



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.6.

12/7/2023

Subject:

Charles K. and Judith A. Donaldson (Kim Rezanka) request a change of zoning classification from AU to RU-2-15. (23Z00070) (Tax Account 2416959) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from AU (Agricultural Residential) to RU-2-15 (Medium Density Multi-Family Residential).

Summary Explanation and Background:

The applicant is requesting to rezone the property from AU to RU-2-15 to sell the property for a future multi-family development. The subject parcel is undeveloped and abuts N. Tropical Trail to the west and Hill Avenue to the east, both of which are County maintained roadways. The proposed RU-2-15 zoning permits multi-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square-foot lots. The property has a Res 15 FLUM designation.

The historical land use patterns can be characterized as single-family residences on properties less than one (1) acre in size to the east, across Hill Avenue, zoned RU-1-9. The property to the north is vacant, zoned AU. To the south is a convenience store zoned BU-1-A. To the west, across N. Tropical Trail is single-family zoned EU. Staff analysis indicates the predominate use of the surrounding area is single-family residential. The closest multi-family is approximately 600 feet to the South.

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

On November 13, 2023, the Planning and Zoning Board considered the request and voted 8:1 to approve as RU-2-4 (Low Density Multi-Family Residential).

Clerk to the Board Instructions:

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

Resolution 23Z00070

On motion by Commissioner Goodson, seconded by Commissioner Pritchett, the following resolution was adopted by a unanimous vote:

WHEREAS, Charles K. and Judith A. Donaldson (Kim Rezanka) request a change of zoning classification from AU (Agricultural Residential) to RU-2-15 (Medium Density Multi-Family Residential), on property described as follows; (See attached); 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 RU-2-4; now therefore,

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

BE IT FURTHER RESOLVED that this resolution shall become effective as of December 7, 2023.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



Jason Steele, Chair

Brevard County Commission

As approved by the Board on December 7, 2023.

ATTEST:



RACHEL SADOFF, CLERK

(SEAL)

P&Z Board Hearing – November 13, 2023

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.**

23Z00070 Legal Description:

A parcel of land lying in fractional **Section 22, Township 24S, Range 36E**, Brevard County, Florida, and being a portion of the lands described in Deed Book X at Page 457 of the Public Records of Brevard County, Florida, the same being more particularly described as follows: Commence at the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 22; thence run S00deg23'34"E along the east line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and along the east line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 22 for 1,773.42 ft. to the SE corner of that certain parcel of land described in ORB 7943, Page 2262, of the Public Records of Brevard County, Florida, said point being the Point of Beginning of this description; thence continues S00deg23'34"E along the aforesaid east line for 238.92 ft. to a point on the north line of that certain parcel of land described in ORB 8395, Page 796 of the Public Records of Brevard County, Florida; thence run N89deg37'49"W along said north line for 263.13 ft. to a point on the maintained easterly limits of N. Tropical Trail; thence run N50deg24'11"W along said easterly maintained limits of N. Tropical Trail for 271.81 ft. to a point of tangency of a circular curve to the right whose radius is 384.40 ft. and whose central angle is 13deg16'42' for an arc distance of 89.08 ft. to a point on the south line of the aforementioned parcel of land described in ORB 7943, Page 2262, of the Public Records of Brevard County, Florida; thence run S89deg28'25"E along said south line for 535.96 ft. to the Point of Beginning. (2.20 acres). Located on the east side of N. Tropical Trail, approx. 0.25 mile south of Crockett Blvd. (1605 N. Tropical Trail, Merritt Island, portion east of N. Tropical Trail)

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

2725 Judge Fran Jamieson Way
 Building A, Room 114
 Viera, Florida 32940
 (321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

STAFF COMMENTS

23Z00070

Judith and Charles Donaldson (Kim Rezanka)

AU (Agricultural Residential) to RU-2-15 (Medium Density Multi-Family Residential)

