breaking. The animals have no where to go. One family homes is one thing but multi family? The impact for this development could not be good. I wonder what the EPA would really say if they could. Why are the commissioner's allowed to decide on this why is there not a vote by the locals. At this point development has become a critical impact on our area. Please consider the fragility of this situation.

Thankyou  
Patricia Biagi



**From:** [Terrence Letner](#)  
**To:** [Commissioner, D5](#)  
**Cc:** [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D1](#)  
**Subject:** Rezoning of 6345 S A1A from Single Family Residential to Multifamily  
**Date:** Monday, October 3, 2022 10:59:10 AM

---

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

Dear Commissioners:

I oppose the proposal to Rezone the property at 6345 S A1A to Multifamily use for the following reasons:

- 1) Owner bought the property in 2013 knowing that the property was RR-1, single-family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family buildings residents on the barrier islands.

Thank you for your attention to this matter.

Terry and Cynthia Letner

**From:** [Garrett Root](#)  
**To:** [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)  
**Subject:** Rezoning of 6345 SA1A  
**Date:** Monday, October 3, 2022 2:31:02 PM  
**Attachments:** [Condo Rezoning.docx](#)

---

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

Commissioner Rita Pritchett  
Commissioner Fritz VanVolkenburgh  
Commissioner John Tobia  
Commissioner Curt Smith  
Commissioner Kristine Zonka

Garrett and Terri Root  
6305 S. A1A Unit 141  
Melbourne Beach, FL 32951

To: Brevard County Commissioners

RE: Rezoning of 6345 S A1A from Single Family Residential to Multifamily per Rezoning Notice 22Z00039

Terri and I respectfully request that the Brevard County Commission denies the request to rezone the parcel from single family to multifamily based on the following reasons.:

- 1) The developer purchased the property with the knowledge that this property was zoned RR-1- single-family. As a developer, he understood the risk involved with trying to have it rezoned. A denial in zoning change will simply force the developer to build a high end, beachfront single-family dwelling, still generating a large tax revenue for Brevard County.
- 2) Increasing the density between Melbourne Beach and Sebastian Inlet may violate certain sections of the 1988 Comprehensive Plan filed with the State of Florida for this area. Sections of the 1988 Brevard County Comprehensive Plan that may be impacted by this rezoning are:
  - a. Chapter 1: Conservation Element
  - b. Chapter 2: Surface Water Management
  - c. Chapter 10: Coastal Management Element
- 3) Rezoning to a multifamily unit will create a minimum of 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$489 million Save Our Indian River Lagoon Program. Once completed, the Lagoon project is targeted to reduce and remove 1,272,347 pounds of nitrogen and 105,125 pounds of phosphorus annually from the Indian River Lagoon. To add another high-density project seems to be in direct opposition to this project.
- 4) The Archie Carr National Wildlife Refuge was designated to protect habitat at the most significant area for loggerhead sea turtle nesting in the world, and the most significant area for green turtle nesting in North America. To add a high-density load to this area would impact the Refuge and the Sealife that it protects.

In closing, our family purchased this property in 1989, predominantly due to the conservation plan for this area and feel that this needs to be preserved for future generations.

Sincerely,

Gary and Terri Root

Garrett and Terri Root  
6305 S. A1A Unit 141  
Melbourne Beach, FL 32951

To: Brevard County Commissioners

RE: Rezoning of 6345 S A1A from Single Family Residential to Multifamily per Rezoning Notice 22Z00039

Terri and I respectfully request that the Brevard County Commission denies the request to rezone the parcel from single family to multifamily based on the following reasons.:

- 1) The developer purchased the property with the knowledge that this property was zoned RR-1-single-family. As a developer, he understood the risk involved with trying to have it rezoned. A denial in zoning change will simply force the developer to build a high end, beachfront single-family dwelling, still generating a large tax revenue for Brevard County.
- 2) Increasing the density between Melbourne Beach and Sebastian Inlet may violate certain sections of the 1988 Comprehensive Plan filed with the State of Florida for this area. Sections of the 1988 Brevard County Comprehensive Plan that may be impacted by this rezoning are:
  - a. Chapter 1: Conservation Element
  - b. Chapter 2: Surface Water Management
  - c. Chapter 10: Coastal Management Element
- 3) Rezoning to a multifamily unit will create minimum of 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$489 million Save Our Indian River Lagoon Program. Once completed, the Lagoon project is targeted to reduce and remove 1,272,347 pounds of nitrogen and 105,125 pounds of phosphorus annually from the Indian River Lagoon. To add another high-density project seems to be in direct opposition to this project.
- 4) The Archie Carr National Wildlife Refuge was designated to protect habitat at the most significant area for loggerhead sea turtle nesting in the world, and the most significant area for green turtle nesting in North America. To add a high-density load to this area would impact the Refuge and the Sealife that it protects.

In closing, our family purchased this property in 1989, predominantly due to the conservation plan for this area and feel that this needs to be preserved for future generations.

