



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.5.

5/7/2026

Subject:

Antoun and Monica Wassef request a CUP for a single-family residential second kitchen facility. (26Z00001)
(Tax Account 2801649) (District 5)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a CUP
(Conditional Use Permit) for a single-family residential second kitchen facility.

Summary Explanation and Background:

The applicant is seeking a Conditional Use Permit (CUP) for a Second Kitchen Facility in the RU-1-11 (Single-Family Residential) zoning classification. Second Kitchen Facilities are considered an accessory to a single-family residence within the RU-1-11 zoning classification subject to Section 62-1947 of Brevard County Code. The subject property is approximately 0.85 acres; therefore, a CUP is required. The parcel has a Single-Family residence that was built in 1959.

The request is associated with ongoing code enforcement case 25CE-00999, in which the property was previously modified without permits and utilized in a manner inconsistent with single-family residential use. The proposed CUP and associated building permit application, 25BC18546, seek to bring the structure into compliance with County regulations by formalizing the second kitchen facility as an accessory use to a single-family residence.

The Board may wish to consider whether the request is consistent and compatible with the surrounding area by recognizing existing development trends. The Board should recognize that Section 62-1947 expressly prohibits the use of any portion of a single-family residence with a second kitchen facility for rental purposes. Given the existing code enforcement case involving the prior conversion of the structure into multiple rental units, the Board may consider whether sufficient safeguards or conditions are necessary to ensure ongoing compliance with this requirement.

On April 20, 2026, the Planning and Zoning Board heard the request and unanimously recommended denial (one member abstained from voting).

Clerk to the Board Instructions:

H.5.

5/7/2026

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

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

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

Administrative Policy 1

The Brevard County zoning official, planners and the Director of the Planning and Development, 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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(321)633-2070 Phone / (321)633-2074 Fax

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

STAFF COMMENTS

26Z00001

Antoun & Monica Wassef

Conditional Use Permit (CUP) for a Second Kitchen Facility in RU-1-11 (Single-Family Residential) Zoning Classification

Tax Account Number: 2801649
Parcel I.D.: 28-36-11-01- G-18
Location: 2361 Arizona St. Melbourne FL 32904; East side of Arizona St., approximately 905-feet north of Milwaukee Ave. (District 5)
Acreage: 0.85-acres

Planning and Zoning Board: 04/20/2026

Board of County Commissioners: 05/07/2026

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 maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	RU-1-11	RU-1-11 with CUP for Second Kitchen Facility
Potential*	1 Single-family residence	1 single-family residence under CUP conditions
Can be Considered under the Future Land Use Map	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 Conditional Use Permit (CUP) to allow a second kitchen facility within an existing single-family residence in the RU-1-11 zoning classification, pursuant to Section 62-1947 of the Brevard County Code. The subject property is approximately 0.85 acres; therefore, a CUP is required.

The request is associated with ongoing code enforcement case 25CE-00999, in which the property was previously modified without permits and utilized in a manner inconsistent with single-family residential use. The proposed CUP and associated building permit application, 25BC18546, seek to bring the structure into compliance with County regulations by formalizing the second kitchen facility as an accessory use to a single-family residence.

The parcel has a Single-Family residence that was built in 1959 and has access to Arizona Street, a County maintained public road.

ZONING HISTORY:

- **Z-2980** adopted June 01, 1972, RU-1 to RU-1-11.

There are two current code enforcement complaints on the subject property.

25CE-00999: Property owner renovated the entire single-family home and converted into multiple rental apartments, which are now rented. All of the work was done without any permits.

The property owners have applied for a building permit under application **25BC18546** for interior renovation including a second kitchen facility along with this CUP application for the second kitchen facility. Per Brevard County CUP zoning code Section 62-1947: No portion of the single-family dwelling unit shall be utilized for rental purposes.

The Board should recognize that Section 62-1947 expressly prohibits the use of any portion of a single-family residence with a second kitchen facility for rental purposes. Given the existing code enforcement case involving the prior conversion of the structure into multiple rental units, the Board may consider whether sufficient safeguards or conditions are necessary to ensure ongoing compliance with this requirement.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-Family Residence	RU-1-11	RES 4
South	Single Family Residence	RU-1-11	RES 4
East	Single-Family Residence	RU-1-11	RES 4
West	Arizona Street	N/A	N/A

North – The abutting parcel to the north is 0.85 acre tract with single-family residential use RU-1-11 zoning.

South – The abutting parcel to the north is 0.85 acre tract with single-family residential use

RU-1-11 zoning.

East – To the east is Arizona Street a County maintained road.

West – The abutting parcel to the north is 0.85 acre tract with single-family residential use RU-1-11 zoning.

RU-1-11 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture.

Future Land Use

The subject property's RU-1-11 zoning classification can be considered consistent with the Residential 4 (RES 4), Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan.

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;

While the request is for an accessory use within a single-family residence, the introduction of a second kitchen facility inherently increases the potential for independent living arrangements. This creates a risk of the structure functioning in a manner inconsistent with single-family use if not properly controlled and enforced. The proposed CUP development would need to meet performance standards set forth in code sections 62-2251 through 62-2272 for hours of operation, lighting, odor, noise levels, traffic, or site activity.

- 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 historical land use patterns of the surrounding development can be characterized as single-family residences on properties 0.21 acre to 1.7 acres in size.

There are three (3) FLU designations (RES 4, RES 2, NC, CC and REC) within a 0.5-mile radius of the subject property. RES 4 is the prominent FLU in this area.

There are Six (6) zoning classifications (RU-1-11, RU-1-9, RU-1-7, RR-1, SR and GML) within a 0.5-mile radius of the subject property. RU-1-11 is the prominent zoning classification in this area.

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

It appears there has been no development within the last three years or agritourism activity have occurred within the last three years.

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

It appears there has been no development approved within the last three years. There have been no zoning actions within a half-mile radius of the subject property within the last three years.

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

No material violation of relevant policies has been identified.

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

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 or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

Based on staff analysis, the requested CUP is not anticipated to materially or adversely affect the surrounding developments.

Traffic from the proposed Second Kitchen Facility is not anticipated to have a measurable impact on the area in terms of trip generation or parking. No commercial or industrial activity is proposed.

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.

The surrounding area is characterized by single-family residential development, and preservation of this character is dependent on maintaining the use of properties as single-family dwellings rather than allowing incremental intensification.

The area, known as National Police Home Foundation, can be characterized as a single-family residential area with spacious lot sizes and roadways.

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.

The request is not for commercial use. It is located in an existing Platted single-family residential neighborhood. There are no neighborhood commercial land uses established in this area.

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.

The area is single-family residential use. There has not been commercial, industrial, or other non-residential uses approved in this area during the previous five (5) years. This area is not transitional.

Preliminary Concurrency

The closest concurrency management segment to the subject property is W. New Haven Avenue between John Rodes Blvd. and Wickham Road which has a Maximum Acceptable Volume (MAV) of 36,600 trips per day, a Level of Service (LOS) of D, and currently operates at 94.10% 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 94.13% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

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

The subject property is on well for potable water and septic.

Special Considerations for CUP (Conditional Use Permit)

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined herein. Section 62-1901 provides that 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 should not be approved.** The applicant's responses and staff observations, if any, are indicated below.

Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901 and Section 62-1947, Single-family residential second kitchen facility.

This request should be evaluated in the context of **Section 62-1947**, governing residential second kitchen facility use accessory to a single-family residence.

Sec. 62-1947. Single-family residential second kitchen facility.

A second kitchen facility may be incorporated into a single-family residence, provided the second kitchen facility meets the following conditions, which shall be binding upon approval of the conditional use permit:

- (1) The second kitchen facility and the area or quarters it serves shall be integrated architecturally, both internally and externally, with the single-family residence. Externally, the structure shall have the appearance of one residence. Internally, there shall be direct access to the kitchen facility and its area from the living area or quarters of the single-family residence.

Staff analysis: The applicant has submitted a building permit (25BC18546) for interior renovation for a second kitchen facility. These plans have also been included with the CUP application. The building plans appear to meet these requirement.

- (2) The area or quarters to be served by the kitchen facility shall not exceed 600 square feet, excluding the kitchen facility and bath area.

Staff analysis: The applicant has submitted a building permit (25BC18546) for interior renovation for a second kitchen facility. These plans have also been included with the CUP application. The building plans appear to meet this requirement.

- (3) A floor plan of the entire single-family residence, including the additional kitchen facility, shall be submitted to the growth management department in order to illustrate compliance with the conditions set forth in subsections (1) and (2) of this section, and the floor plan shall be binding upon all future construction plans in regard to the single-family residence and second kitchen facilities.

Staff analysis: The applicant has submitted plans for interior renovation for a second kitchen facility. The building plans and the floor plan shall be binding upon all future construction plans in regard to the single-family residence and second kitchen facilities.

- (4) No portion of the single-family dwelling unit shall be utilized for rental purposes, and the single-family dwelling unit shall be served by only one electrical meter.

Staff analysis: The applicant has been informed of these conditions. Building plans show the single-family dwelling unit being served by only one electrical meter

- (5) The single-family dwelling unit shall continue to be utilized by no more than one family as defined under this chapter.

