



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.2.

5/7/2026

Subject:

JEJ Ventures, LLC. requests a zoning classification change from IU to BU-2. (26Z00002) (Tax Account 2317469 and 2317470) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

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

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from IU (Light Industrial) to BU-2 (Retail, Warehousing, and Wholesale Commercial) to provide consistency with the Future Land Use Designation for two undeveloped lots totaling 3.68 acres. The applicant also owns the adjacent, undeveloped 2.09-acre lot to the west, which is zoned IU with IND FLU. The proposed rezoning will allow for the development of a hardware store and RV/boat storage facility across the three properties.

The subject properties are Lots 4 and 5 of Williams Point Complex recorded in PB 19, PG 0121 of the Brevard County Official Records on March 17, 1965. The lots have access to Williams Point Boulevard, a county-maintained roadway, and the eastern parcel also has access to North US Highway 1. Both parcels meet the minimum lot size, width, and depth for BU-2-zoned lots.

North of the subject property and the right-of-way of Williams Point Boulevard are two parcels zoned BU-1 and BU-2 with CC FLU. The BU-1 parcel is 0.56 acres, developed with a contractor's office building. The BU-2 parcel is 0.73 acres, developed as an automotive repair service. South of the subject property is a 7.02-acre parcel, zoned BU-2 with CC FLU, developed with a storage facility. East of the subject property across North Highway 1 are three parcels developed with single-family residences. There is a 1.9-acre parcel zoned RU-1-13 with RES12_DIR FLU, a 1.22-acre parcel zoned RU-2-10 with RES12_DIR FLU, and a 1.35-acre parcel zoned BU-1 and RU-1-13 with RES12_DIR and CC FLUs. West of the subject property is an undeveloped 2.09-acre parcel, zoned IU with IND FLU.

The Board may consider whether the request is consistent and compatible with the surrounding area.

On April 13, 2026, the Planning and Zoning Board heard the request and unanimously recommended

approval.

Clerk to the Board Instructions:

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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Building A, Room 114
Viera, Florida 32940
(321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

STAFF COMMENTS

26Z00002

JEJ Ventures, LLC (John Platt, Jr.)

IU (Light Industrial) to BU-2 (Retail, Warehousing and Wholesale Commercial)

Tax Account Numbers: 2317469 and 2317470
Parcel I.D.: 23-36-30-50-*4 and 23-36-30-50-*5
Location: South of Williams Point Boulevard at the intersection with US Highway 1 (District 1)
Acreage: 3.68 acres

Planning and Zoning Board: 04/13/2026

Board of County Commissioners: 05/07/2026

Consistency with Land Use Regulations

- Current zoning cannot 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	IU	BU-2
Potential*	110 multi-family units**	FAR of 1.00 or 110 multi-family units**
Can be Considered under the Future Land Use Map	No Community Commercial (CC)	Yes Community Commercial (CC)

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

** Development potential at 30 units per acre F.S. 125.01055 (Live Local Act).

Background and Purpose of Request

The applicant is requesting a change of zoning classification from IU (Light Industrial) to BU-2 (Retail, Warehousing, and Wholesale Commercial) to provide consistency with the Future Land Use Designation for two undeveloped lots totaling 3.68 acres. The applicant also owns

the adjacent, undeveloped 2.09-acre lot to the west, which is zoned IU with IND FLU. The proposed rezoning will allow for the development of a hardware store and RV/boat storage facility across the three properties.

The subject properties are Lots 4 and 5 of Williams Point Complex recorded in PB 19, PG 0121 of the Brevard County Official Records on March 17, 1965. The lots have access to Williams Point Boulevard, a county-maintained roadway, and the eastern parcel also has access to North US Highway 1. Both parcels meet the minimum lot size, width, and depth for BU-2-zoned lots.

IU was the established zoning classification for the subject properties upon adoption of the Brevard County Zoning Regulations on May 22, 1958.

Community Commercial (CC) was the original established Future Land Use designation for the subject properties as established by the Brevard County Comprehensive Plan on September 8, 1988.

In 2023, the Live Local Act was enacted and was revised in 2024. The Act is intended to address the state's growing housing affordability crisis through significant land use, zoning, and tax benefits. Pursuant to Florida Statute 125.01055, a county must authorize multifamily and mixed-use as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units are in a proposed multifamily rental development are rental units that, for a period of at least 30 years, are affordable as defined in s. [420.0004](#). In unincorporated Brevard County, the Live Local Act effectively allows for development of up to 30 dwelling units per acre. The applicant has not expressed an interest in developing multi-family residential units.

The subject property is within the septic moratorium area. Please be aware that the North Indian River Lagoon Basin Management Action Plan Injunction prohibits septic tanks in this area. In the context of onsite sewage treatment and disposal systems, "Available" is defined in F.S. 381.0065 (2)(a) and the requirements to connect to an existing onsite sewage treatment and disposal system to central sewerage system are defined in F.S. 381.00655 (1)(a). Brevard County has the exclusive right to furnish the sewer service per Section 110-181, Brevard County Code of Ordinances, because this is within the Brevard County Utility Services Department Service Area.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Mini-Warehousing and Automotive Repair	Road ROW, BU-1, and BU-2	CC
South	Warehousing	BU-2	CC

East	Single-Family Residences	Road ROW, RU-1-13, RU-2-10, and BU-1	RES12_DIR and CC
West	Undeveloped	IU	IND

North of the subject property and the right-of-way of Williams Point Boulevard are two parcels zoned BU-1 and BU-2 with CC FLU. The BU-1 parcel is 0.56 acres, developed with a contractor's office building. The BU-2 parcel is 0.73 acres, developed as an automotive repair service.

South of the subject property is a 7.02-acre parcel, zoned BU-2 with CC FLU, developed with a storage facility.

East of the subject property across North Highway 1 are three parcels developed with single-family residences. There is a 1.9-acre parcel zoned RU-1-13 with RES12_DIR FLU, a 1.22-acre parcel zoned RU-2-10 with RES12_DIR FLU, and a 1.35-acre parcel zoned BU-1 and RU-1-13 with RES12_DIR and CC FLUs.

West of the subject property is an undeveloped 2.09-acre parcel, zoned IU with IND FLU.

BU-1 zoning allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

BU-2 zoning permits retail, wholesale and warehousing commercial land uses on minimum 7,500 square foot lots. BU-2 zoning is the county's most intense commercial zoning classification due to the intensive nature of commercial activities permitted. Off-site impacts such as noise, light, traffic and other potential nuisance factors associated with BU-2 activities should be considered. The BU-2 zoning classification allows outside storage of retail items including, but not limited to, motor vehicles, utility sheds, nursery items such as plants and trees, boats and mobile homes.

RU-1-13 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 minimum widths and depths of 75 feet. The minimum house size is 1,300 square feet. RU-1-13 does not permit horses, barns or horticulture.