Sincerely,

Gary and Terri Root

Objection  
22Z00039  
Tytko

**From:** [Wallace Rice](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Rezoning of 6345 South A1A from single family residential to multifamily, application #22Z00039  
**Date:** Tuesday, October 4, 2022 2:37:47 PM

---

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

As homeowners and full-time residents of Floridana Beach we strongly oppose any zoning change from Single Family Residential to Multifamily in the South Beaches. This would set a precedent that would lead to others doing the same; crowding A1A with more density in taller buildings. We have seen what Multifamily Zoning looks like in Indialantic and Satellite Beach and we don't want it in the South Beaches. It's bad for the environment, bad for the Indian River Lagoon and may negatively impact turtle nesting. It will cause more congestion on the roads and will have a negative impact on the property values of single family homes.

We urge you to vote NO on changing Single Family Zoning to Multifamily Zoning in the South Beaches.

Respectfully,

Susan Page & Wallace Rice  
160 Cortez St.  
Melbourne Beach, Fl 32951  
321 722-9576 (landline)

Objection  
22Z00039  
Tytko

**From:** [Tracy Warren](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Rezoning Request # 22700039 6345 S Highway A1A Melbourne Beach  
**Date:** Monday, October 3, 2022 11:58:37 AM

---

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

I am writing to voice my opposition to this rezoning request. The increase in density for this property will likely set an irreversible precedence in the sensitive South Beaches area on the barrier island.

For over 24 years residents, zoning planners, and commissioners have strongly supported the current low density designations due to the impact on the beaches, ocean and the Indian River Lagoon.

The owner of this property purchased in 2013 knowing the zoning was RR-1 (single family). He is not even a U.S. Citizen, and the increase being proposed is simply for his individual profit.

This increase in density between Melbourne Beach and the Sebastian Inlet violates the stated Goal of the Comprehensive Plan filed with the State of Florida FLUE Administrative Policy 3, C. 1, 2 and 3).

Please vote against this request and help preserve the balance of population growth, wildlife and the sensitive habitat of the South Barrier Island.

Residents here do not want the area to look like Indialantic, Satellite Beach and Cocoa Beach. All high-rises and unbearable traffic.

Respectfully,  
Teresa Warren  
Melbourne Beach Resident since 1998

Objection  
22Z00039  
Tytko

**From:** [landscaperepair1@gmail.com](mailto:landscaperepair1@gmail.com)  
**To:** [Commissioner, D3](#)  
**Subject:** Rezoning  
**Date:** Wednesday, October 5, 2022 12:36:09 PM

---

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

Hi,

Stop the insanity! Is it everyone's host to destroy all living things not human in Brevard? No new zoning!

John

Sent from my iPhone

Objection  
22Z00039  
Tytka

**From:** [M Saffer and T Aborlleile](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Zoning Application 22Z00039  
**Date:** Monday, October 3, 2022 11:25:07 PM

---

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

Dear Comissioner Tobia,

I live in the South Beaches and bought here in 1988. My husband and I bought because of the low density and peaceful environment. We do not want the approval of this request to set a precedent for single family properties to now switch to multi-family so they can be rented via Air BNB/VRBO.

Let's keep unincorporated Brevard peaceful.

Please vote no for this zoning change.

Sincerely,

Terri Aborlleile



Objection  
22Z00039  
Tytka

**From:** [debbie wilson](#)  
**To:** [Commissioner, D3](#)  
**Subject:** Zoning change 6345 S A1A lot  
**Date:** Wednesday, October 5, 2022 12:41:17 PM

---

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

Please be aware as a resident of South Brevard county I am opposed to any zoning changes as to the 6345 S A1A lot.

This will simply set a precedent for similar properties here.

I am well aware that these will not be multiple families living in our community but merely high priced rentals for profit as in VRBO.

We wish to keep our community as a community of families.

I'm sure many have attested to the environmental concerns and population density issues. These are serious concerns and have been addressed with the present zoning set down for these barrier properties.

I would find it negligent to vote in favor of future developers that have no interest in the families and communities that live here.

Thank you for your time and please vote in favor for of our local residence and families of Brevard County. Vote No to zoning changes .

Debra Wilson  
110 Amigos rd  
S Melbourne Bch

Sent from my iPhone

Sent from my iPhone

**From:** [Maners, Suzette](#)  
**To:** [Jones, Jennifer](#)  
**Subject:** FW: rezoning of 6345 S. Highway A1A  
**Date:** Wednesday, October 5, 2022 4:11:50 PM

---

Kindest Regards,  
Suzette Maners  
Legislative Aide to Commissioner Rita Pritchett



**BOARD OF COUNTY COMMISSIONERS**  
**District 1 Commission Office**  
7101 S. Highway 1  
Titusville, FL 32780  
Telephone: 321-607-6901

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**From:** rel2421@aol.com <rel2421@aol.com>  
**Sent:** Wednesday, October 5, 2022 4:10 PM  
**To:** Commissioner, D1 <D1.Commissioner@brevardfl.gov>  
**Subject:** rezoning of 6345 S. Highway A1A

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

Dear commissioner Pritchett,

I am a property owner and resident of south beaches. I am opposed to rezoning of the subject property. This proposed increase in zoning from a single family zoning to Multifamily zoning appears to violate the future land use and comprehensive plan filed with the state of Florida. Please do not allow the property owners selfish interest to affect the existing approved density. South beaches can not support the increase in density of multi family zoning on single family zoned properties.