Staff analysis: The applicant has been informed of these conditions.

- (6) A conditional use permit shall not be required on lots equal to or exceeding one acre in size.

Staff analysis: The parcel is 0.85 acres in size and requires a CUP for a Second Kitchen Facility.

General Standards of Review

Section 62-1901(c)(1)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(1)(a). The home will be used by one family only.

Staff analysis: The proposed CUP must comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. The request is not anticipated to create a deficiency in the W. New Haven Ave. traffic Level of Service (LOS).

Section 62-1901(c)(1)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(1)(b) requirements.

Staff analysis: The surrounding area is developed with single-family homes. The CUP will be required to meet these conditions.

Section 62-1901(c)(1)(c): The proposed use will not cause a substantial diminution in value of abutting residential property. Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15 percent reduction in value as a result of the proposed conditional use. A reduction of ten percent of the value of abutting property shall create a reputable 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 a MAI certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(1)(c) requirement.

Staff analysis: Competent and substantial evidence by an MAI certified appraiser has not been provided.

Section 62-1901(c)(2)(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.

Note: Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20 percent, or ten percent 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 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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(a) requirement.

Staff analysis: The subject parcel is in a platted subdivision and the proposed second kitchen facility area should not burden the existing neighborhood with increased traffic.

Section 62-1901(c)(2)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(b) requirement.

Staff analysis: The proposed use must comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. Any proposed outdoor lighting and noise standards should remain within code requirements, or a violation will be created.

Section 62-1901(c)(2)(c): Noise levels for a conditional use are governed by section 62-2271.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(c) requirement.

Staff analysis: There are no anticipated noise level issues, but the site must comply with the noise ordinance within Brevard County Performance standards Sections 62-2251 through 62-2272.

Section 62-1901(c)(2)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(d) requirement.

Staff analysis: The adopted level of service for solid waste disposal is not anticipated to be affected.

Section 62-1901(c)(2)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(e) requirement.

Staff analysis: The subject property is on well for potable water and the property is on septic. The CUP should not exceed the adopted level of service for potable water or wastewater as use does not require connection to potable water or wastewater service.

Section 62-1901(c)(2)(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.

Applicant's Response: . Yes, Fulfills Section 62-1901(c)(2)(f) requirement.

Staff analysis: The property shall meet the Brevard County Performance Standards.

Section 62-1901(c)(2)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(g) requirement.

Staff analysis: Any new signage and lighting will need to meet the requirements of Brevard County Code.

Section 62-1901(c)(2)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(h) requirement.

Staff analysis: The hours of operation have not been identified. The CUP use is not a commercial or industrial use.

Section 62-1901(c)(2)(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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(i) requirement.

Staff analysis: The subject property is developed with a one-story residential house.

Section 62-1901(c)(2)(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.

Note: 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.

Applicant's Response: Yes, Fulfills Section 62-1901(c)(2)(j) requirement.

Staff analysis: The subject property is developed with a single-family residence. The proposed second kitchen facility will be accessory to that single-family use. No additional traffic is anticipated.

Environmental Constraints

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 unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements

See NRM comments at the end of this report.

For Board Consideration

The Board may wish to consider if the request is consistent and compatible with the surrounding area recognizing existing development trends. Pursuant to Section 62-1901(b), Brevard County Code of Ordinances, “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.”

The Board may wish to recognize that Section 62-1947 expressly prohibits the use of any portion of a single-family residence with a second kitchen facility for rental purposes. Given the existing code enforcement case involving the prior conversion of the structure into multiple rental units, the Board may consider whether sufficient safeguards or conditions are necessary to ensure ongoing compliance with this requirement.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 26Z00001**

Applicant: Antoun Wassef (Owners: Antoun Wassef and Monica Wassef)

Zoning Request: CUP for a single-family residential second kitchen facility (Ch. 62-1947)

Note: to cure code case 25CE-00999

Zoning Hearing: 04/13/2026; **BCC Hearing:** 05/07/2026

Tax ID No.: 2801649

- 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:

- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements

Land Use Comments:

Indian River Lagoon Nitrogen Reduction Septic Overlay

The western portion of this property, including the entire residence, is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay. Per Brevard County Code Enforcement Case No. 25CE-00999, the applicant renovated the single-family home, converting it into multiple rental apartments, without obtaining the required permits. The current application proposes a single-family residence with a second kitchen. **The applicant is advised that using the residence as a multi-family rental may require upgrading the existing septic system to an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes.** NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Land Clearing and Landscape Requirements

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for Protected and Specimen tree preservation. Land clearing is not permitted without prior authorization by NRM. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

CO Services LLC

Designers, Engineers, and Contractors
P.O. Box 1500, Eagle Lake, Florida 33839
Phone: (863)877-0595 Fax: (866)871-1756

December 6, 2025

Brevard County Zoning
2725 Judge Fran Jamieson Way
Viera, FL 32940

RE: 2361 Arizona Street Kosher Kitchen

The kosher kitchen at 2361 Arizona Street, Melbourne, FL 32904, is to service a total area of 526 SF comprised of the following areas:

New Great Room	188 SF
Mud room	130 SF
New Bedroom 4	208 SF

If you have any questions please call me at (321) 693-1525

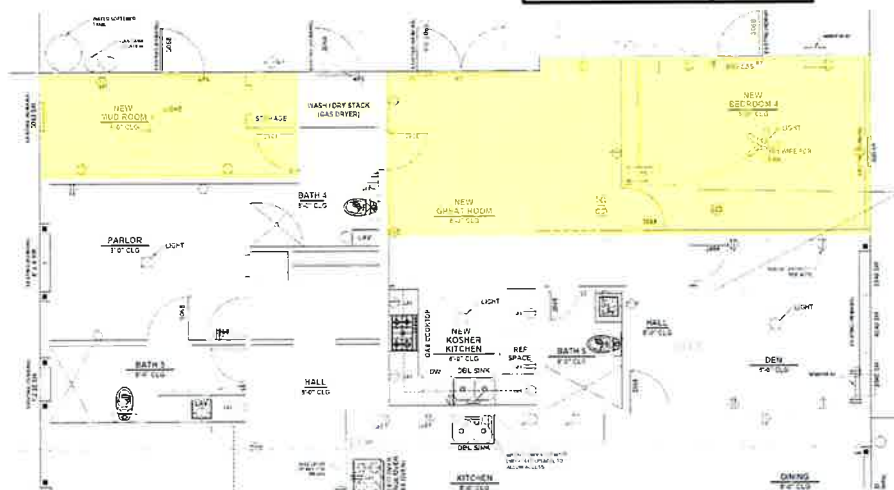
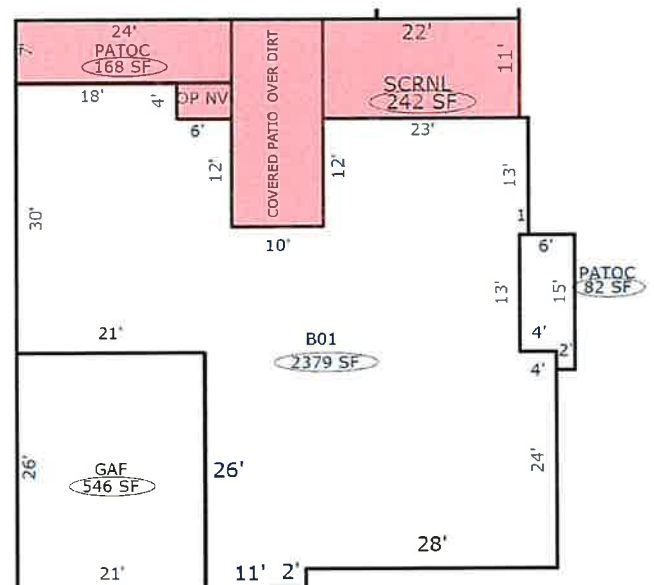
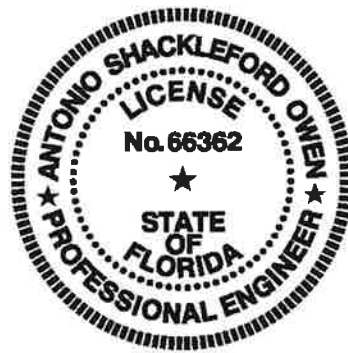
Best regards,