RU-2-10 is a multiple-family residential zoning classification that encompasses lands devoted to medium-density multifamily residential purposes, together with such accessory uses as may be necessary or are normally compatible with residential surroundings. RU-2-10 permits multiple-family residential development or single-family residences at a density of up to 10 units per acre on minimum lot sizes of 7,500 square feet.

IU zoning classification permits light industrial land uses within enclosed structures. The minimum lot size is 20,000 square feet, with a minimum width of 100 feet and a minimum depth of 200 feet.

Future Land Use

The subject property is currently designated as Community Commercial (CC) Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County’s Comprehensive Plan.

The current IU zoning is not consistent with the CC FLUM designation. The applicants' request for BU-2 zoning classification can be considered consistent under the CC Future Land Use.

Applicable Land Use Policies

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

FLUM Policy 2.2 Role of Zoning Regulations in the Designation of Commercial Lands

The zoning process regulates the types and intensities of uses for a parcel of land. Criteria which aid in assessing zoning compatibility, shall include consideration of the following standards:

Criteria:

A. Permitted/prohibited uses;

The BU-2 classification permits retail, wholesale and warehousing commercial land uses on minimum 7,500 square-foot lots. BU-2 zoning is the county’s most intense commercial zoning classification due to the intensive nature of commercial activities permitted. Off-site impacts such as noise, light, traffic and other potential nuisance factors associated with BU-2 activities should be considered. The BU-2 zoning classification allows outside storage of retail items including, but not limited to, motor vehicles, utility sheds, nursery items such as plants and trees, boats and mobile homes.

B. Existing commercial zoning trends in the area;

The zoning trends in the area neighboring the subject property can be considered mixed, with residential zoning throughout the area and BU-1 and BU-2 zoning predominately located along North US Highway 1. Immediately surrounding the subject property is an industrial and commercial area, developed with mini-warehousing and office uses. Watermark Subdivision then surrounds the industrial and commercial area to the north, south, and west. At one time, the Watermark Subdivision property was a mining pit with BU-1, BU-2, GU, IU, and IU-1 zoning. With greater demand for residential than industrial development in the area, the site was rezoned to PUD in 2018.

- C. Compatibility of the proposed use with the area, pursuant to Administrative Policy 3;

The subject property is a pocket of industrial and commercial uses surrounded by predominately residential development. The development of Watermark Subdivision is leading to an increase in residential development in the area.

The proposed rezoning to BU-2 is compatible with the area and will provide an opportunity for development that will benefit the residents. There are two restaurants, a convenience store and gas station, a volunteer fire department, self-storage facility, and a church located within a mile of the subject property. The proposed RV/boat storage and a hardware store will benefit the residents in the area by bringing additional goods and services into the community.

- D. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal;

The preliminary concurrency analysis did not indicate that the proposed development has the potential to cause a deficiency in the transportation adopted level of service.

Specific concurrency issues will be addressed at the time of site plan review.

The subject property has access to City of Cocoa for potable water and is in the service area of Port Saint John Sanitary Sewer.

- E. Impact upon natural resources, including wetlands, floodplains, and endangered species; and the following land use issues were identified:

Natural Resources Management (NRM) has identified mapped hydric soils, an indicator that wetlands may be present, on the subject properties. A wetland delineation will be required before any land clearing activities, site plan design, or building permit submittal. Protected and specimen trees exist on the properties and protected species may be present as well.

Please see NRM comments at the end of this report.

- F. Other issues which may emerge specific to a particular property which may be addressed through performance-based zoning criteria.

This property will need to comply with Brevard County Performance Standards noted within Section 62-1483 and 62-2251 – 62-2272 of Brevard County Code.

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

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

Criteria:

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

The request is not anticipated to significantly diminish the enjoyment of, safety, or quality of life in existing residential areas. The proposed rezoning will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.

Traffic from the proposed development will impact the surrounding area, however, the corridor is anticipated to operate within the Maximum Acceptable Volume (MAV). The maximum development potential from the proposed FLUM amendment increases the percentage of MAV utilization by 2.31%. The corridor is anticipated to operate at 82.18% of capacity daily. Specific concurrency issues will be addressed at the time of site plan review.

- 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 (Member Appraisal Institute) 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;

Within the 0.5-mile radius of the subject property, there are nine (9) FLU designations: RES 1, RES 2, RES 4, RES 8_DIR, RES 12_DIR, RES 15, CC, NC, and IND. RES 4 is the predominant FLU in the area.

The existing pattern of development in the surrounding area is predominately single-family residential with pockets of commercial and light industrial development along North US Highway 1. The proposed rezoning is surrounded by commercial development to the north and south, with light industrial development to the west.

There have been no FLUM amendments within the 0.5-miles of the subject property in the past three years.

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

Within the last three years, development of the Watermark Subdivision has been ongoing within 0.5 miles of the subject property. Watermark Subdivision does not abut the subject properties, but is located to the north, south, and west of Williams Point Complex where the properties are located.

There have been no other new developments within 0.5 miles of the subject property in the past three years.

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

It appears no development has been approved and not yet constructed in the immediate area 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, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

Preliminary traffic concurrency indicates the proposed use will not materially and adversely impact the established residential areas and commercial development by introducing types or intensity of traffic, parking, or trip generation. This is not an introduction of commercial activity within the identified boundaries of a 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.

The area is established with commercial and industrial development and residential neighborhoods. There are clearly established boundaries such as roads and open spaces.

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 involves community commercial use in an existing commercial and industrial development.

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.

This area is presumed to be predominantly residential. However, commercial and light industrial uses have existed within the area of the subject property for more than the previous five years.

FLUE 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.

The subject parcels contain mapped Basinger sand, which can indicate either aquifer recharge or hydric soils. Hydric soil is an indicator that wetlands may be present on the property. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.

The properties are not located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), nor within a FEMA Special Flood Hazard Area (SFHA).

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is North US Highway 1, between Camp Road and Broadway Boulevard, which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 81.76% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 2.31%. The corridor is anticipated to operate at 82.18% of capacity daily. The maximum development potential of the proposal is not anticipated to create a deficiency in LOS. Specific concurrency issues will be addressed at the time of site plan review. This is only a preliminary review and is subject to change.

The subject property has access to City of Cocoa for potable water and is in the service area of Port Saint John Sewer.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Hydric Soils
- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

For Board Consideration

The Board should consider whether the proposed zoning request is consistent and compatible with the surrounding area. **NATURAL RESOURCES MANAGEMENT DEPARTMENT**

Zoning Review & Summary

Item No. 26Z00002

Applicant: John Platt, Jr. (Owner: JEJ Ventures LLC)

Zoning Request: IU to BU-2

Note: to develop hardware store and RV/Boat storage

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

Tax ID No.(s): 2317469 & 2317470

- 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:

- Hydric Soils
- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Hydric Soils

Approximately three quarters of the subject parcel contains mapped Basinger sand, which can indicate either aquifer recharge or hydric soils. Hydric soils are an indicator that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Section 62-3694(c)(3)(b) has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). U.S. Highway 1 is a MQR at this location. If wetlands are found, the applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Section 62-3694(e), including avoidance of impacts, and will require no net loss mitigation in Brevard County in accordance with Section 62-3696.