Tax Account Number: 2416959; 2.20-acre portion east of N. Tropical Trail
 Parcel I.D.: 24-36-22-00-7; 2.20-acre portion east of N. Tropical Trail
 Location: East side of N. Tropical Trail, 1,135 feet south of Crockett Blvd.
 (District 2)
 Acreage: 2.20 acres
 Planning & Zoning Board: 11/13/2023
 Board of County Commissioners: 12/07/2023

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	AU	RU-2-15
Potential*	1 Single-family unit	33 multi-family units
Can be Considered under the Future Land Use Map	YES RES 15	YES RES 15

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

Background and Purpose of Request

The applicant is requesting to rezone the property from AU (Agricultural Residential) to RU-2-15 (Medium Density Multi-Family Residential) to sell the property for a future multi-family development. The subject parcel is undeveloped and has the original AU zoning classification designated on May 22, 1958. The subject parcel abuts N. Tropical Trail to the west and Hill Avenue to the east. Both N. Tropical Trail and Hill Avenue are County maintained roadways.

The existing AU zoning classification and the proposed RU-2-15 zoning can be considered consistent with the Residential 15 (RES 15) FLUM designation per section #62-1255.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Vacant	AU	RES 15
South	Convenience store	BU-1-A	RES 15
East	Across Hill Avenue: restaurant\single-family residence	RU-1-9 & BU-1-A	RES 15
West	Across N. Tropical Trail single-family residence	EU and SEU	RES 4

The current AU classification permits single-family residences and agricultural uses on 2.5 acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl and beekeeping.

The proposed RU-2-15 classification permits multiple-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square foot lots.

RU-1-9 classification permits single family residential development on lots of 6,600 square feet (minimum). The minimum house size is 900 square feet.

EU zoning classification is an estate single family residential zoning classification. The minimum lot size is 15,000 square feet with a minimum lot width and depth of 100 feet. The minimum living area is 2,000 square feet.

SEU zoning permits suburban estate residential uses on lots of one acre (minimum) with a width of 125 feet and a depth of 200 feet. Minimum floor area is 2,000 square feet of living area.

BU-1-A classification permits restricted neighborhood retail and personal service uses to serve the needs of nearby low-density residential neighborhoods. Minimum lot size of 7,500 square feet is required with minimum width and depth of 75 feet.

Future Land Use

The subject property is currently designated as Residential 15 (RES 15) Future Land Use Map (FLUM) Designation. The current AU zoning and the proposed RU-2-15 zoning are consistent with the existing RES 15 FLUM Designation.

FLUE Policy 1.4 – The Residential 15 Future Land Use designation affords the second highest density allowance, permitting a maximum residential density of up to fifteen (15) units per acre. This land use category allows single and multi-family residential development.

The applicant's request can be considered consistent with the existing Future Land Use. The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

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

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

Criteria:

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

This criteria will be addressed during the site plan review process. Impacts will need to meet Sections 62-2251 through 62-2272. The adjacent existing residential neighborhood is within the area that allows for multi-family but has been developed with single-family and duplexes. Access to Hill Avenue will have an impact to the existing traffic patterns.

- 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 (Master Appraiser 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;

The historical land use patterns can be characterized as single-family residences on properties less than one (1) acre in size to the east across Hill Avenue. Vacant property to the North. A convenience store to the South and single-family across N. Tropical Trail to the West. Staff analysis indicates of the surrounding area that the predominate use is single-family residential. The closest multi-family is approximately 600 feet to the South.

There are six (6) FLU designation (RES 1, RES 4, RES 6, RES 10, RES 15 and NC) within 0.5 miles of this site.

There are Nine (9) zoning classifications (AU, SEU, EU, RU-1-9, RU-1-7, RU-2-15, RU-2-30, BU-1-A and BU-1) within 0.5 miles of this site.

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

There has been one FLU change within 0.5 miles. The remainder of the applicants parcel to the west across N. tropical Trail was change from RES 1 to RES 4 per Ordinance #22S.04 on May 31, 2022.