Antonio S. Owen
FL PE#66362

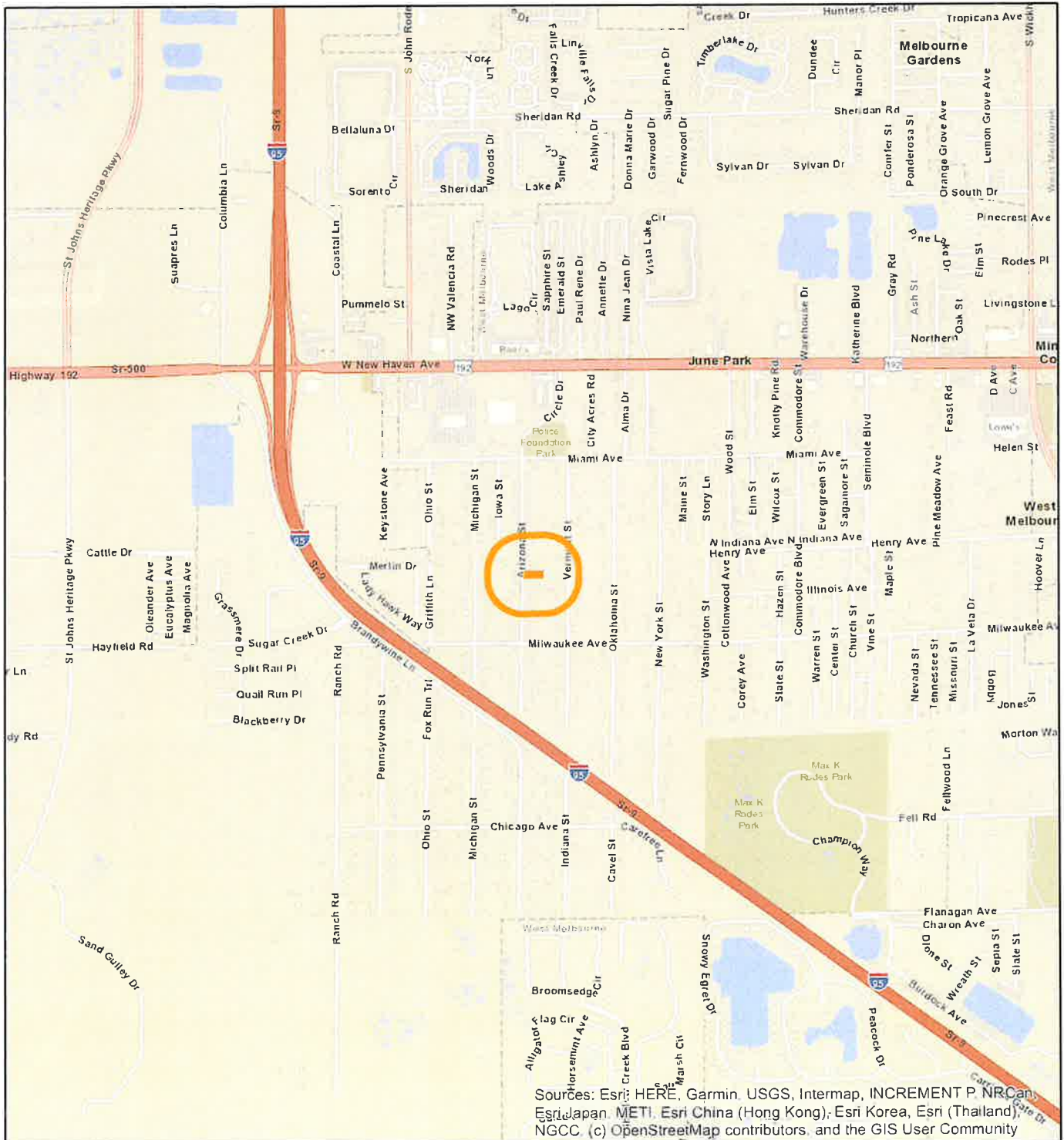
Antonio
S Owen

Digitally signed
by Antonio S
Owen
Date: 2025.12.06
12:01:48 -05'00'



LOCATION MAP

Antoun & Monica Wassef
26Z00001



Sources: Esri; HERE; Garmin; USGS; Intermap; INCREMENT P; NRCan; EsriJapan; METI; Esri China (Hong Kong); Esri Korea; Esri (Thailand); NGCC; (c) OpenStreetMap contributors, and the GIS User Community



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

Buffer Distance: 500 feet

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

Produced by BoCC - GIS Date: 2/13/2026

Buffer
Subject Property

ZONING MAP

Antoun & Monica Wassef
26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

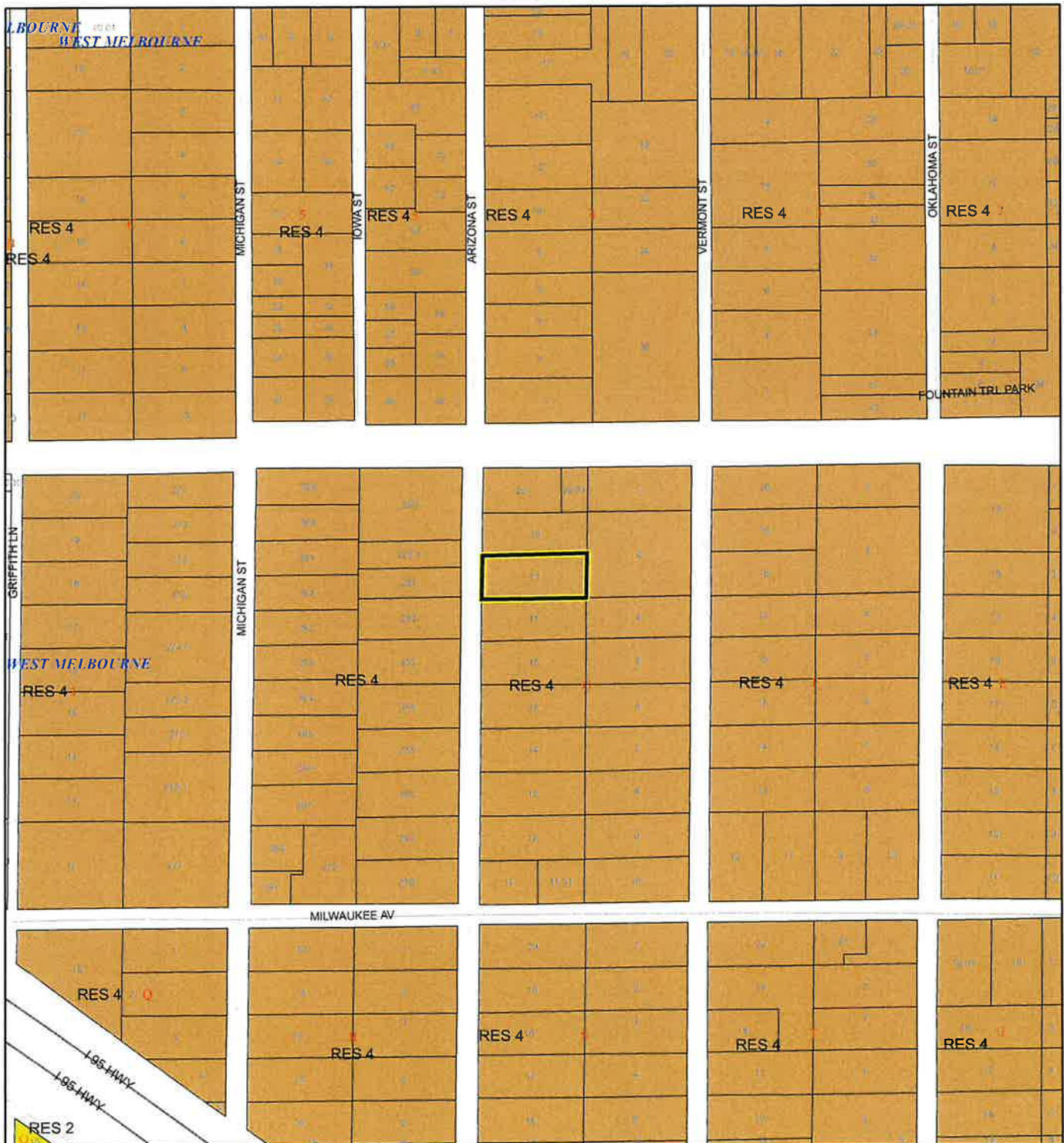
Subject Property

Parcels

Zoning

FUTURE LAND USE MAP

Antoun & Monica Wassef
26Z00001



1:4,800 or 1 inch = 400 feet

— Subject Property
□ Parcels

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Produced by BoCC - GIS Date: 2/13/2026

AERIAL MAP

Antoun & Monica Wassef
26Z00001



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2025

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Produced by BoCC - GIS Date: 2/13/2026