Section 62-3694(c)(3)b also provides that for a project encompassing multiple properties assembled under one site plan development order, wetland impacts for those properties without direct frontage on the mitigation qualified roadway may be permitted only if the properties are combined so that any proposed wetland impact is contained within a property with direct frontage on the mitigation qualified roadway. The assemblage shall be deed-restricted for commercial or industrial use.

Aquifer Recharge Soils

The rest of the property contains Paola fine sand, 0 to 8 percent slopes, classified as an aquifer recharge soil. Basinger sand may also function as a highly permeable soil. The mapped topographic elevations show that the property falls within a Type 3 Aquifer Recharge area, which is subject to impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Protected and Specimen Trees

Protected and Specimen trees exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements and buffer requirements.

Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

Protected Species

Federally and/or state protected species may be present on the property. Specifically, Gopher Tortoises can be found in areas of aquifer recharge soils. If applicable, the applicant should

obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission (GTpermits@myfwc.com) and/or U.S. Fish and Wildlife Service (FW4FLESRegs@fws.gov) prior to any plan, permit submittal, or development activity, including land clearing.

LOCATION MAP

JEJ VENTURES LLC

26Z00002



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: 1/28/2026

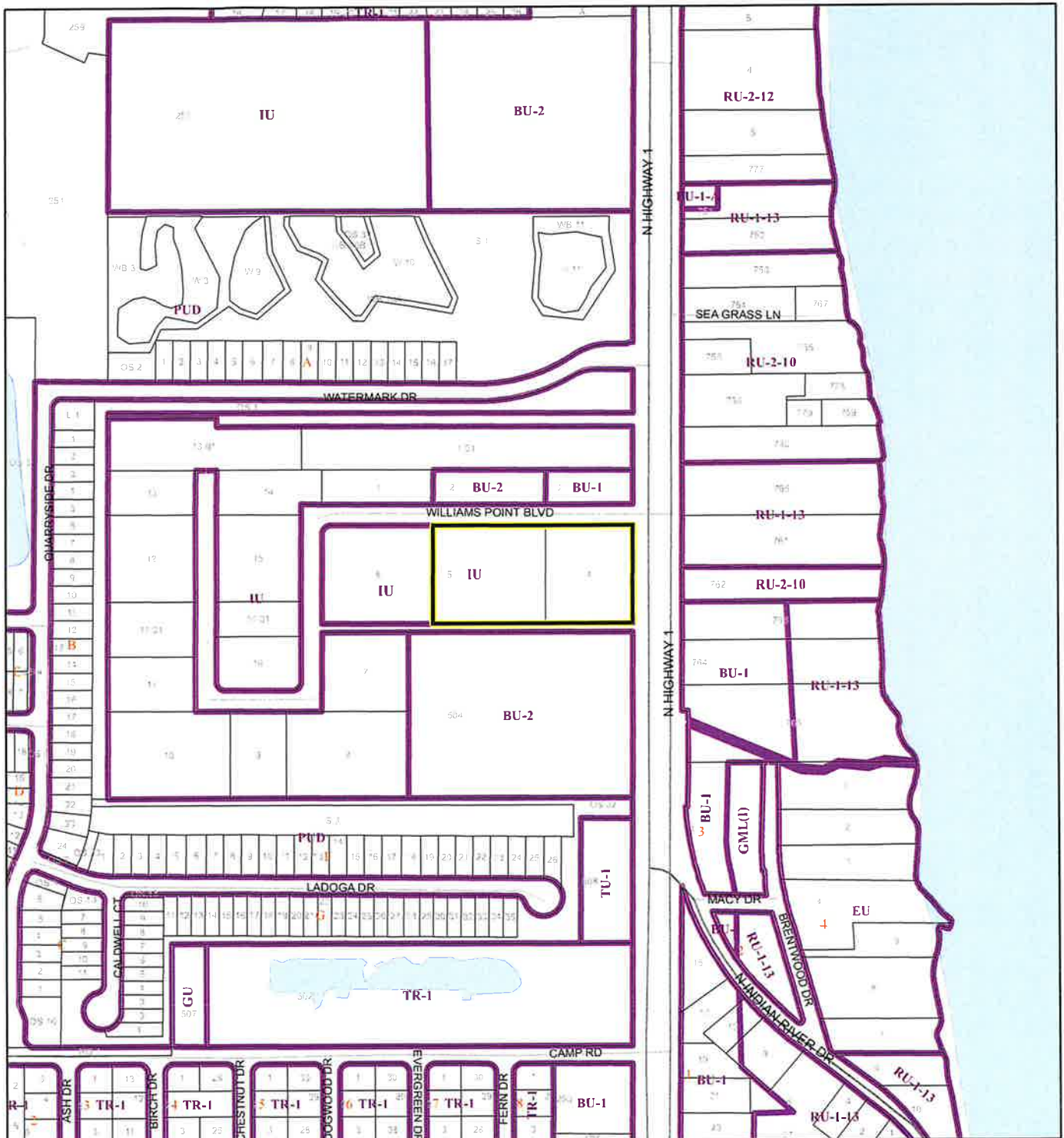
— Buffer

■ Subject Property

ZONING MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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— Subject Property