Robert Logsdon  
9020 S Highway A1A  
Melbourne Beach, Fl. 32951



**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER JOHN TOBIA, DISTRICT 3**

---

2539 Palm Bay Rd NE, Suite 4  
Palm Bay, FL 32905  
[www.Brevardfl.gov](http://www.Brevardfl.gov)

Phone: (321) 633-2075  
Fax: (321) 633-2196  
[John.Tobia@Brevardfl.gov](mailto:John.Tobia@Brevardfl.gov)

October 4, 2022

To: Jennifer Jones  
From: John Tobia, Brevard County Commissioner, District 3  
Re: Meeting Disclosure

Ms. Jones,

Regarding the upcoming agenda item H.5, for the Brevard County Zoning meeting on October 6, 2022, please be advised in advance that I met with the following party in my office at 2539 Palm Bay Rd NE, Palm Bay, FL 32905 on October 4, 2022.

Mel Scott

The meeting lasted approximately one hour, during which the above individual and I discussed his concerns regarding the applicant's zoning request.

Sincerely,

John Tobia  
County Commissioner, District 3



BOARD OF COUNTY COMMISSIONERS

**District 3 Includes:**

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco

## Alward, Keith A

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**From:** Alward, Keith A  
**Sent:** Thursday, October 06, 2022 4:09 PM  
**To:** Alward, Keith A  
**Cc:** Jones, Jennifer; Bellak, Christine  
**Subject:** Agenda # H-5 - 22Z00039 - Phone Call Disclosures

The District 4 Commission office has received phone calls from the people listed below voicing their opposition to the proposed zoning change at 6345 S A1A -22Z00039

- Wendi Turman – called on 10/5/2022
- Susan Andreski – 5975 Riverside Dr. – called on 10/6/2022
- Jane Rollins – Melbourne Beach – called on 10/6/2022

*Keith Alward*



**Keith Alward**  
Legislative Aide  
Brevard County Commission, District 4  
Commissioner Curt Smith  
321.350.9249 | [Keith.Alward@Brevardfl.Gov](mailto:Keith.Alward@Brevardfl.Gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite 214,  
Viera, FL 32940

***Please note:***

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## Alward, Keith A

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**From:** Alward, Keith A  
**Sent:** Thursday, October 06, 2022 4:02 PM  
**To:** Alward, Keith A  
**Cc:** Jones, Jennifer; Bellak, Christine  
**Subject:** Agenda # H-5 - 22Z00039

On behalf of Commissioner Smith this email to disclose that Commissioner Smith has had several conversation with Mel Scott (south Melbourne Beach resident) regarding H-5 (22Z00039)

*Keith Alward*



**Keith Alward**  
Legislative Aide  
Brevard County Commission, District 4  
Commissioner Curt Smith  
321.350.9249 | [Keith.Alward@Brevardfl.Gov](mailto:Keith.Alward@Brevardfl.Gov)  
2725 Judge Fran Jamieson Way, Bldg. C - Suite 214,  
Viera, FL 32940

***Please note:***

*Florida has a very broad public records law. Most written communications to or from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.*

## Commissioner, D4

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**From:** Greg Nicklas <greg.nicklas10@gmail.com>  
**Sent:** Thursday, October 6, 2022 2:42 PM  
**To:** Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; D.5commissioner@brevardfl.gov  
**Cc:** Calkins, Tad; Mcgee, Darcie A; Abbate, Frank B; Beth Glover; bippafl@yahoo.com; Joni Herman; Clare Fogel; Clare Fogel; Clare Fogle  
**Subject:** Please oppose zoning change request for 6345 S. Highway A1A, Melbourne Beach, FL

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

Dear County Commissioners,

I am writing to ask you to OPPOSE the proposed zoning change request for 6345 S. Highway A1A, Melbourne Beach, FL 32951 which is scheduled to be heard at the Commissioner's meeting on October 6, 2022.

My wife and I moved to Melbourne Beach from N. Miami Beach because the areas around our previous home were simply getting to be too densely populated. A series of zoning changes there were allowed for years. The result is heavy traffic, noise, pollution, destruction of natural habitat, and an overall severely decreased quality of life. We don't want the same thing to happen in our beloved Melbourne Beach. Allowing even small changes in zoning in our area will establish precedent for more changes in the future.

The property in question is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are, at a minimum, duplexes but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16 new dwelling units on property meant to have only 1 dwelling unit.

The property is just too small for that many homes!!

The Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities states that "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners wisely denied this request. Commissioner Tobia stated the

following: *“Objective seven of the Coastal Management Element of the County’s Comprehensive Plan specifically states the County should, and he quotes, “limit densities within the Coastal High Hazard Zone and direct development outside of this area.”*

Commissioner Tobia read the quote again ***“limit densities in the Coastal High Hazard Zone”***. He asserted ***“if the Board grants the request, it would not be following the Coastal High Hazard Zone.”***

The zoning change requested will allow for construction of at least 8 dwelling units, INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Please do not allow the current request for changing the zoning on 6345 S. Highway A1A to be approved.