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

There has been no development approved in the area within the past 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.

This criteria will be addressed during the site plan review process. Impacts will need to meet Sections 62-2251 through 62-2271. The adjacent existing residential neighborhood is within the area that allows for multi-family but has been developed with single-family and duplexes at approximately 4 units per acre. Access to Hill Avenue will have an impact to the existing traffic patterns.

The closest parcel with RU-2-15 zoning is located easterly 330 feet on the north side of Houston Lane. Also, there is RU-2-30 zoning located 192 feet east of the subject parcel, along the north and south sides of Roosevelt Avenue. The proposed request of RU-2-15 could be seen as an introduction of RU-2-15 in this area along N. Tropical Trail.

The request is not anticipated to materially or adversely impact the surrounding established 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.

Staff analysis indicates the subject property is not located within an existing neighborhood. The property is not located in an existing platted residential neighborhood. However, it is adjacent to one to the East. This neighborhood can be characterized as single-family and duplexes with multi-family zoning.

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.

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.

Staff analysis indicates that the N. Tropical Trail corridor is neither commercial nor residential because this section is prominently vacant. Current zoning would allow estate residential and agricultural uses.

Preliminary Concurrency

The closest concurrency management segment to the subject property is N. Tropical Trail located between Lucas Road and Crockett Blvd., which has a Maximum Acceptable Volume (MAV) of 15,600 trips per day, a Level of Service (LOS) of E, and currently operates at 25.58% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 1.23%. The corridor is anticipated to operate at 26.81% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

The school concurrency indicates at this time, Mila Elementary School, Jefferson Middle School, and Merritt Island Senior High School are projected to have enough capacity for the total projected and potential students from this proposal.

The parcel is within the City of Cocoa utilities service area for public water. The closest centralized sewer line (Brevard County) is located to the east of the parcel along the east side of Hill Avenue.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Surface Waters of the State
- Coastal High Hazard Area
- Floodplain Protection
- Protected and Specimen Trees
- Protected Species

The eastern 2.2-acre portion of the parcel contains mapped wetlands and hydric soils, indicators that wetlands may be present on the property. A review of historical aeriels supports the likely presence of wetlands on a portion of the subject site. **A wetland determination will be required prior to any land clearing activities, site plan design or building permit submittal.**

Should wetlands be discovered, Section 62-3694(c)(2) states that residential land uses within wetlands shall be limited to not more than one dwelling unit per five acres unless strict application of this policy would render a legally established parcel as of September 9, 1988, which is less than five acres, as unbuildable. If the parcel was legally established after September 9, 1988, application of the one unit per five acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property acreage. **Since the eastern 2.2-acre portion will be split off from the greater 7.66-acre parcel, and the property is less than 5 acres, wetland impacts shall not exceed 1.8% of property area.**

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 accordance with Section 62-3696. Any wetland impact authorized for residential use shall be limited to the structural building area requirements for the primary use as defined by the zoning code, on-site disposal system requirements, and necessary ingress and egress.

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

For Board Consideration

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

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 23Z00070

Applicant: Kimberly Rezanka (Owners: Charles and Judith Donaldson)

Zoning Request: AU to all RU-2-15

Note: Rezone east 2.2 acres of 7.66-acre parcel to sell for multi-family residential development

Zoning Hearing: 11/13/2023; **BCC Hearing:** 12/07/2023

Tax ID No.: 2416959

- 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:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Surface Waters of the State
- Coastal High Hazard Area
- Floodplain Protection
- Protected and Specimen Trees
- Protected Species

The eastern 2.2-acre portion of the parcel contains mapped wetlands and hydric soils, indicators that wetlands may be present on the property. A review of historical aeriels supports the likely presence of wetlands on a portion of the subject site. **A wetland determination will be required prior to any land clearing activities, site plan design or building permit submittal.**

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the greater 7.66-acre parcel, and the property is less than 5 acres, wetland impacts shall not exceed 1.8% of property area.