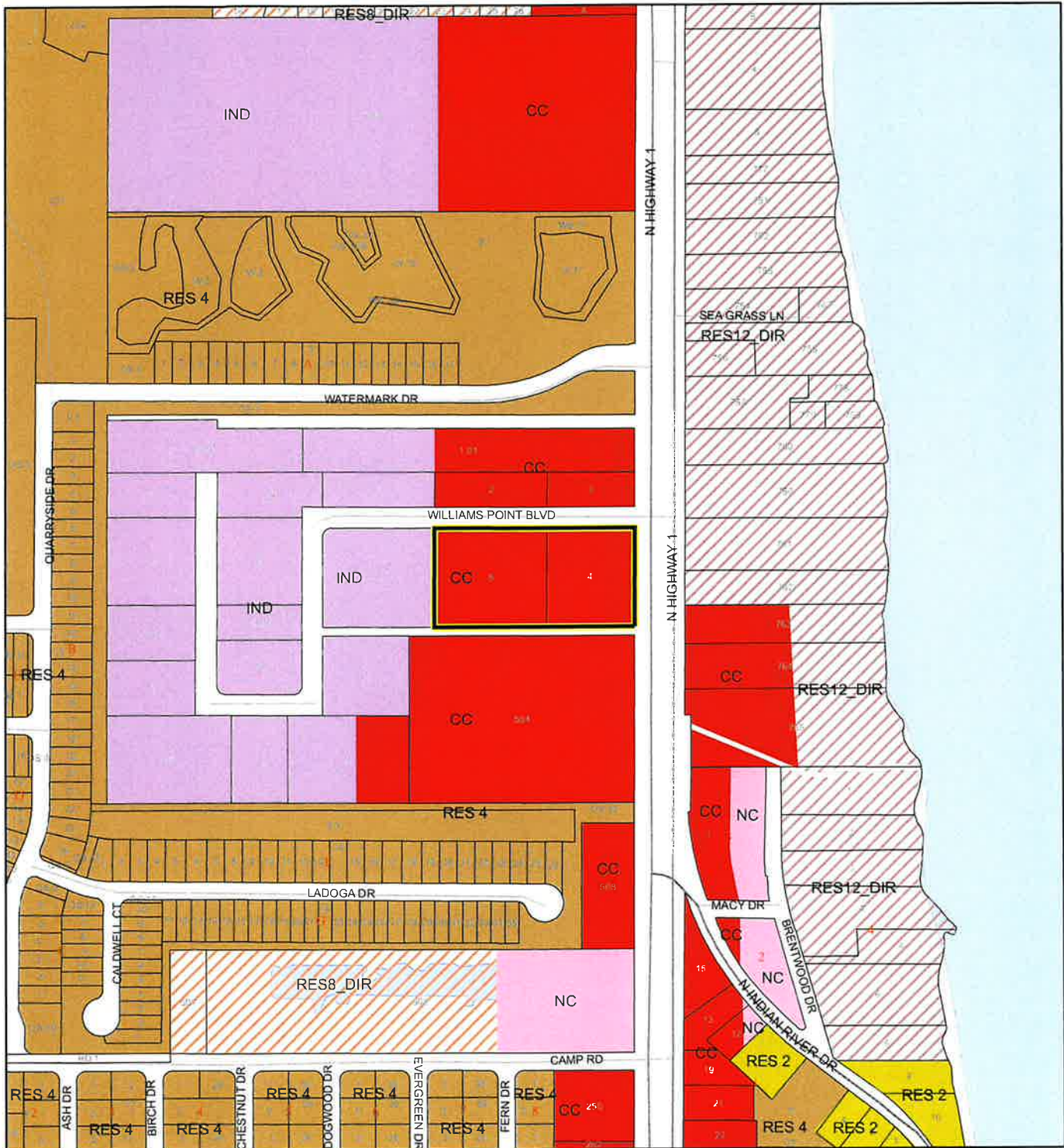
□ Parcels

□ Zoning

FUTURE LAND USE MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

— Subject Property
 □ Parcels

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AERIAL MAP

JEJ VENTURES LLC

26Z00002



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2025

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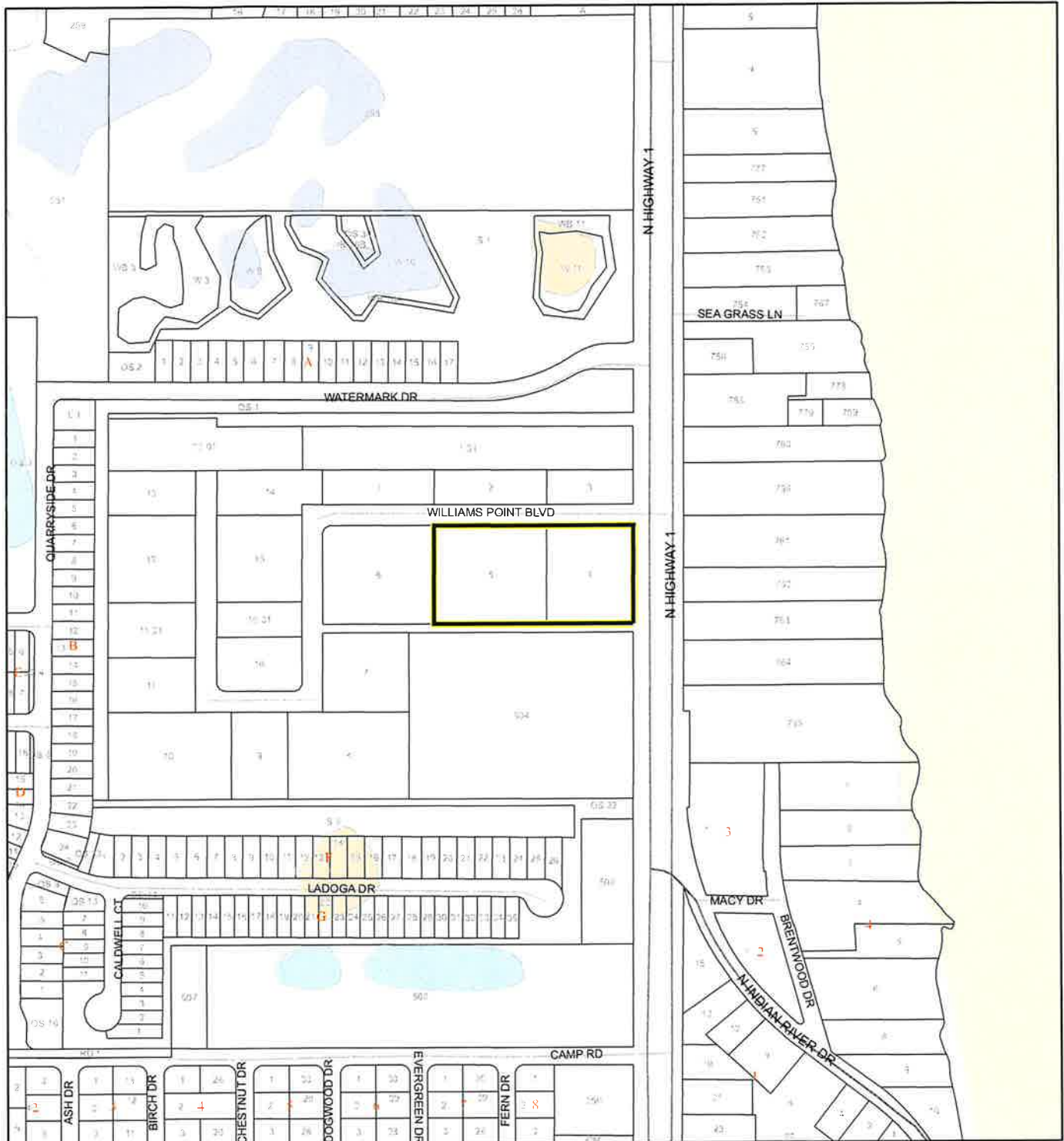
 Subject Property