Thank you.

Sincerely,  
Greg Nicklas  
6525 S. Highway A1A

--  
This E-mail message and its attachments, if any, are intended solely for the use of the addressee hereof. In addition, this message and the attachments, if any may contain information that is confidential, privileged and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Delivery of this message to any person other than the intended recipient is not intended to waive any right or privilege. If you have received this message in error, please promptly notify the sender by reply E-mail and immediately delete this message from your system. Instructions transmitted over this system are not binding on me until they are confirmed by me. Message transmission is not guaranteed to be secure or free of software virus. While I take every reasonable precaution to minimize such risks, I cannot accept liability for any damage sustained by you or any third party as a result of software viruses

## Alward, Keith A

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**From:** Krissy Willer <kwiller@sorensenrealestate.com>  
**Sent:** Thursday, October 06, 2022 10:42 AM  
**To:** Commissioner, D4  
**Subject:** Reasons why I oppose the zoning changes in Melbourne Beach  
**Categories:** Email - Keith

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

I have lived in this area for 35 years. I have seen a lot of changes but changing the zoning to allow more multi-family buildings will not be good for this area. I am a Realtor and I still don't want this in Melbourne Beach. There is a reason why this area is so special like no other place and we would all like to keep it this way. Here are the main reasons why we oppose the zoning changes:

- 1) Owner bought the property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands.

I will be at the meeting tonight and I hope you all understand why we DO NOT want this to pass.

**Krissy Willer**  
**REALTOR® SRES®**

*Your Local Trusted Advisor*

[https://www.youtube.com/watch?v=o0gCfh6--Bs&ab\\_channel=KrissyWiller](https://www.youtube.com/watch?v=o0gCfh6--Bs&ab_channel=KrissyWiller)

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website: <https://kwiller.sorensenrealestate.com/>

cell: 321.432.4807

office: 321.723.9990 ext 2418

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## Alward, Keith A

---

**From:** Chuck Cain <ccain2@cfl.rr.com>  
**Sent:** Thursday, October 06, 2022 8:09 AM  
**To:** Commissioner, D4  
**Subject:** Rezoning of 6345 S A1A from Single Family Residential to Multifamily, application # 22Z00039

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

I oppose the subject rezoning for the following reasons:

- There is no hardship or other reason (other than profit) to rezone the property
- There is no sewer access to the property, therefore the negative impacts of septic tanks are 4 fold
- There is no efficient way to evacuate the south beaches and Hurricane Ian has shown – again – why overdevelopment of barrier islands is foolish in many ways

Thank You  
Charles Cain  
309 Surf Rd  
Melbourne Beach

**Alward, Keith A**

---

**From:** Mary Vreeland <mrvreeland@icloud.com>  
**Sent:** Thursday, October 06, 2022 7:33 AM  
**To:** Commissioner, D4  
**Subject:** Rezoning

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

Please vote no on the rezoning of 6345 SA1A from Single Family to Multifamily for the following reasons:

1) Owner bought property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change. 2) Increasing density between Mel Bch and the Inlet Violates sections of the Comprehensive Plan filed with the State of Florida. 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program. 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story. 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population. 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands

Thank you,  
Mary R Vreeland  
5583 Cord Grass Ln  
Melbourne Beach, FL

Sent from my iPhone

## Alward, Keith A

---

**From:** Ali Otoy <otoyali1986@gmail.com>  
**Sent:** Thursday, October 06, 2022 7:24 AM  
**To:** D.5commissioner@brevardfl.gov; Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Mcgee, Darcie A; Abbate, Frank B; Calkins, Tad  
**Subject:** Opposing zoning in Brevard county- MEL BCH

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

Hello All,

I hope this message finds you well.

As a current resident of the Melbourne beach area, I am writing you today in efforts to oppose increasing density zoning change from RR-1 to RU 2-4 at 6345, A1A, Mel.Bch.

Though we have been lucky enough to avoid a catastrophic hurricane for many years, let us not become complacent to the affect of increasing density...look at our friends on the west coast after Ian.

It is highly important that we protect and preserve our current balance of population, natural wildlife and habitat.

Please help us keep our beautiful island safe. Do not let the zoning take place!

Appreciate your time.

--

Salud,

Ali Otoy Burrough

"The Earth is what we all have in common" -Wendell Berry

👉 Think before your print 👈

**Alward, Keith A**

---

**From:** Nancy Blair <nblair321@aol.com>  
**Sent:** Wednesday, October 05, 2022 8:54 PM  
**To:** Commissioner, D1; Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5  
**Subject:** Rezoning of 6345 S A1A, Melbourne Beach, from Single Family Residential to Multifamily

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

Dear Commissioners. Please know that I wholeheartedly oppose the rezoning of 6345 S A1A, Melbourne Beach, from a single family residential zoning to multi-family.