— Subject Property
□ Parcels

NWI WETLANDS MAP

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

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

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

SJRWMD FLUCCS WETLANDS

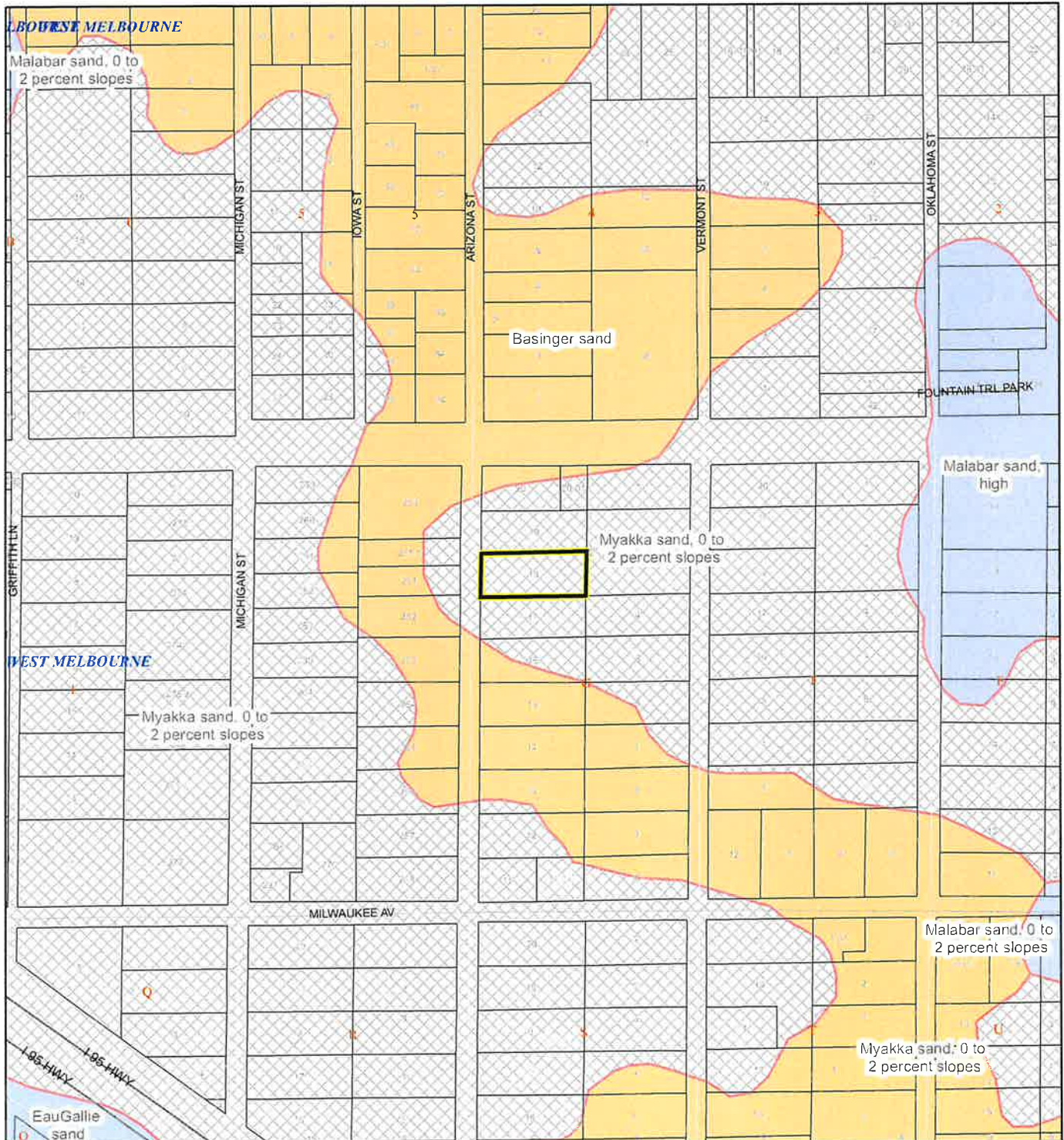
- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

Subject Property

Parcels

USDA SCSSS SOILS MAP

Antoun & Monica Wassef
26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

FEMA Flood Zones

- | | | |
|--------------------|------------|-----------|
| A | AO | X |
| AE | Open Water | |
| AH | VE | |
| — Subject Property | | □ Parcels |

COASTAL HIGH HAZARD AREA MAP

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

— Subject Property

□ Parcels

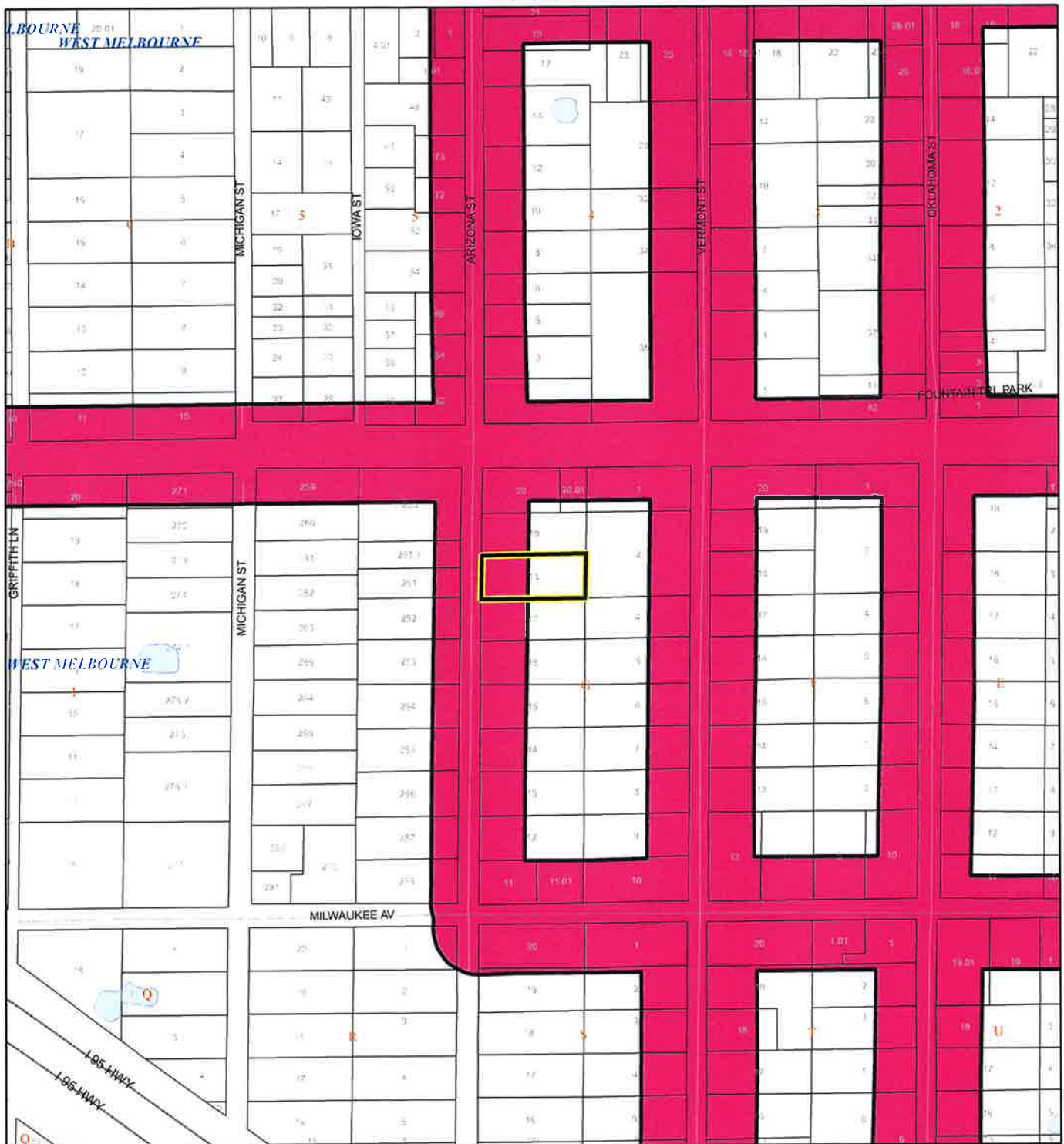
Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