 Parcels

NWI WETLANDS MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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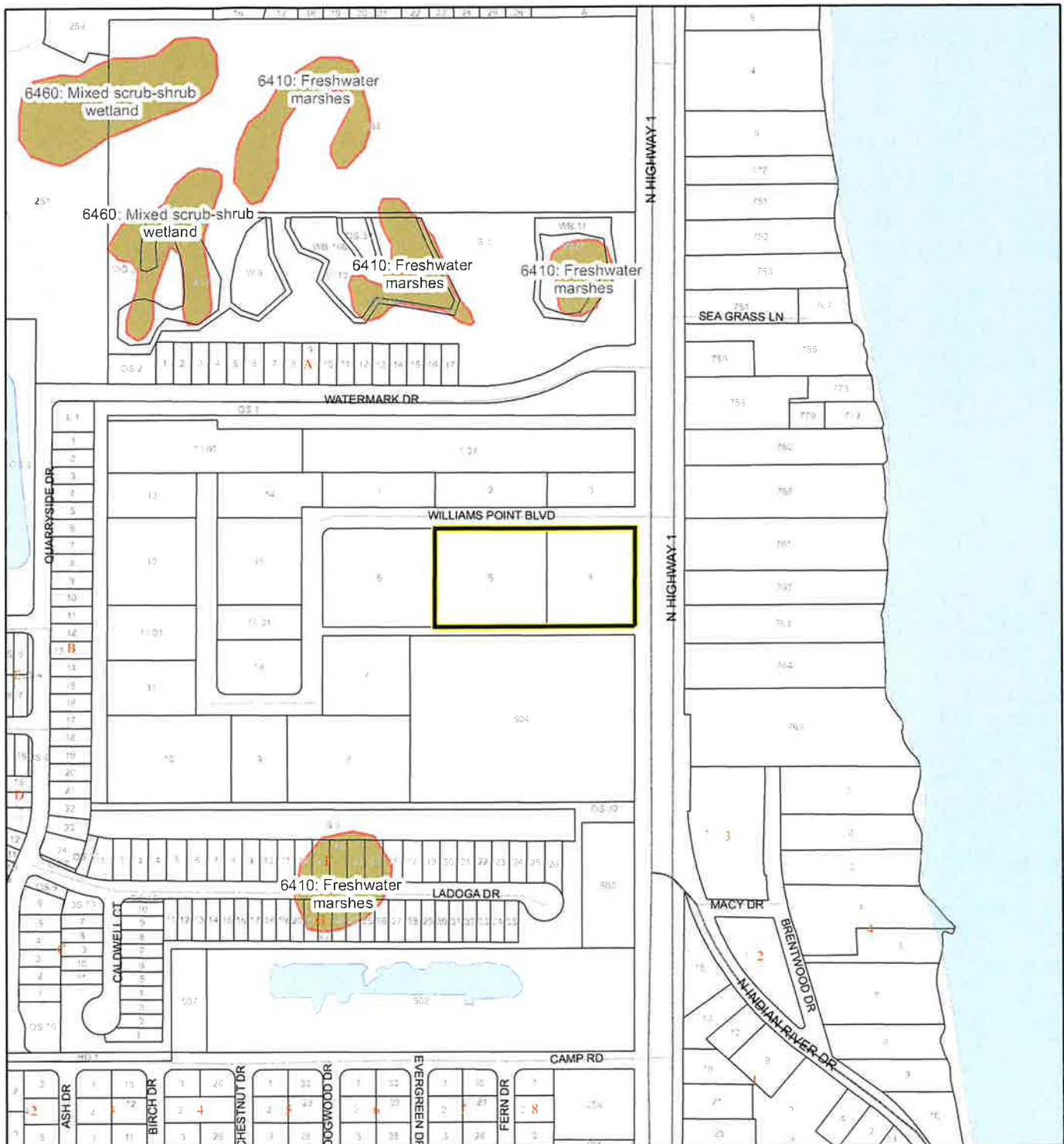
National Wetlands Inventory (NWI)

- | | |
|-----------------------------------|-----------------|
| 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

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/28/2026

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

26Z00002



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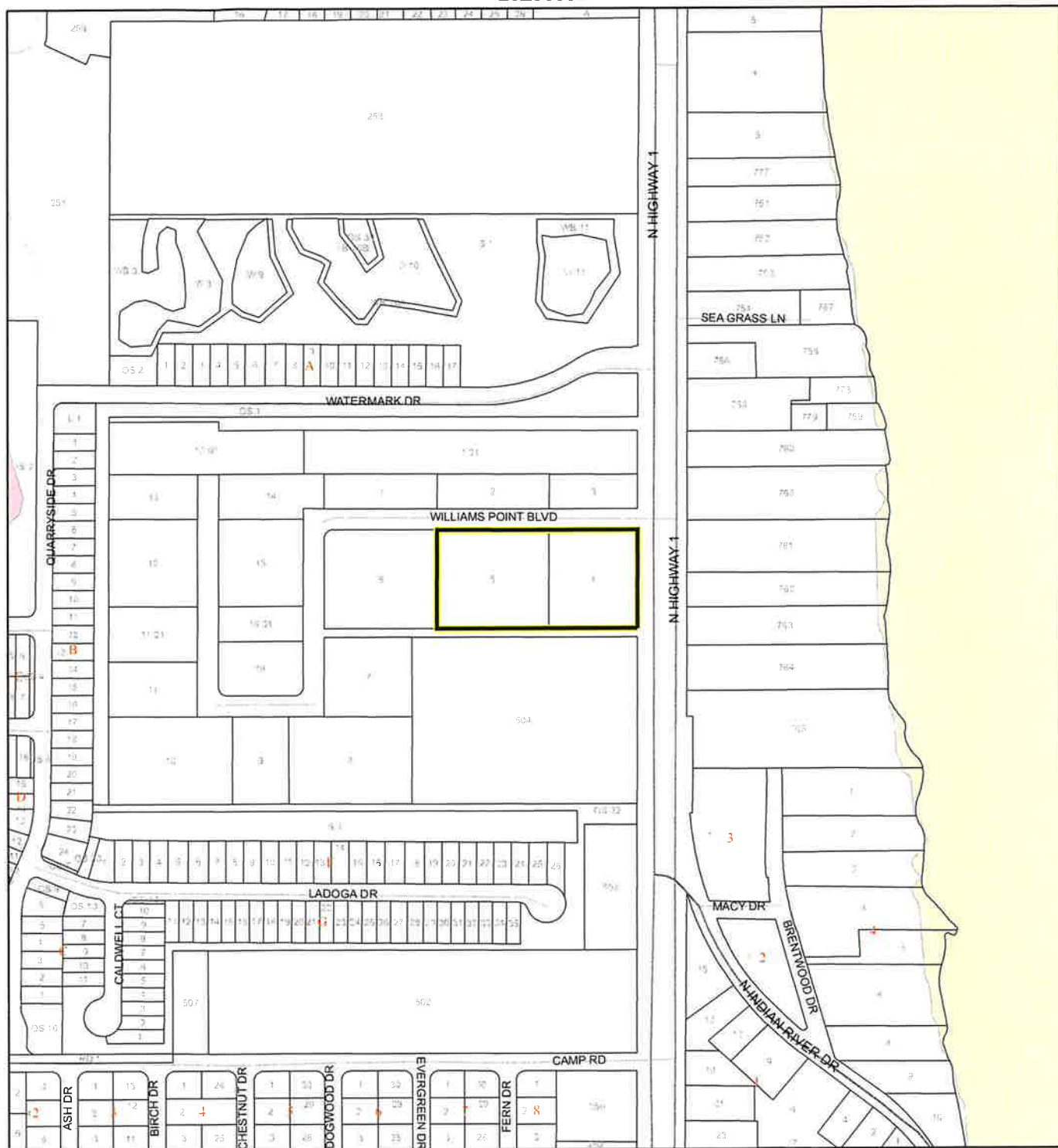
None