I've lived in the barrier island of Melbourne Beach for over 28 years. I have never seen such development as I have in the past two years. The traffic is worrisome on A1A with numerous traffic fatalities every year.

With the recent hurricane devastation on the west coast of Florida I can't imagine that anyone in their right mind would want to increase the density of single family residential lots.

Think about the residents. Think about the fragile environment of the Indian River Lagoon. Let's not let profits override the quality of life on our special area of Brevard County.

Listed here are the critical reasons to oppose this rezoning:

- 1) The current owner bought the property in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change.
- 2) Increasing density between Mel Bch and the Sebastian Inlet violates sections of the Comprehensive Plan filed with the State of Florida.
- 3) Increasing density causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 4) Creeping of multi-family will cause devaluations and reversal of 24-year single-family homes success story.
- 5) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and the degradation of the turtle population.
- 6) Many Hurricane Ian evacuees on the west coast could not get out because of the density of the multi-family building's residents on the barrier islands.

Do the right thing for our community and for Florida. Vote against rezoning this land parcel.

Thank you,

Nancy Blair  
160 Flamingo Drive  
Melbourne Beach

**Alward, Keith A**

---

**From:** Andrea Bowman <annbillbowman@comcast.net>  
**Sent:** Wednesday, October 05, 2022 8:07 PM  
**To:** Commissioner, D4  
**Subject:** Melbourne Beach zoning

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

Good day Commissioner,

We oppose the zoning change & increase in density proposed for 6345 Highway A1A Melbourne Beach 32951.

This change does not comply with the Brevard County Comprehensive Plan which states, "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

The proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district.

Please comply with the Comprehensive Plan and deny this zoning change to higher density.

Best regards,

William and Andrea Bowman  
293 Arrowhead Lane  
Melbourne Beach, FL 32951

**Alward, Keith A**

---

**From:** dccapemay@aol.com  
**Sent:** Wednesday, October 05, 2022 7:20 PM  
**To:** Commissioner, D4  
**Subject:** Commission Meeting 10/6/22 Zoning Change Application 6345 S Hwy A1A Melbourne Beach

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

Dear Commissioner Smith,

Thank you for your time, I hope you and yours are alright after the Hurricane. I am contacting you regarding an Application to increase the zoning and density for 6345 S Hwy A1A, Melbourne Beach. The zoning change request will be before the County Commission October 6, 2022. The property at 6345 Hwy A1A is currently zoned RR-1 for Single Family Residential Oceanfront. The request is to Up-Zone the lot to RU-2-4, Low Density Multi- family.

I oppose the zoning change.

A change in zoning would increase the density against a mandate by FEMA which was established for Public Safety since we are in a Coastal High Hazard Zone with limited evacuation options.

When a zoning change is requested, it must be decided if the change protects the public, if it is fair, is it reasonable and is it needed. The Commissioners have a lot of information to process whenever the issue comes up. We know that, and are sympathetic to the pressure you are under.

Years ago, FEMA made a decision to protect the Public by reducing future density in the South Beach area. The South Beach Area extends south 10 miles from Crystal Lakes to the Inlet. Any multi-family properties that are in the South Beach area were grandfathered in with the understanding that no more were to be built.

The South Beach area lies 26 miles between Causeways, 14 miles from the nearest Hospital. A1A is a 2 lane road with no shoulder, no turn lane, no parallel roads. It is difficult to even pull over when emergency vehicles speed down A1A.

The Taxpayer cost for infrastructure and a new Causeway was considered a non-starter. With no plans to build a new Causeway, decreasing density was the only path forward. So FEMA down-zoned all the lots in the South Beach Area to RR-1 Single Family Homes.

Since the down-zoning occurred, one property owner after another honored the FEMA mandate and built single family homes in the South Beach Area. The South Beach Area



**Alward, Keith A**

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**From:** MMike Segó <mikefs6040@gmail.com>  
**Sent:** Wednesday, October 05, 2022 5:44 PM  
**To:** Commissioner, D4  
**Subject:** Commission Meeting 10/6/22 Change In Zoning Application 6345 So. HWY A1A Melbourne Beach  
**Attachments:** Commission Meeting 10.pdf

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

Dear Commissioner Smith,

I am writing to ask if you would please oppose the rezoning application for 6345 S Hwy A1A, Melbourne Beach.

Attached is a PDF with information I hope you will find useful in making your decision.

Thank you for listening to those of us that oppose the change in zoning.

Sincerely,

Dolores Conway  
123 Cardinal Dr, Melbourne Beach, FL 32951  
Email: [dccapemay@aol.com](mailto:dccapemay@aol.com)

has become exactly what FEMA had in mind. Resulting in a sea of well planned Single Family Homes and communities. It is a success story.

This up-zoning request does not protect the public. It is not fair to the other lot owners that honored FEMA and built a single family home. It is not reasonable to increase the density in an area that FEMA determined to be unsafe to do so. Lastly, a zoning change is not needed.

Please oppose the change in zoning and let the RR-1 zoning stand.