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 accordance with Section 62-3696. Any wetland impact authorized for residential use shall be limited to the structural building area requirements for the primary use as defined by the zoning code, on-site disposal system requirements, and necessary ingress and egress.

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

Land Use Comments:

Wetlands and Hydric Soils

The eastern 2.2-acre portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Floridana, Chobee, and Felda soils, frequently flooded); indicators that wetlands may be present on the property. A review of historical aerials supports the likely presence of wetlands on a portion of the subject site. **A wetland determination will be required prior to any land clearing activities, site plan design or building permit submittal.**

Should wetlands be discovered, Section 62-3694(c)(2) states that residential land uses within wetlands shall be limited to not more than one dwelling unit per five acres unless strict application of this policy would render a legally established parcel as of September 9, 1988, which is less than five acres, as unbuildable. If the parcel was legally established after September 9, 1988, application of the one unit per five acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property acreage. Since the eastern 2.2-acre portion will be split off from the greater 7.66-acre parcel, and the property is less than 5 acres, wetland impacts shall not exceed 1.8% of property area.

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 accordance with Section 62-3696. Any wetland impact authorized for residential use shall be limited to the structural building area requirements for the primary use as defined by the zoning code, on-site disposal system requirements, and necessary ingress and egress.

Aquifer Recharge Soils

This property contains Candler fine sand (western portion of parcel) and Orsino fine sand (eastern 2.2-acre portion of parcel), both classified as an aquifer recharge soil. Mapped topographic elevations indicate the soils may consist of Type 3 Aquifer Recharge soils that have 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.

Indian River Lagoon Nitrogen Reduction Septic Overlay

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

Surface Waters of the State

The western portion of the subject property is located on the Indian River Lagoon (IRL), designated as a Class II Water in this location. A 50-foot Surface Water Protection Buffer is required. A change in the zoning designation of RU-2-15 on this portion of the property on the west side of North Tropical Trail is not proposed in this application, and presumably will maintain the existing use.

Coastal High Hazard Area

The western edge of this property, on the IRL shoreline, is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. A change in the zoning designation of RU-2-15 on this portion of the property on the west side of North Tropical Trail is not proposed in this application, and presumably will maintain the existing use.

Floodplain Protection

The western portion of this property, on the IRL shoreline, is located within an area mapped as Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) AE, as identified by FEMA, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties." A change in the zoning designation of RU-2-15 on this portion of the property on the west side of North Tropical Trail is not proposed in this application, and presumably will maintain the existing use.

Protected and Specimen Trees

Protected and Specimen Trees likely exist on the parcel. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), encourages the protection