Subject Property

Parcels

Septic Overlay

40 Meters

60 Meters

All Distances

EAGLE NESTS MAP

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2026

 Subject Property

 Parcels

 Eagle Nests
FWS

SCRUB JAY OCCUPANCY MAP

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

 Subject Property

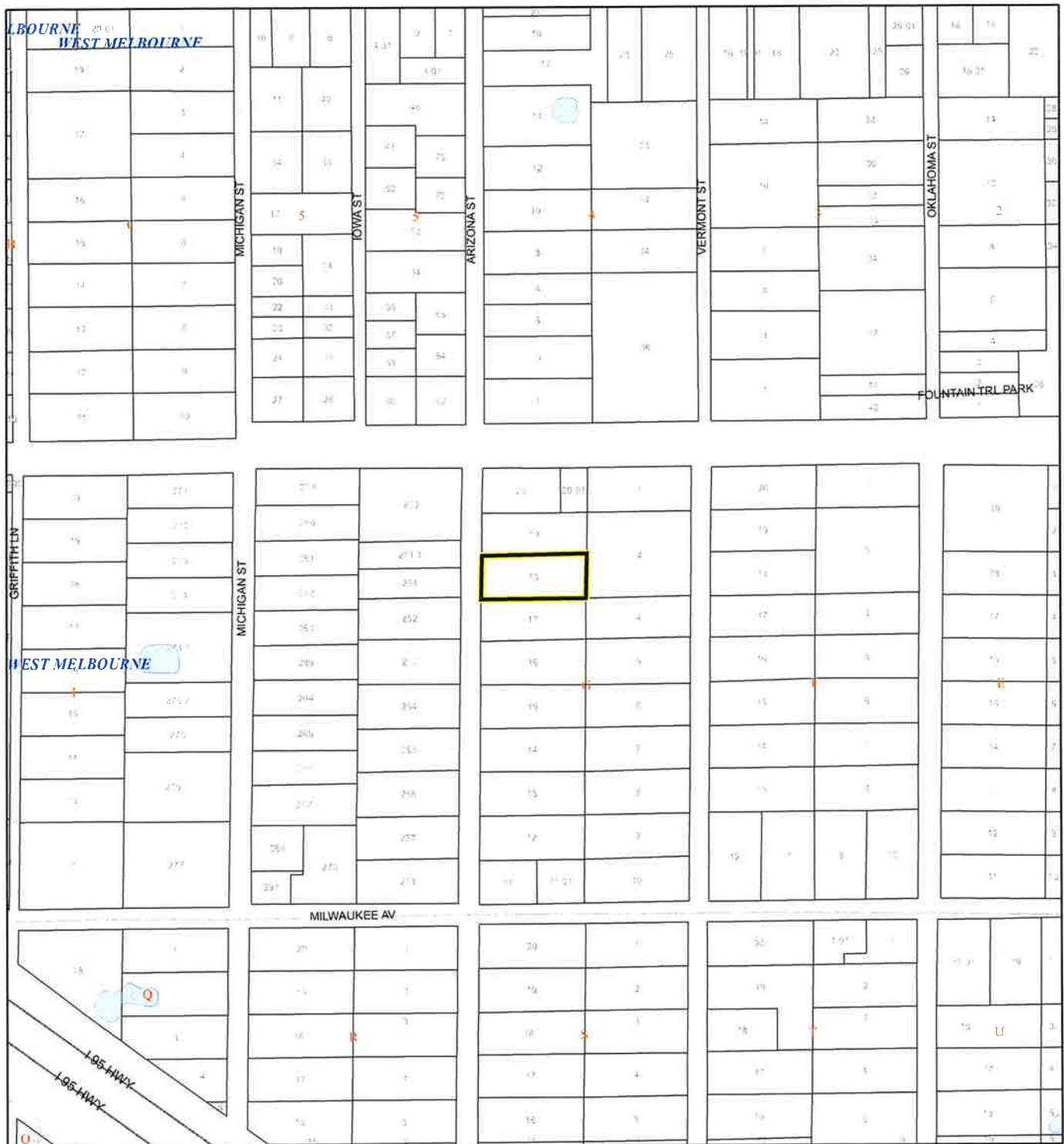
 Parcels

 Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

Antoun & Monica Wassef

26Z00001



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 2/13/2026

SJRWMD FLUCCS Upland Forests

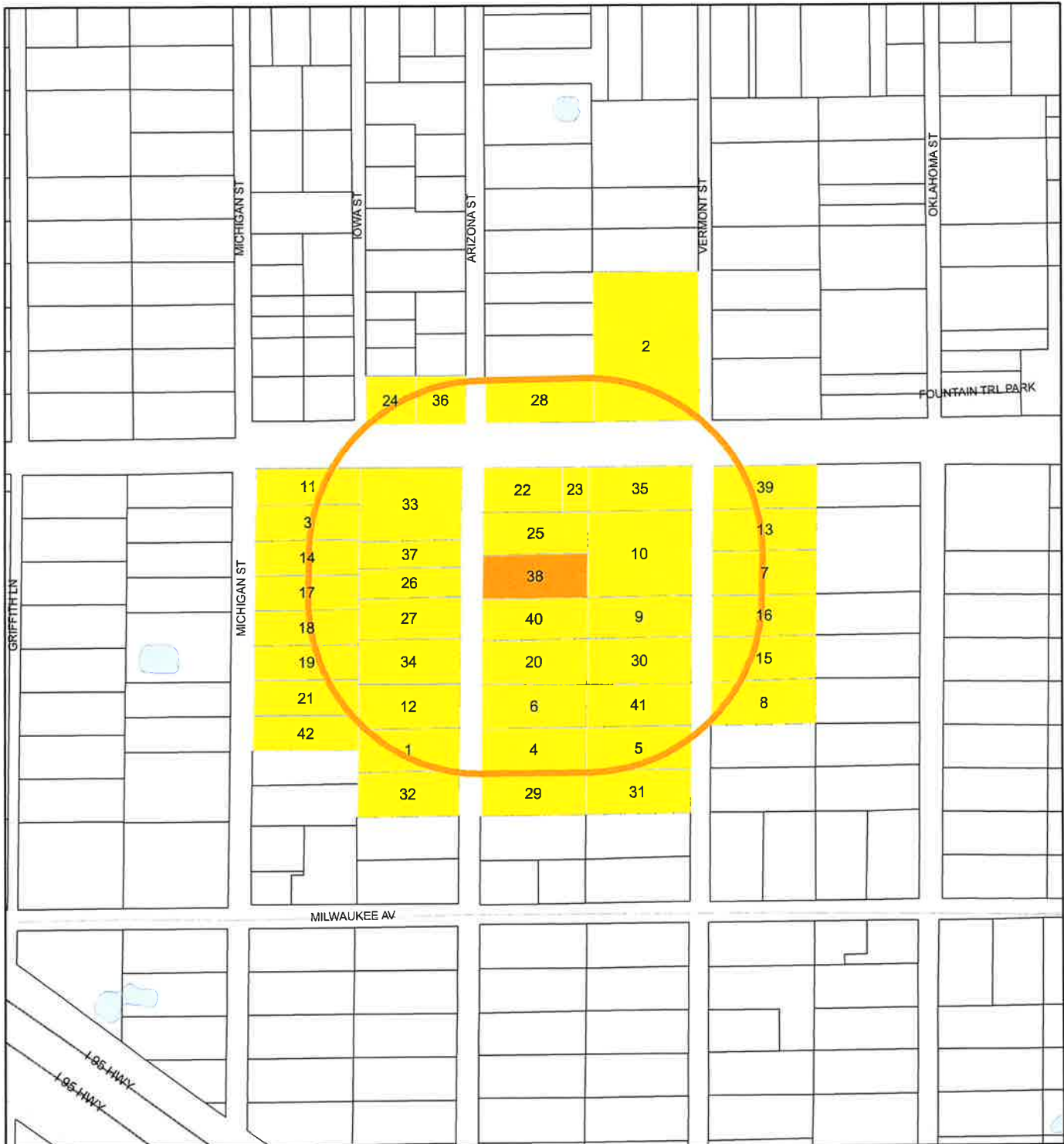
- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels

RADIUS MAP

Antoun & Monica Wassef
26Z00001



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

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

Produced by BoCC - GIS Date: 2/13/2026

- Buffer
- Subject Property
- Notify Property
- Parcels

From: [Zoning](#)
To: [AdministrativeServices](#)
Subject: FW: Providing comments for upcoming board hearing
Date: Thursday, April 9, 2026 8:19:26 AM
Attachments: [image002.png](#)

Good morning,

Please see the correspondence below regarding application #26Z00001.

Thank you,



Main: 321-633-2070
Planning and Zoning Office
Brevard County Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, FL 32940

From: John Traylor <traylorjj@yahoo.com>
Sent: Wednesday, April 8, 2026 9:08 PM
To: Zoning <Zoning@brevardfl.gov>
Subject: Providing comments for upcoming board hearing

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

John & Jodie Traylor
2340 Arizona St
Melbourne, FL

We live directly across the street from the property requesting rezoning. This property/neighborhood is zoned single family residential. Mr. Wassef remodeled the

home without any permits or contractor to be used as a multi family dwelling. Now he wants to have the single family home rezoned to accommodate the renovations that have already been done unpermitted. Allowing a second kitchen, which indicates a conversion of a single family home into a multi family dwelling. We have personally received mail in our mailbox stating Apt A, Apt B etc... when Mr. Wassef rented this single family home out to multiple tenants. The problem is these investors buy up single family homes and turn them into multiple family rentals with no regard to the neighborhood itself, which Mr. Wassef has proven with the house directly across the street from me. This rezoning should not be allowed in a neighborhood that has been established as a single family residential neighborhood. I feel this will have a negative affect on our neighborhood. I would really appreciate a response just to let me know this was received and read. Thank you very much

Thank you,
John & Jodie Traylor

[Yahoo Mail: Search, Organize, Conquer](#)

From: [Zoning](#)
To: [AdministrativeServices](#)
Cc: ttray560@yahoo.com
Subject: FW: Providing comments for upcoming board hearing.
Date: Friday, April 10, 2026 8:20:59 AM
Attachments: [image001.png](#)
[image002.png](#)

Please see below.



Main: 321-633-2070
Planning and Zoning Office
Brevard County Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, FL 32940

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.



Permit Assist

Launching Soon: Feb. 2026

Introducing an online portal designed to provide customers with an intuitive, step-by-step guide when obtaining permits and considering development actions.

Registered users with an approved contractor license added, can apply for building permit applications, make payments and upload documents directly to your permit by using the [online public portal](#).

Registered users of the online system without a contractor's license can schedule inspections.

Notice of Accessibility: *If you require assistance to better access a document or information*

contained therein, please contact our office.

From: theresa traylor <ttray560@yahoo.com>
Sent: Thursday, April 9, 2026 6:32 PM
To: Zoning <Zoning@brevardfl.gov>
Subject: Providing comments for upcoming board hearing.