Thank you for listening,

Respectfully,

Michael Segó Sr  
123 Cardinal Drive  
Melbourne Beach, Fl 32951  
email: [mikefs@gmail.com](mailto:mikefs@gmail.com)

**Commission Meeting 10/6/22**

**Subject Lot:** 6345 S. Hwy A1A, Melbourne Beach, FL  
Zoned RR-1 For A Single Family Oceanfront Residence.  
The Developer wants to convert the lot to RU 2-4 Low-Density  
Multi-Family.

The subject lot was bought in 2012 for \$495,000. Currently, the lot is listed for \$1,500,000.

---

It was implied at the Zoning meeting that the subject lot was not selling because it is zoned for a Single Family Oceanfront Home, and it is between 2 condos.

Seven oceanfront lots are for sale in the South Beaches, ranging from \$800,000 to \$2,199,000.

One offers owner financing; some are cleared, filled, and have dune fly-over decks approved or river rights.

Fast forward to developed land and which zoning shows the most return on investment. A review of the square foot price of a condo versus an Oceanfront Home shows that a buyer would not be at a disadvantage if the zoning were to remain RR-1.

**Below, Photo A. shows the subject lot with Sterling House Condo to the north and Gull House to the south.**

Sterling House had a Condo that sold on 9/22/22 for \$965,000 or **\$419 sf.**  
The Gull House has a Condo listing for \$549,900 or **\$438 sf.**

A.



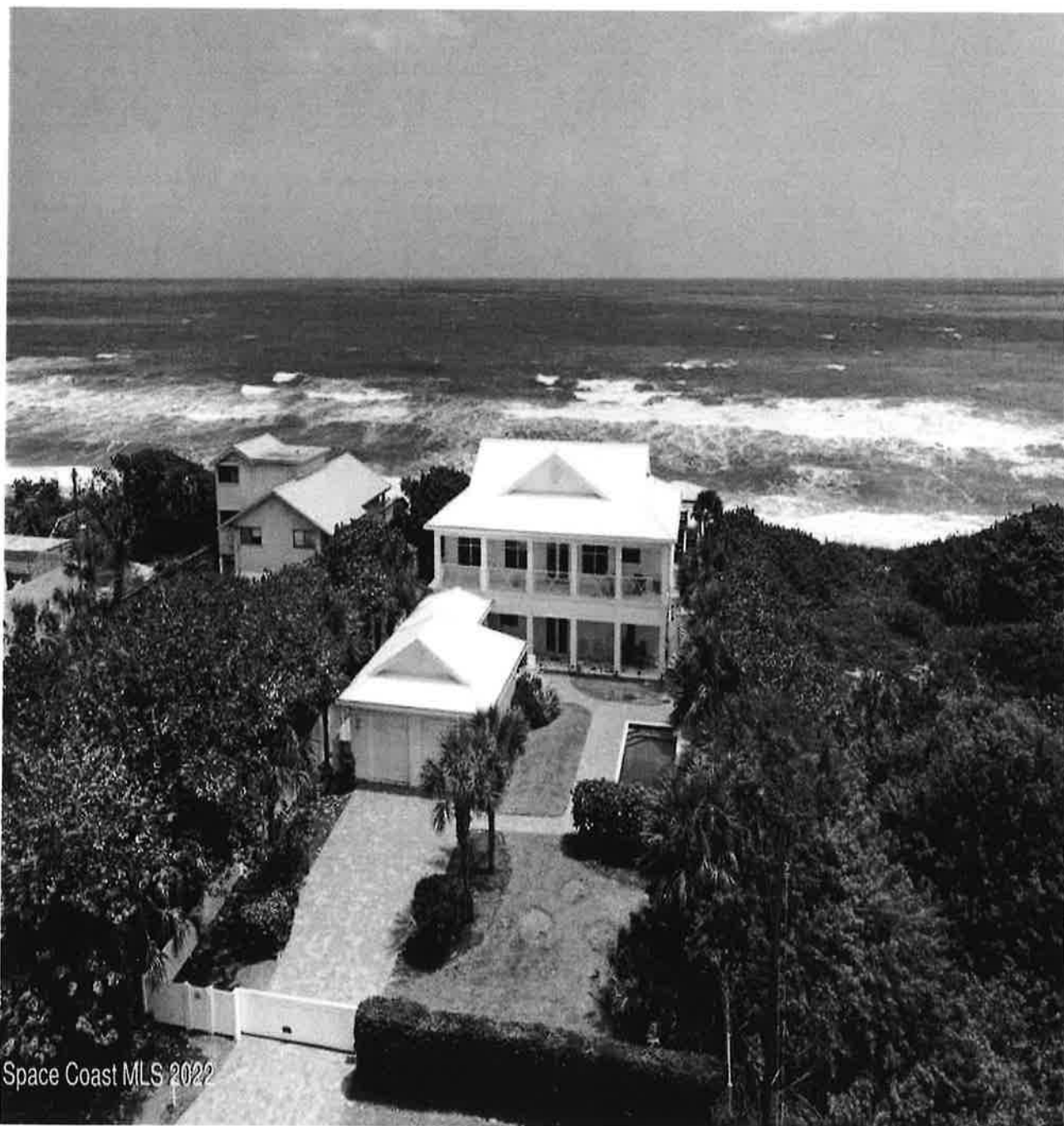
**Below, Photo B. shows a developed lot with a single-family home near a multi-family property located at 5795 S. Hwy A1A The house sold on 9/27/21 for \$2,560,000 or \$704 per sf.**

B.