Parcels

FEMA FLOOD ZONES MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/28/2026

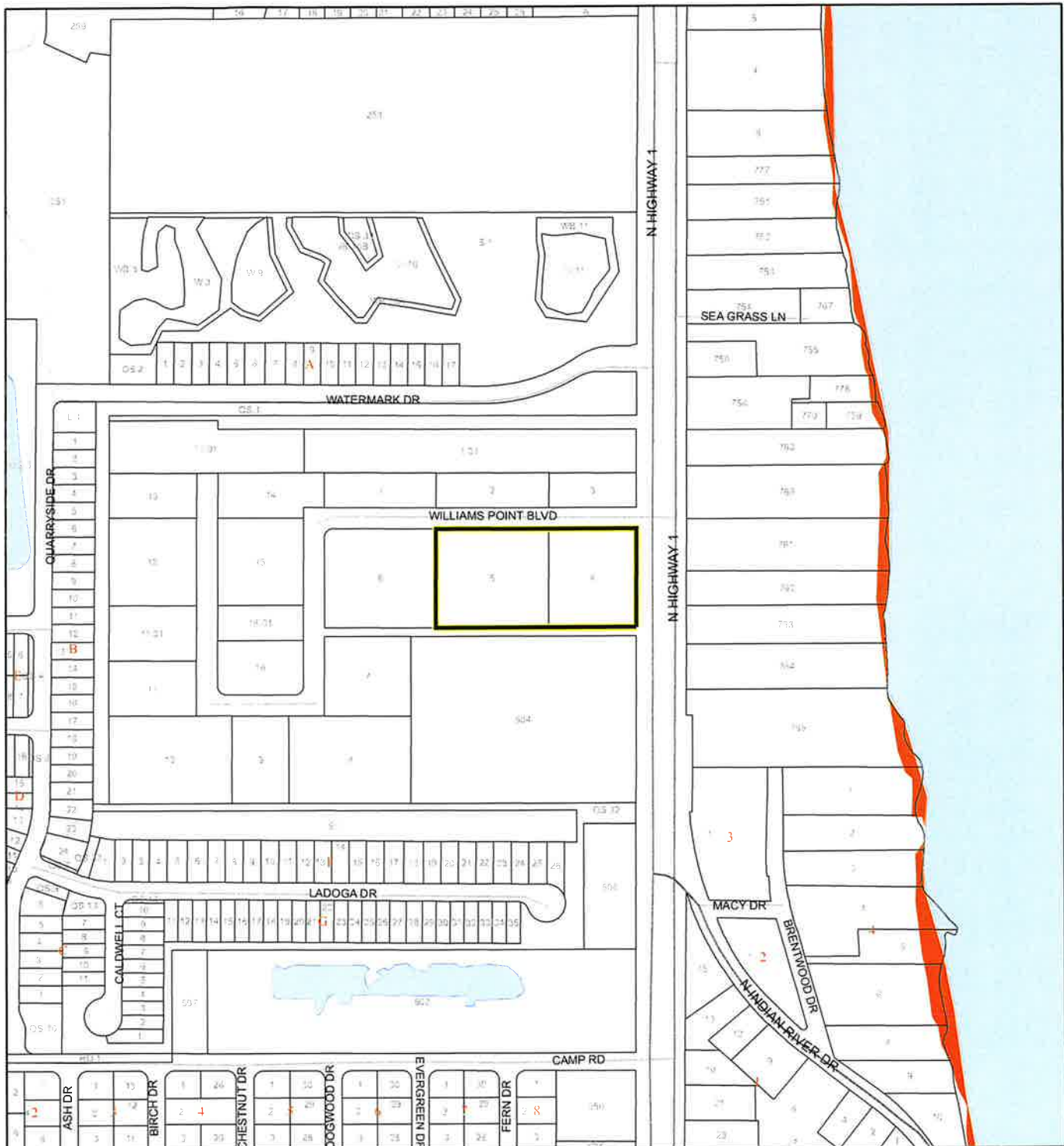
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property		Parcels

COASTAL HIGH HAZARD AREA MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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— Subject Property

□ Parcels

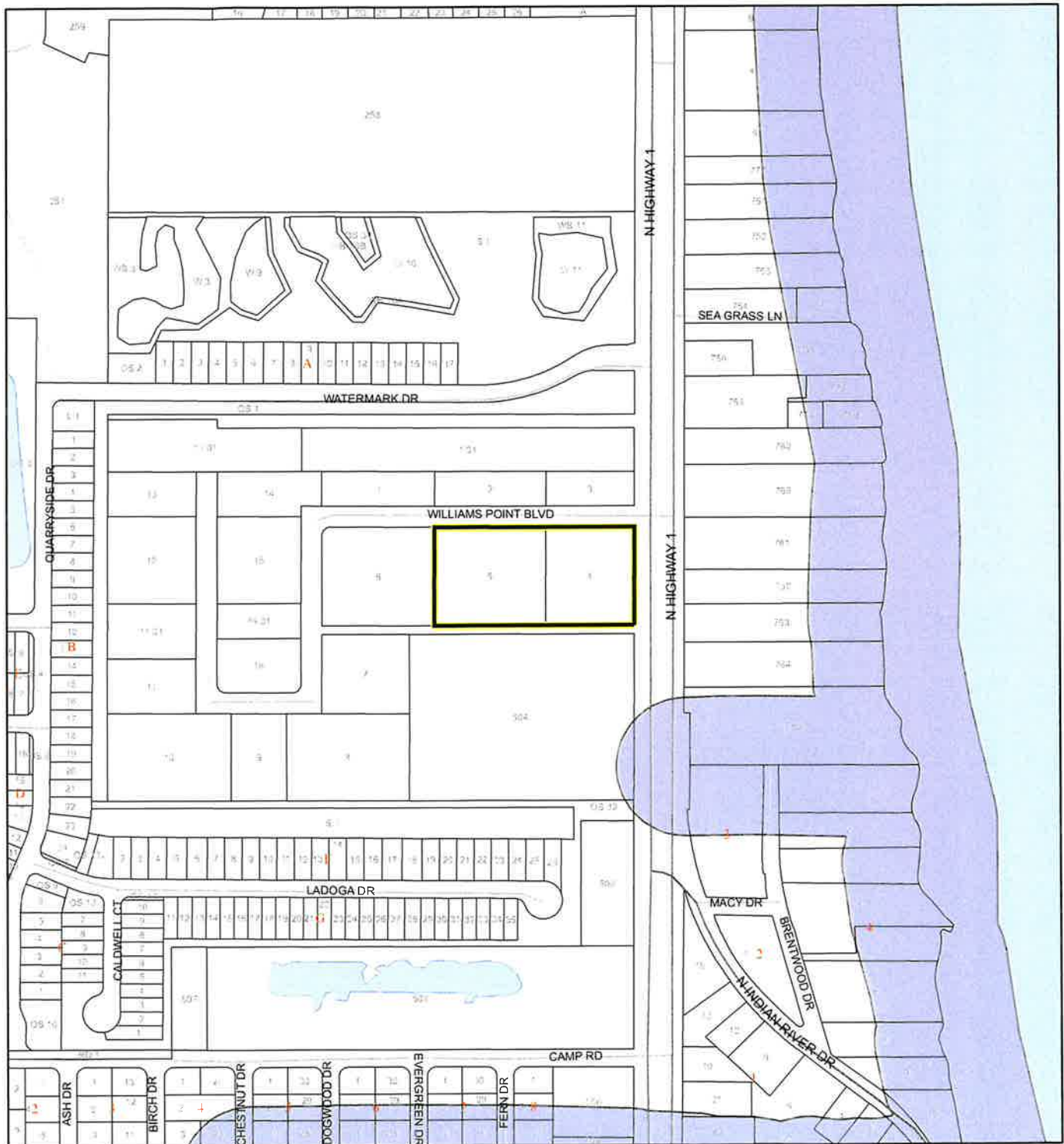
Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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— Subject Property