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

To whom it may concern:

My name is Theresa Traylor. I am writing this email in response to the rezoning notice 26z00001 found on 2361 Arizona St. West Melbourne Florida. I have been a resident of June Park neighborhood for 38 years. All of the homes in the community are single family homes. The house on this property is also a single family house. There is one septic tank which was built for a single family. There is parking for a single family. There are farm animals allowed in this community. If the zoning is changed, the neighborhood will never be the same. The residence of this community would like to keep it like it is, we are in the county (not city limits) with a certain amount of property with each home. We are not an HOA, the homes are not on top of each other with zero lot line. The residence, including myself, of this community feel it unreasonable to allow multi-family homes, or homes made into multi-family homes in this area. The streets are not made to accommodate the extra traffic that a multi family building would bring.

It has come to my attention that the owners of this property has already (illegally) made a muti-family home from this house. They also own other property in this community that they have turned into multi family homes. These other homes are also single family home which have been rented to multiple families Illegally. The owners do not obtain permits for any of the work being done to the houses.

I am not able to attend the zoning meeting (hearing) due to work.

Please do not approve of this zoning change.

The hearing for this is scheduled for April 20th, 2026 at 3:30pm.

Thank you

Theresa Traylor

560 LaVeta Dr. West Melbourne 32904



Virus-free. www.avg.com

From: [jerry](#)
To: [AdministrativeServices](#)
Subject: ID# 26Z00001
Date: Monday, April 20, 2026 11:04:11 AM

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

Regarding public hearing concerning ID# 26Z00001. Request for second kitchen on single family residential property. I live on vermont st within 500 feet of the said property. If the owner of the property were residents at their property located at 2361 Arizona st i would say ok on the 2nd kitchen. But it appears that this is a investment property and I've seen many vehicles parked front and back in the past. The backyard of the property is in poor condition with dead trees laying about and no maintenance that is noticeable. The building there has been enlarged substantially. Looks like for more people to occupy a single family residence which shouldn't need a second kitchen. I vote no. Thank you, Jerry Hooper

From: Ashley Baird <ashley.b1688@gmail.com>

Sent: Monday, April 20, 2026 12:24 PM

To: Zoning <Zoning@brevardfl.gov>

Subject: Providing Comments for Upcoming Board Hearing 4/20 ARIZONA ST

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

Good afternoon,

I hope this email finds you well. I would like to provide feedback regarding the upcoming hearing for 26Z00001 - WASSAF Rezoning on ARIZONA ST. Please be advised the neighborhood would not benefit from this addition but would decrease property values and remove current residents or deter future owners from buying. Please hear the neighborhood when we say "NO" to rezoning on Arizona.

Thank you for your time and attention to this matter as it is very close to the June Park neighborhoods hearts.

Ashley
Alma St.

From: Christine Trammell <chrisloritrammell@gmail.com>

Sent: Monday, April 20, 2026 2:13 PM

To: Zoning <Zoning@brevardfl.gov>

Subject: Rezoning Meeting Today – 26Z00001

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

I am writing to ask you to please, please decline the request for the Wassaf Rezoning on Arizona Street. We love our neighborhood. We did not choose to live in an area with multiple family units. It's not right to start changing what we call home. Three families in that home would be awful, what about septic and parking? I am also certain in that living situation there would be a constant turnover.

Our property value will decrease. We chose this area for a reason and have been here 30 years. If you do this one, there will be others.

I love my home, please don't let investors run us out.

I just do not see a benefit for our area in doing this. Please decline.

I sincerely appreciate your consideration of my e-mail.

Chris

Arizona Street

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 20, 2026**, at **3:30 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 3:30 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (D5); Erika Orriss (D3); Robert Brothers (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; Alex Esseesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

Mark Wadsworth stated that if any Board Member has had any ex-parte communication regarding any application, please disclose now.

John Hopengarten disclosed that he'd had conversations with the engineer on Items H.1. and H.2.

Robert Brothers disclosed that he'd had conversation with some of the neighbors to Item H.1.

EXCERPT OF COMPLETE AGENDA

H.1. Antoun Wassef and Monica Wassef request a CUP (Conditional Use Permit) for a Second Kitchen Facility in RU-1-11 (Single-Family Residential). (26Z00001) (Tax Account 2801649) (District 5)

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

Antoun Wassef spoke to the application. He stated we just want to have a kitchen at the back of the house, so we'll have two kitchens. One will be a kosher kitchen that will be used when our family gathers and some part of the family that doesn't use the same kitchen. When we live in the house both kitchens are open to each other. There's no walls. There's no utilities separate. All the utilities are together.

Monica Wassef stated they followed all the requirements that are in the CUP application to qualify for this. We also submitted um plans to the county. We hired a general contractor and an engineer to make sure that everything is per code. Dr. Kim Maines. I've lived in the area for 30 years and many of our older homes are occupied by children of parents that built those homes. They live in that area because it is single family on large lots and that's what we like about it. According to the Brevard, Florida government site, the applicants must demonstrate the request aligns with the comprehensive zoning codes and obviously it doesn't because there's an existing ongoing code enforcement case. Also, according to the staff comments on that enforcement case, the property was previously modified without permits and utilized in a manner inconsistent with single family use. The work was done without permits. Permits and codes are there to protect the residents to make sure they're safe. So, without those, we have no idea about what work was done previously. Also, according to staff comments the CUP associated building permit seeks to bring the structure into compliance with the county regulations to formalize the kitchen. In other words, the applicants are abiding by the old saying it's better to ask forgiveness than permission. Rather than addressing the code enforcement case by bringing the structure back into compliance as a single-family residence, they want the county, and they want all their neighbors to let them formalize that kitchen. According to the documents that exist they were renovated and rented without proper permits. So now they're going to

have a second kitchen, and they're going to try and tell you that they're going to abide by the CUP zoning section 621947 which reads that no single-family dwelling unit shall be utilized for rental purposes. But they've already done that apparently according to your own documents. So, they're asking us now to believe that they're not going to do that going forward once they formalize a kitchen. According to your own staff comments, the introduction of a second kitchen facility inherently increases the potential for independent living arrangements.

PUBLIC COMMENT

Ken O'Kelly stated he and his wife Laura live right next door. We've been there for 41 years. We've observed in the last year or so all this going on at this property next door. We figured it was without permits. We never saw anything in the yard or on the front door. And there's been major work done in this house. Septic tank work, additions to the back of the house with concrete block, the roofing modifications. There are four doors across the back of this property. Why does a single family home need four doors on the back of it? Well, now we kind of know. There's been people renting apartments in there and that's why there's all these separate doors. My concern is as a neighbor that their drain field is right next to my property. So, when they start having a problem, it's going to affect my property and my well. That's what I'm concerned about.

John Traylor stated he lives across the street. The applicant doesn't live in the residence, never has. The place is boarded up now, completely hurricane proof. We witnessed all the renters, the people moving in and out constantly. We've received mail for apartment A and B. So obviously we know where he's going with this. He doesn't intend on living there. That's what we see happening. You know we pay our dues to stay here to do our thing and he's just going to turn it into an apartment complex, and we don't want it.

Chris Trammell stated she loves her home. I believe they're all correct. I think we're going to have people coming and going, multiple families in this. I don't want that. I just love the street. I love the neighborhood. Nothing against them, but I don't want to see this happen. And I feel like if that's approved, this is going to be approved repeatedly. The neighborhood we love so much is not going to be the same.

END PUBLIC COMMENT

Mr. Wassef stated many of the comments that were made were untrue. For the building we are getting everything approved as we mentioned. There's an engineer working on it. There is a contractor working on it. Again, I assure my neighbors and everyone that no one will live in this house except us occasionally, we are not going to live full-time. They are not going to see anybody. They are not going to see cars. They are not going to see anything. There was never an apartment B and apartment A. Yes, there were tenants there for two months only. And if the neighbors said anything, we should have let them go from day one. But we got a notice, we reacted right away, and we got everybody out. We are following everything as the code would say, and we are going to be there with our family. There will be no one there. I wrote that and I sent it to the county. I don't think I can do anything other than that. I am assuring everyone that no one will be in this house except us.

Ms. Wassef stated she also wanted to acknowledge their concerns. Originally we did rent it out, but unfortunately the tenants did unauthorized subletting without our knowledge. We rented it to one family, and they sublet it to others. The neighbors had our phone numbers. They didn't call us and let

us know. We have the evidence that we sent them out. None of the neighbors that are present, some of them had our phone numbers and they could have called us and told us, "Hey, there's other people living in this house." No one said anything until we got the notice from the county. As soon as we got the notice from the county, we acted on it immediately and got those people out. Even though this is very, very difficult with landlord and tenant laws. Most of the time, but in my view, landlord tenant laws favor the tenant. And once they're there, you have a really hard time getting them out. And despite that, we did everything in our power to get them out. They are correct. There's no one living there because we want to get the house ready for us and we are moving there. And of course, if they ever have an issue in the future, there's a lot of them, they could notify the County immediately. So, if they're worried about somebody moving in extra or having a, b, c or whatever they're saying, they're there. Call the county, put a notice on us, report us. They can report us, if we don't follow through with what we're saying.