Below, Photo C. shows a single-family oceanfront home across from the Town Star/Subway at 6701 S Hwy A1A.  
sold on 8/19/22 for \$3,300,000 or \$975 sf

**C.**



Below, Photo D. shows a single-family oceanfront home at 3735 S Hwy A1A listed for \$4,520,000 or \$1294 sf

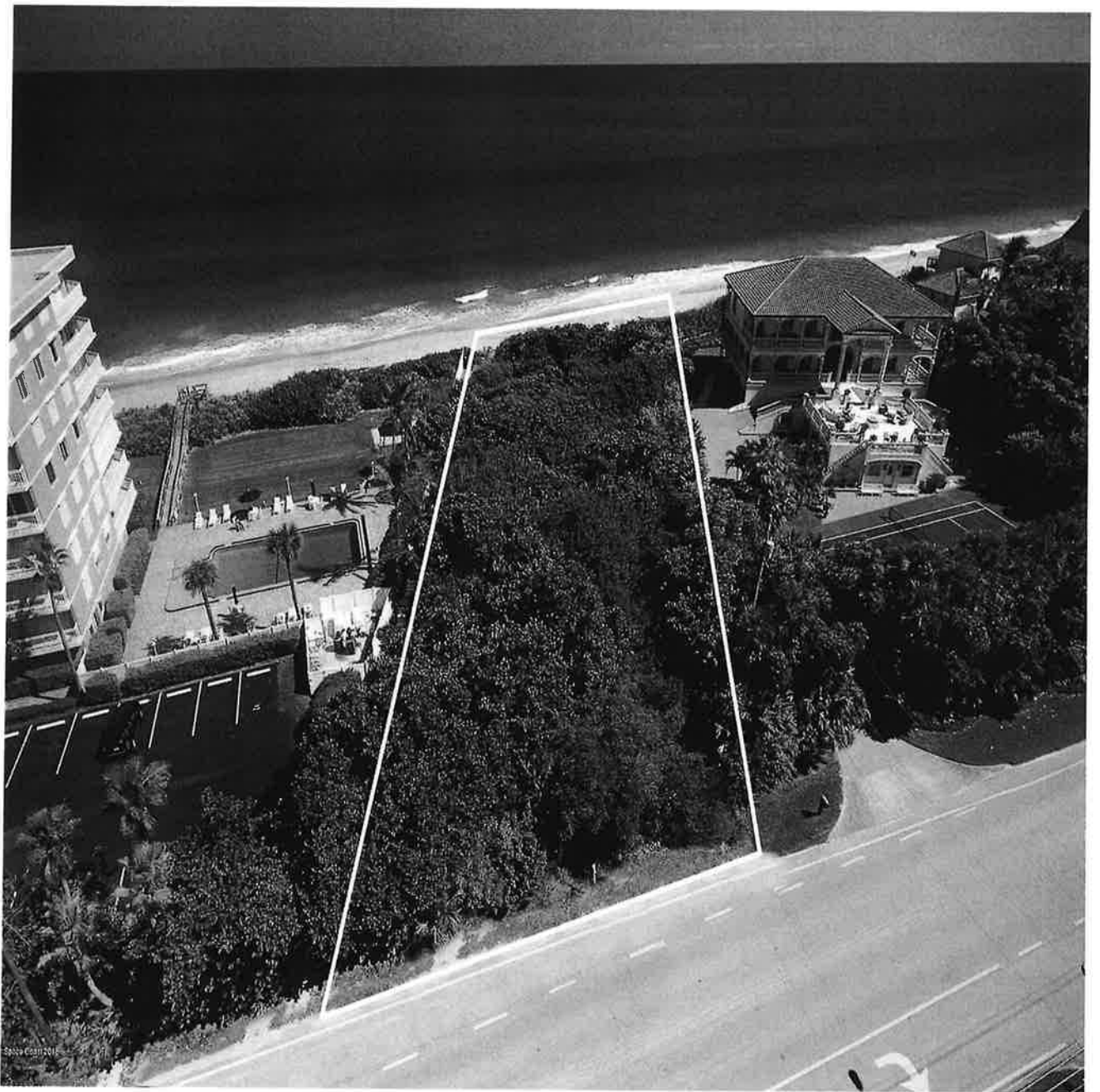
D.





**Below, Photo E. shows a comparison oceanfront lot at 5655 S Hwy A1A. The lot sold for \$781,000 on 11/30/2020, currently not for sale. The lot is next to a large eight-story multi-family condo known as South Shores Oceanfront Condos.**

**E.**



Below, Photo F. shows a Single Family Residential Lot next to Gull House Condo at 6365 S Hwy A1A. This lot has 129.5' of Ocean frontage. It sold for \$1,085,000 on 6/4/21.