□ Parcels

Septic Overlay

■ 40 Meters

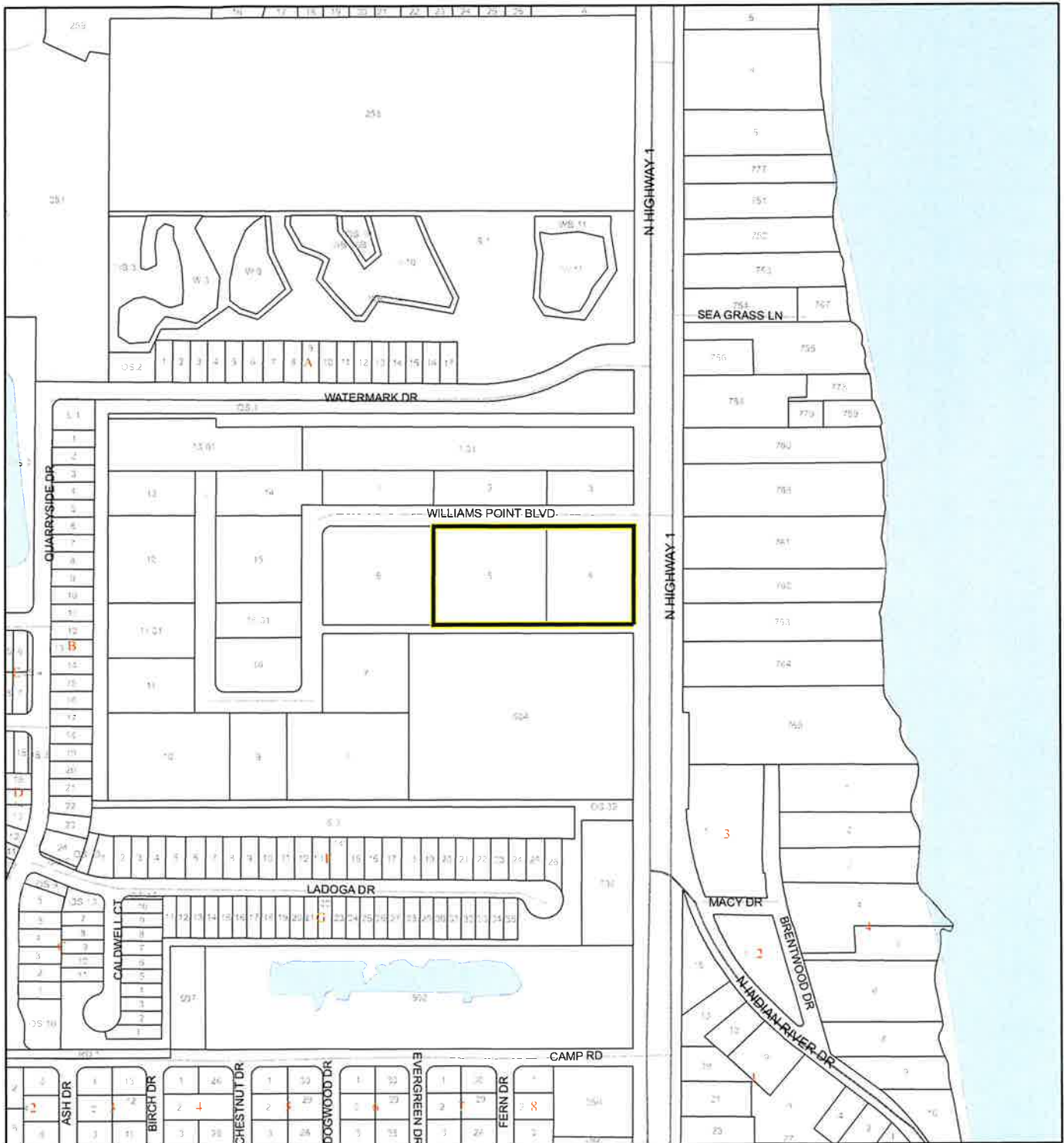
■ 60 Meters

■ All Distances

EAGLE NESTS MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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 Subject Property