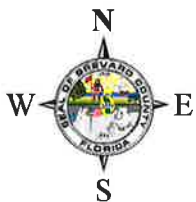
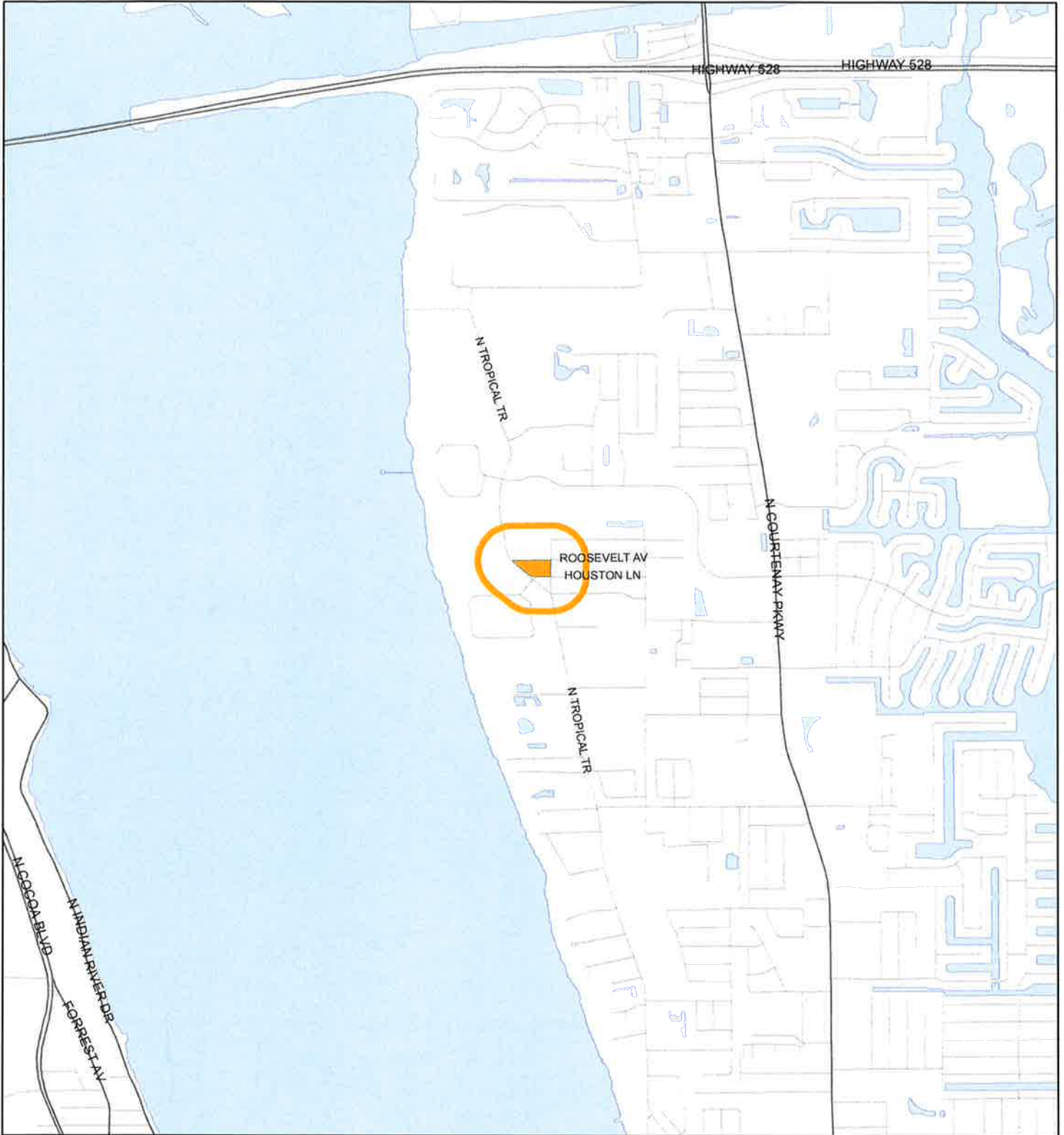
of Specimen Trees. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on properties with aquifer recharge soils and/or wetlands. Specifically, Gopher Tortoises may be found where there are aquifer recharge soils. Should any protected species be present, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service prior to any plan, permit submittal, or development activity, including land clearing, as applicable.

LOCATION MAP

Charles K. & Judith A. Donaldson
23Z00070





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

Buffer Distance: 500 feet

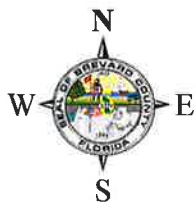
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/5/2023