F.



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With a background in Commercial Real Estate, I would like to present my perspective on the value and marketability of a rare oceanfront lot on the South Beaches.

A quick look at the listing of the subject lot revealed a less-than-ideal way to market an RR-1 Oceanfront Lot.

The listing had a few words for a single-family home option, then went on to the multi-family possibilities of rezoning.

There was no mention of a Dream home or Beachside retreat. In my opinion, the emphasis on rezoning may have put off buyers that envisioned an oceanfront mansion and any easy build without implied zoning issues.

The subject lot with 100' ocean frontage was listed on 7/10/21 for \$1,500,000. At the same time, a lot with 129' of ocean frontage on the other side of Gull House Condos sold for \$1,085,000 on 6/4/21. Often the market decides what it wants to pay for a property.

In closing, we think we can show that the owners will not be disadvantaged by keeping the RR-1 zoning.

The South Beach area rewards oceanfront homes with double or triple the sales price per square foot as Condos, and the area places a premium on Single Family Oceanfront Residences.

Furthermore, we believe the Commissioners may confidently keep the zoning at RR-1 and avoid setting a precedent that would unravel the decision made by FEMA regarding reducing density in the South Beach area.

## **Alward, Keith A**

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**From:** rel2421@aol.com  
**Sent:** Wednesday, October 05, 2022 4:16 PM  
**To:** Commissioner, D4  
**Subject:** Rezoning of 6345 S. Highway A1A

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

Dear Commissioner Smith,

I am a property owner and resident of south beaches. I am opposed to rezoning of the subject property. This proposed increase in zoning from a single family zoning to Multifamily zoning appears to violate the future land use and comprehensive plan filed with the state of Florida. Please do not allow the property owners selfish interest to affect the existing approved density. South beaches can not support the increase in density of multi family zoning on single family zoned properties.

Robert Logsdon  
9020 S Highway A1A  
Melbourne Beach, Fl. 32951

## Alward, Keith A

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**From:** mary jane patterson <a1apetsitters@bellsouth.net>  
**Sent:** Wednesday, October 05, 2022 4:22 PM  
**To:** Commissioner, D1  
**Cc:** Commissioner, D3; Commissioner, D4; D5.commissioner@brevard.fl.gov  
**Subject:** Re: Rezoning of 6345 S A1A Application #22Z00039

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

Sorry.  
My address is 6236 Treetop Drive  
Melbourne Beach, FL 32951  
954-540-3634

Mary Jane Patterson

On Wednesday, October 5, 2022 at 04:19:26 PM EDT, mary jane patterson <a1apetsitters@bellsouth.net> wrote:

I am opposing this zoning change and here are my reasons:

- 1) Owner bought in 2013 knowing that the property was RR-1, single family zoned. There is no hardship that justifies this zoning change verses just increasing owner's profit.
- 2) Enrichment of one person verses the opposition of many hundreds who believe they will be harmed, for whatever reason. No reason is trivial if it bothers you.
- 3) Increasing density between Mel Bch and the Inlet violates the stated GOAL of the Comprehensive Plan filed with the State of Florida (FUTURE LAND USE ELEMENT, Administrative Policy 3, Criteria: C. 1,2 and 3).
- 4) Regardless of the technology used, increasing density by 4 times causes 4 times the amount of drain-field sewerage leaching into Indian River Lagoon, contrary to the \$400 million Save Our Lagoon Program.
- 5) Irreversible Presidencies of Creeping – This rezoning is the front-runner of an assault of multi-family density sprawling and is irreversible. Its what happened in Ft. Myers for the last 25 years leaving many Hurricane Ian evacuees on the west coast barrier islands with no way to get out in time. The same can happen here.
- 6) Creeping of multi-family may cause devaluations and reversal of 24-year single-family homes success story.
- 7) Creeping of multi-family will change the nature of the Archie Carr National Wildlife Reserve and impact turtle nesting.

Mary Jane Patterson

## Alward, Keith A

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**From:** debbie wilson <cusmile1000@gmail.com>  
**Sent:** Wednesday, October 05, 2022 12:40 PM  
**To:** Commissioner, D4  
**Subject:** Zoning changes 6345 S A1A lot

**Categories:** Email - Keith

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

Please be aware as a resident of South Brevard county I am opposed to any zoning changes as to the 6345 S A1A lot. This will simply set a precedent for similar properties here.

I am well aware that these will not be multiple families living in our community but merely high priced rentals for profit as in VRBO.

We wish to keep our community as a community of families.

I'm sure many have attested to the environmental concerns and population density issues. These are serious concerns and have been addressed with the present zoning set down for these barrier properties.

I would find it negligent to vote in favor of future developers that have no interest in the families and communities that live here.

Thank you for your time and please vote in favor for of our local residence and families of Brevard County. Vote No to zoning changes .

Debra Wilson  
110 Amigos rd  
S Melbourne Bch

Sent from my iPhone

Sent from my iPhone