Mr. Wassef stated we are asking to add another kitchen for family members that eat kosher, and they don't use the same kitchen. One of the neighbors is my mechanic. My mechanic next door has a mechanic shop and cars and motors and looks ugly. The other one has heavy equipment, John and Judy, you see J&J, they have heavy equipment, tractors and stuff. This is in front of me. This is the ugly part. Not someone using another kitchen. When we got the notice from the county, the comment that was made by your neighbor complaining said you have two Hispanic families in the same house. Hispanic. Hispanic. This is the word that I got.

Mark Wadsworth stated we are the planning and zoning board. We don't get into the code enforcement issues.

Erika Orriss stated she was a little bit confused about the state of the property right now. As I read it, it says property owner renovated the entire single-family home and converted it into multiple rental apartments which are now rented. Is that no longer true?

Mr. Wassef responded that it's no longer true, since July 31st.

Mrs. Wassef added as soon as we got notice of it, we corrected it. We had to follow the law too. So, there's landlord tenant laws. And once they're in there, you can't just kick them out. We can't. So, we got rid of the problem as soon as we could, following the law. I wish I could have just put a lock and got them out, but I couldn't.

Mr. Wassef added that this problem also lasted two months only. It was not like a long time. Once we get the notice, we paid the people and got them out.

Ms. Orriss stated you did a renovation, and you turned your home into multiple apartments is what it says.

Mr. Wassef responded no, that's not true. It was renovated and it's not entirely renovated as was mentioned. I don't think anybody would renovate a house from 1950 and not change the windows. We didn't change any windows. Most of the doors are the old doors. Maybe we added two doors or something. Four doors in the back because one of them is a storage, one of them opens to this kitchen. If you have a laundry room you have a door for it. If you have storage, it's a little room like this. Nobody is going to live in it. I don't have a motel six.

Ms. Orriss asked staff what the state of the code enforcement violations are. According to our packet,

it does say that it has been renovated into multiple rental apartments which are now rented. All the work was done without permits. So, if it's been renovated already into multiple apartments and they're going to.... It's a question for staff.

Ms. Wassef interjected if I may add, if you look at the documents that were submitted to the county it shows the floor plan, it shows all the details of it. So, at some and it's approved by a general contractor and an engineer, everything submitted. You could look at what it is right now and ultimately if somebody wants to they could come and look and verify that the plans are accurate, go into the house and check it.

Mr. Wassef stated building will not approve or finish reviewing the plan until the zoning approves the kitchen. We contacted the building department a few times to see if there is anything we need to do but what we got is they will not approve anything until zoning approves the kitchen first.

Ms. Wassef continued with it's a process. So, we're basically waiting for this; the application is on hold. Even though all the stuff that's in the plans and everything is approved by them they cannot do final approval until this part is processed.

Mr. Wassef added that his neighbors are both trying to buy the house. They put a lot of pressure on me to buy the house, and they called me asking me if I'm going to sell it. I'm not going to sell it. Are you going to rent it? I'm not going to rent it. Are you going to sell it? I'm not going to sell it. And they keep asking me about buying my property. We're not going to sell it. And I'm not going to sell it in any way. They will never get it. They will never get this poverty. We're not going to stop. I will be your neighbor forever.

Paul Body responded to Ms. Orriss' yes. There is a code enforcement case against them which is 25CE00999. The description of the work states the property owner renovated the entire single-family home, converting it into multiple rental apartments which are now rented. All of work was done without any permits. The complaint was verified by the code enforcement officer on June 27th, 2025. Yes, he went out to the property and the complainant said he would like code enforcement to address all the work without permit, violations found that created an unpermitted subdivided living space, structural, plumbing, electrical, drywall, etc. Also, the zoning violations for multiple families in a single-family home. So yes, there was code enforcement for that.

Ms. Orriss stated that it has not been closed out yet, it's still an active case.

Ms. Wassef responded that it cannot be closed out until this the process... This is what they told us, which is that the building department cannot do anything until this part is taken care of. So that was on June 27th that was said and now there's nobody living there.

Ms. Orriss inquired if it is still structured as a multi-family.....

Ms. Wassef responded no.

Ms. Orriss stated well that's what it says. It's a multi-family, multiple rental apartment.

Mr. Wassef responded it is no longer It's no longer.

Ms. Orriss continued with you renovated it from that.

Mr. Wassef responded the whole thing about multiple is there's a wall that's closed and the wall is open.

Ms. Orriss then stated there was more work done to make it back to a single-family.

Mr. Wassef responded it was always like that. It was always a single family.

Rob Brothers asked if they put an addition on the house.

Mr. Wassef responded no, he didn't put an addition.

Mr. Brothers responded that's untrue. You added on to the house. I visit this neighbor quite often. And these people I know, I'm related to this guy. I visit there quite often. I saw you put an addition on the house. Did you do work on the septic system and without a permit?

Mr. Wassef responded a company did it.

Mr. Brothers responded that's untrue. I saw you working on the septic system with my own eyes.

Mr. Wassef stated he has invoices. I have a company.

Mr. Brothers continued with if you're untrue about these things and the staff says that you turned it into multi-family and I see a drawing of the kitchen, but I don't see a drawing that's addressing all these other things. So, if you're untrue about that, how do we know that you're not untrue about the place.

Mr. Wadsworth stated we need to stay with the planning and zoning.

Mr. Brothers stated he was talking about him having changed the house into a multi-family as staff says.

Ms. Wassef stated it seems to me that this is a biased person that is here.

Mr. Wadsworth continued with I'm going to take the floor. I'm going to speak.

Henry Minneboo stated usually these things are very, very simple. We make modifications here lot. You never have anybody come here, usually and speak against it. I'm going to be very frank with you. I'm not in favor of what you're going to do. And I'm not going to give you the zoning to allow you guys to modify until you get it all fixed up. Then you can come back here. As far as I'm concerned, you're spinning your wheels and blowing your tires because this thing is not heading in the right direction. The way you've approached it is not the proper way. If you have people here speaking against something of this minuscule of a situation, you've got a problem. And I'm not in favor of giving you the zoning and then letting you see if you can go to work. It's not going to happen. Staff, let me ask you a question. So that they don't have to pay twice and we've done this in the past, can we table this issue until they get this corrected, however long that takes?

Ms. Gilliam responded the building permit is not going to be able to be approved showing the second kitchen unless this is approved. So, they can remove the kitchen from their plans and put it back into one kitchen or you can table it, and can come back, but they still can't get that permit approved until

this is approved.

Neal Johnson stated they wouldn't need a zoning change if they removed the second kitchen.

Ms. Gilliam responded with that's correct. They could get the permit to bring the house back into order, back into code, and then could come and make the request and then add the second kitchen afterward.

Ruth Amato stated she was curious how many code enforcement cases are there for this.

Mr. Body responded there's only one.

Ms. Amato stated when she looked it up on Bass there were multiple cases against this address.

Ms. Gilliam responded the other ones are contractor licensing.

Mr. Hopengarten asked if this kitchen was already installed.

Mr. Wassef replied yes.

Mr. Hopengarten then stated you did it without a permit.

Mr. Wassef replied yes.

Mr. Hopengarten stated you know it's a violation, right.

Mr. Wassef replied with now we know.

Mr. Hopengarten continued with can you tell me what the difference between a regular kitchen and a kosher kitchen is, please. What's the difference? Why are you putting in this?

Mr. Wassef responded with they asked me why you want it. So that's why I want it. I want to keep it because of that.

Mr. Hopengarten stated you're not answering my question. What's the difference between a regular kitchen in a house and a kosher kitchen?

Ms. Wassef responded every single surface and kitchen item, anything whatsoever in that kitchen that's supposed to be kosher cannot be touched by a certain type of meat because of certain beliefs. It's his family.

Mr. Hopengarten stated you're not answering my question. What's in there?

Mr. Wassef responded it's just a kitchen.

Mr. Hopengarten stated that it could be used as a regular kitchen for another tenant.

Mr. Wassef responded there's no tenant.

Mr. Hopengarten stated it could be because it's a regular kitchen. It's just an additional kitchen in a

single-family home.

Ms. Wassef replied if it's rented, it could be, but if it's not rented, it cannot be.

Mr. Wassef added and it's open. It's open to the other house. How can a tenant live open to the other tenant?

Mr. Hopengarten responded the drawing that I see here from your engineer shows a partition between the two kitchens.

Mr. Wassef stated no, there's no partition. Anyone can come and inspect tomorrow if they want. There's no partition.

Mr. Hopengarten responded that's not what's shown on the documents that we have in front of us.

Ms. Wassef stated that maybe it's not updated.

Mr. Esseeesse stated for the chair just a point of clarification and procedural. Mr. Hopengarten, you stated that you had two conflicts of interest, or you spoke with individuals prior to or, ex-parte, what items did you speak to that engineer on?

Mr. Hopengarten responded He just asked him what he drew up. Items were H1 and H2. Same engineer.

Mr. Esseeesse then asked Mr. Brothers if he had stated that he has a relative....