 Parcels

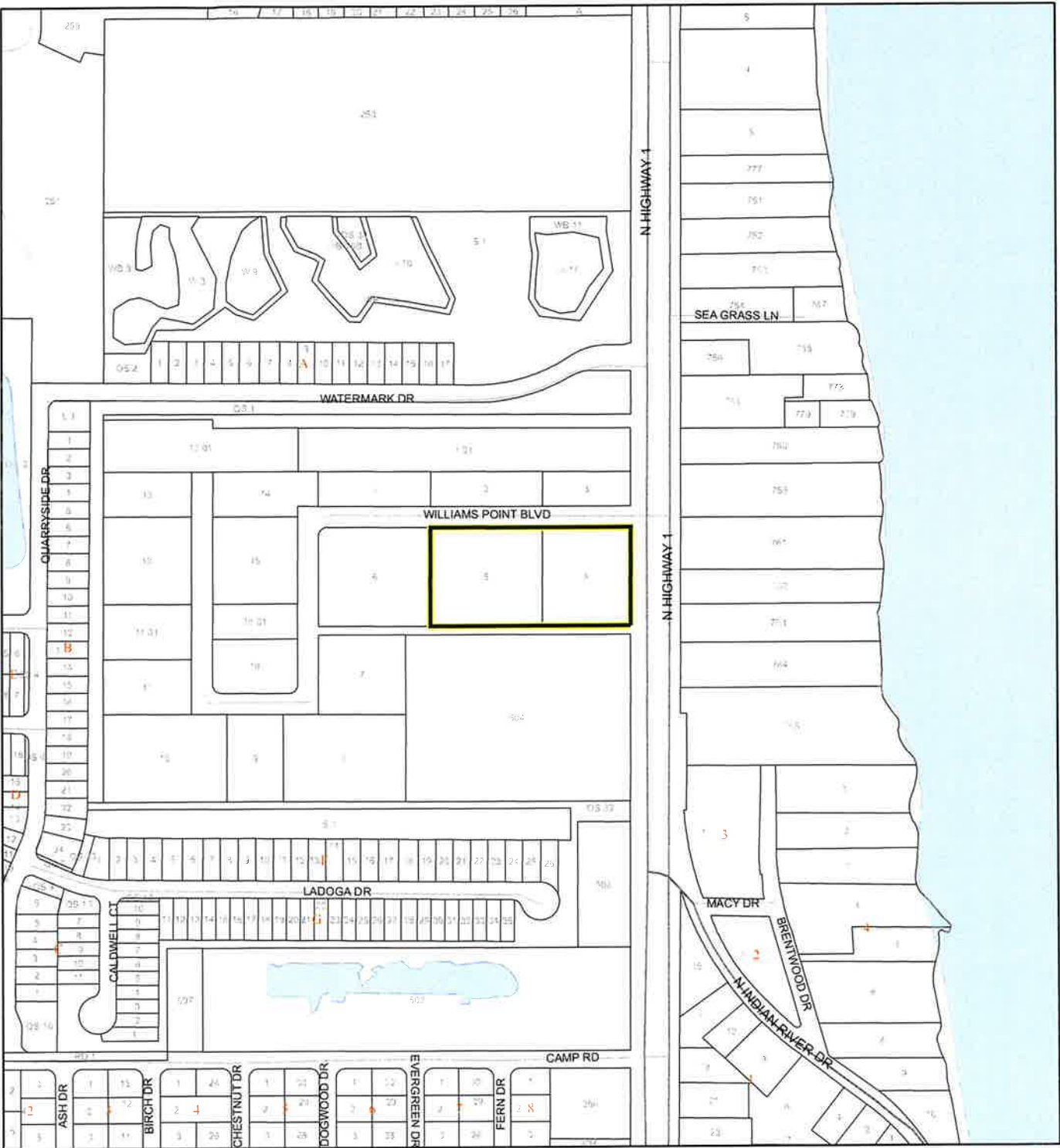


Eagle Nests
FWS

SCRUB JAY OCCUPANCY MAP

JEJ VENTURES LLC

26Z00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/28/2026

- Subject Property
- Parcels
- Scrub Jay Occupancy

26Z00002



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.

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

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 13, 2026**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); Jerrad Atkins (D1); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (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.

EXCERPT OF COMPLETE MINUTES

H.2. JEJ Ventures, LLC. requests a zoning classification change from IU (Light Industrial) to BU-2 (Retail, Warehousing and Wholesale Commercial). (26Z00002) (Tax Accounts 2317469 and 2317470) (District 1)

Trina Gilliam read item H.2. into the record.

John Platt spoke to the application. Our final plans are we want to go to BU-2 because we want to put up a hardware store along US1 with all the growth and the houses going in the back of that industrial site that we have now. But immediate use is we would like to turn it into a parking lot for a boat and RV storage facility to generate some extra income while we work on putting the new hardware store on across US1. Atlantic Wire and Rigging work out of 330 Williams Point Boulevard as well as JPR Motorsports and we'd like to move both the companies from being on Williams Point Boulevard to having US1 front access.

NO PUBLIC COMMENT

Jerrad Atkins asked do you have any idea how long you expect timewise between turning it into a storage facility and then turning it into a hardware store?

Mr. Platt responded that it all depends on once we get everything up and running what the final cost of the hardware store is going to be. I have got one quote on doing that, but it also depends on some work we're doing at Atlantic Wire on contracts coming in versus contracts going out. I am hoping within 3 years, but I don't know if that is 100% accurate. I'd like to get the RV storage up and running now to help generate and get some things going, but my goal is to have the RV storage parking lot in the back two parcels and have the hardware store and Atlantic Wire with JPR in the front parcel within three years.

Mr. Atkins inquired if the long-term plan is to keep some storage on the back section.

Mr. Platt stated it also depends on how large Atlantic Wire and JPR gets within the next three years of being on US 1 front property versus being on a side street that no one knows that we're back there. We are a defense contractor for Lockheed Martin in the aerospace industries of things that we do. So, it all really depends on what they decide they need from us, it is going to decide how big of a facility we put together. We've been back where we are now for a little over almost 30 years. And we have now outgrown that facility and I've rented some bays onto the east side of us. And I'd like to put everything underneath one warehouse system. And the reason for going through BU-2 is that light

industrial would be fine, but I've been told if I want to put anything outside of the four walls of what we put up, it must go to BU-2 instead of light industrial. If I'm going to do that, I might as well put RV and boat storage with all the houses going around us. They're putting up between 600 and 800 houses right outside of our industrial park that we have now. And with way things are, they're going to need to have some storage areas for themselves as well.

Motion to recommend approval of Item H.2. by Jerrad Atkins, seconded by Neal Johnson. Motion passed unanimously.

Meeting adjourned at 4:35 p.m.

DRAFT

Resolution 26Z00002

On motion by Commissioner Feltner, seconded by Commissioner Adkinson, the following resolution was adopted by a unanimous vote:

WHEREAS, JEJ Ventures, LLC. requests a zoning classification change from IU (Light Industrial) to BU-2 (Retail, Warehousing and Wholesale Commercial), on property described as Tax Parcels 4 and 5, as recorded in OR Book 10412, Page(s) 2462, of the Public Records of Brevard County, Florida. **Section 30, Township 23, Range 36.** (3.68 acres) Located south of Williams Point Blvd., at the intersection with US Hwy 1 (315 and 325 Williams Point Blvd., Cocoa); and

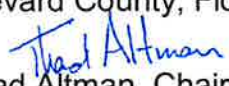
WHEREAS, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved; and

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

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

BE IT FURTHER RESOLVED that this resolution shall become effective as of May 07, 2026.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida


Thad Altman, Chair
Brevard County Commission
As approved by the Board on May 07, 2026.

ATTEST:


RACHEL M. SADOFF, CLERK

(SEAL)

P&Z Board Hearing – April 13, 2026

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