Mr. Brothers responded yes, nephew. So, I visit the neighborhood occasionally.

Mr. Esseeesse stated he's just looking for it from a conflict-of-interest perspective in a voting issue. But I'll look into it while the discussion continues.

Mr. Brothers responded if I need to recuse myself that's fine. I was telling you what my eyes saw.

Mr. Esseeesse stated I'm not saying you have to. I just need to confirm it, that's all.

Mr. Hopengarten asked the applicant if their engineer was here. Can we call the engineer up?

Antonio Owen stated the two kitchens are back-to-back with the bathroom next to one of the kitchens as well. So, you can see the two sinks, the kitchen sinks, the double sinks there. There is a wall there that the two kitchens are back-to-back. To the right of that, there's a hallway that will connect the two areas.

Mr. Hopengarten stated that there is a wall between the two kitchens.

Mr. Owen responded currently yeah. I don't know anything about kosher kitchens. I don't know if you can have a kitchen open to another kitchen and still be kosher. I have no idea. It's not my religion.

Mr. Hopengarten stated you keep saying open. I see them back-to-back with a wall between them. That's not open.

Mr. Owen replied no, I'm asking you. I don't know if you have if you can have an open kitchen. I have no idea if one kitchen must be closed off from the other.

Mr. Hopengarten stated he's just trying to establish the fact that they're asking for a CUP for a kosher kitchen. And I just want to make sure that there's a big difference between somebody putting in an extra kitchen or a specialty kitchen that could be used by the family like he was saying. So, I'm just trying to establish that. But the way the drawing looks, it's not open. I mean, it's an open room. Yes.

Mr. Owen responded I think he's trying to say, in his view, that it's open in the sense that you can get to both kitchens, you don't have to walk around the house to get to the kitchen. You can go through a hallway to get to the other kitchen. I think that's what he's saying. I'm interpreting so I don't know. When I was there there's a hallway that connects the two kitchen areas together.

Mr. Johnson asked if there were doors in that hallway.

Mr. Owen replied that you can see there's a door right there. You could take the door out if you needed to. My thought is I if he didn't have to have a kosher kitchen he could just make it a kitchenette and be done with it.

Mr. Body responded anything with a kitchenet called kitchen is going to be a second kitchen.

Mr. Owen asked how do you do mother-in-law suite with a refrigerator.

Mr. Body responded that a kitchen is made to store, to prepare, and cook food. So anytime you have something that is one of those three, especially cooking, that's what a kitchen is for.

Mr. Owen stated a kitchenette would be, under your definition, another kitchen still.

Mr. Body responded yes, because you're calling it a kitchenet.

Mr. Owen asked what do you call it then. If it's just a refrigerator and a microwave.

Mr. Body responded that you can't have a microwave either. You can cook in a microwave. You can take a microwave and plug it into anywhere.

Mr. Owen inquired when the rules changed.

Mr. Body responded it's in the definition of kitchen in our section.

Mr. Owen stated that in Boulevard County, I think it's state law, I can put an ADU, and you guys cannot stop it.

Mr. Body responded that you must meet the definition of what an ADU is and for having a second living area.

Ms. Gilliam stated that an ADU is not relevant to this conversation today.

Mr. Owen continued with it was just a comment that we're allowed by law to do a detached ADU and no one can stop it, and you can complain but it's part of the affordable housing laws.

Mr. Wadsworth stated that he needs a kitchen because of his beliefs, the religion. And you're going to be the only family in the house. Period.

Mr. Wassef responded Yes. Period.

Mr. Wadsworth continued with, and they need to get this other kitchen approved for zoning. Is that correct, staff?

Ms. Gilliam responded yes.

Mr. Esseeesse suggested that Mr. Brothers abstain from voting based on what we've heard to cover yourself and then if we need to provide you a form, we will fine.

Motion to recommend denial of Item H.1. by Henry Minneboo, seconded by Erika Orriss. Motion passed unanimously (Robert Brothers abstained).

Meeting adjourned at 5:10 p.m.

DRAFT

From: [M Teresa](#)
To: [Commissioner, D1](#)
Cc: [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Tony Wassef](#)
Subject: P&Z Meeting on 4/20/26 Item Tax Account 2801649 Item H.1. Request for CUP SFR 2nd kitchen facility
Date: Tuesday, May 5, 2026 3:06:42 AM
Attachments: [image.png](#)
[J&J Equipment Advertisement.pdf](#)

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

Dear Board of County Commissioners,

The purpose of this letter is to inform you of some unfair practices that were carried out at the above referenced Planning and Zoning Meeting, as well as some discriminatory and unethical actions that were carried out by some neighbors who objected to our application for a CUP for a second kitchen facility.

First, there was undeniable evidence of conflict of interest. Mr. Robert Brothers (member of P&Z/LPA) admitted that his nephew was Kenneth O'Kelly. This is significant because Kenneth O'Kelly resides at 2341 Arizona St. and objected to the CUP kitchen. Meanwhile, Robert Brothers does not object (nor report) that his nephew Kenneth O'Kelly runs a mechanic shop from the 2341 Arizona St. residence. For Mr. Robert Brothers running a mechanic shop (repairing cars, trucks and mowers) at a SFR does not constitute a zoning violation. Mr. Brothers is also probably not bothered by the failure to report income from this cash automotive repair business (a potential cause for an IRS audit) nor for the business traffic and nuisance caused by said operations. If a board member is aware of a Zoning Violation (commercial mechanic shop) and fails to report it because it is a related party then can the public really trust them? Pictures of multiple cars that were being repaired at 2341 Arizona are attached.

Second, Jonathan & Jodie Traylor objected to the CUP, but yet they reside and operate their commercial business J AND J MOBILE EQUIPMENT REPAIR INC from 2340 Arizona Street. Jonathan and Jodie Traylor complained of the "Hispanics neighbors" living at 2361 Arizona St. but they have been running a *heavy industrial equipment* repair shop right in front of our home (2361 Arizona St). Clearly, they do not object to the disturbances and nuisances caused by their heavy equipment business nor to the various illegal activities that shall be reported to the proper agencies. Moreover, it is important to note that they have had a previous violation at 1307 Waterway St SW Palm Bay, FL 32908 for nuisance. While they claimed to object to the CUP application in order to keep the SFR neighborhood, the actual *root cause of their objection* is "*Hispanic neighbors.*" It is important to note that they engaged in collusion and agitation of neighbors. They spread false information to neighbors in order to get as many people as possible to object to the CUP application. Documentation is available substantiating the above referenced information.

The reader may wonder why the zoning violations of the Kenneth O'Kelley & Jonathan Traylor are relevant to the present application for a CUP. They are certainly relevant because these two people presented negative public comment claiming they wanted to keep the SFR neighborhood. Meanwhile, both of them hypocritically run commercial businesses from their homes on Arizona Street (mechanic repair shop and industrial equipment repair). They claim to object based on wanting to keep SFR, but in actuality they objected based upon a fear/dislike of perceived "Hispanic neighbors." This means that they are not being transparent about the real reasons for their objections and hence lack credibility. Moreover, the collusion to agitate neighbors and spread false information online against

the applicants of the CUP application is certainly questionable from an ethical perspective.

Thirdly, the drawing that was used during the hearing and shown below was a confusing drawing. There is a magenta solid line *obscuring* the *dotted line* that shows that the areas of the home are open to each other. There were many better and clearer drawings submitted to the building department. It is odd that the drawing that makes the dotted line unclear would be selected and presented to the P&Z board. Risking repetition, but ensuring clarity-there is no wall that completely separates the existing kitchen from the new proposed kitchen. We hope that the County of Melbourne would be fair in their processes and procedures as the applicants seek to get approval for a kosher kitchen.

As a consequence of the conflict of interest, the negative public comment from neighbors of dubious credibility who spread false information and agitated other neighbors (collusion), as well as the confusing drawings that were presented to board members - there was a recommendation to deny the CUP application. This recommendation was based upon biased and inaccurate information.

The whole purpose of the adding the kosher kitchen is to make the house fit the owners' needs and make it work so that it does not become necessary to rent. It is the intent of the owners to use the house mainly during the summers and holidays for family gatherings. This represents a minimal use that is not going to affect the neighbors negatively. In fact, it will be beneficial for them. We even let one neighbor park the vehicles of their guests on our property (2361 Arizona St.) when they had a party because we were not there. Again, the areas of the house are open to each other. All living areas share utilities. We have done everything to ensure neighbors are not bothered. For example, we received notification on July 4, 2025 that there were two families living in the house (through unauthorized subletting), but by July 31, 2025 there was no one living in the house. While it was not necessary to let the tenants go, the owners voluntarily let the tenants go and kept the property vacant until the present. The owners used a lot of time and resources to end the subletting even with the limitations imposed upon them by landlord tenant laws. In addition, an engineer and a general contractor were hired to help us with the approval process. We are doing our best to make it so that the property is usable by the owners so that it is not necessary to rent it.

See drawing that follows and attachments for evidence.

Thank you for your time and attention to this matter.

Sincerely,

Antoun & Monica Wassef