-  Buffer
-  Subject Property

ZONING MAP

Charles K. & Judith A. Donaldson
23Z00070



1:4,800 or 1 inch = 400 feet

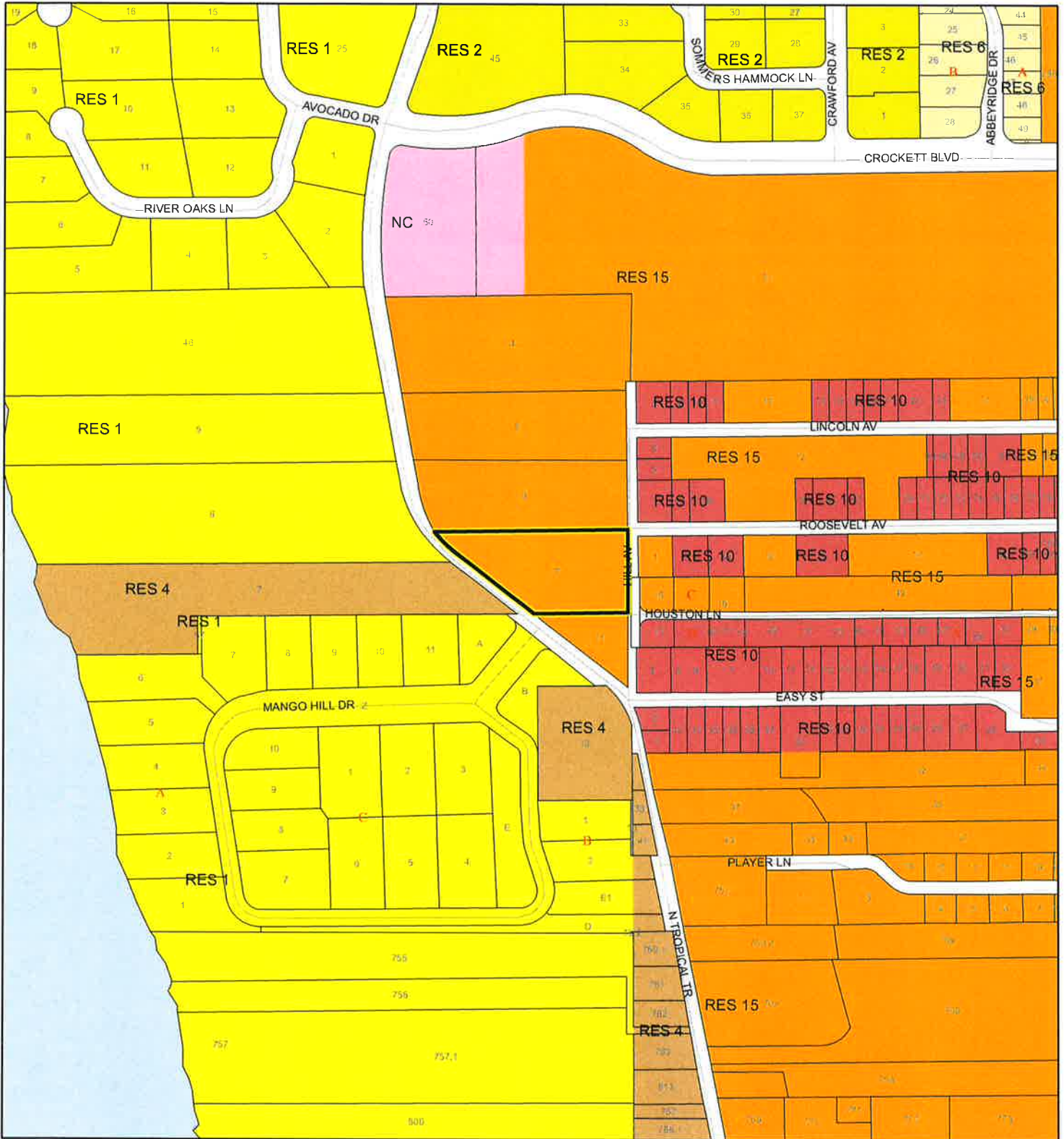
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/5/2023

-  Subject Property
-  Parcels
-  Zoning

FUTURE LAND USE MAP

Charles K. & Judith A. Donaldson
23Z00070



1:4,800 or 1 inch = 400 feet

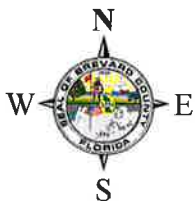
— Subject Property
□ Parcels

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Produced by BoCC - GIS Date: 9/5/2023

AERIAL MAP

Charles K. & Judith A. Donaldson
23Z00070



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2023

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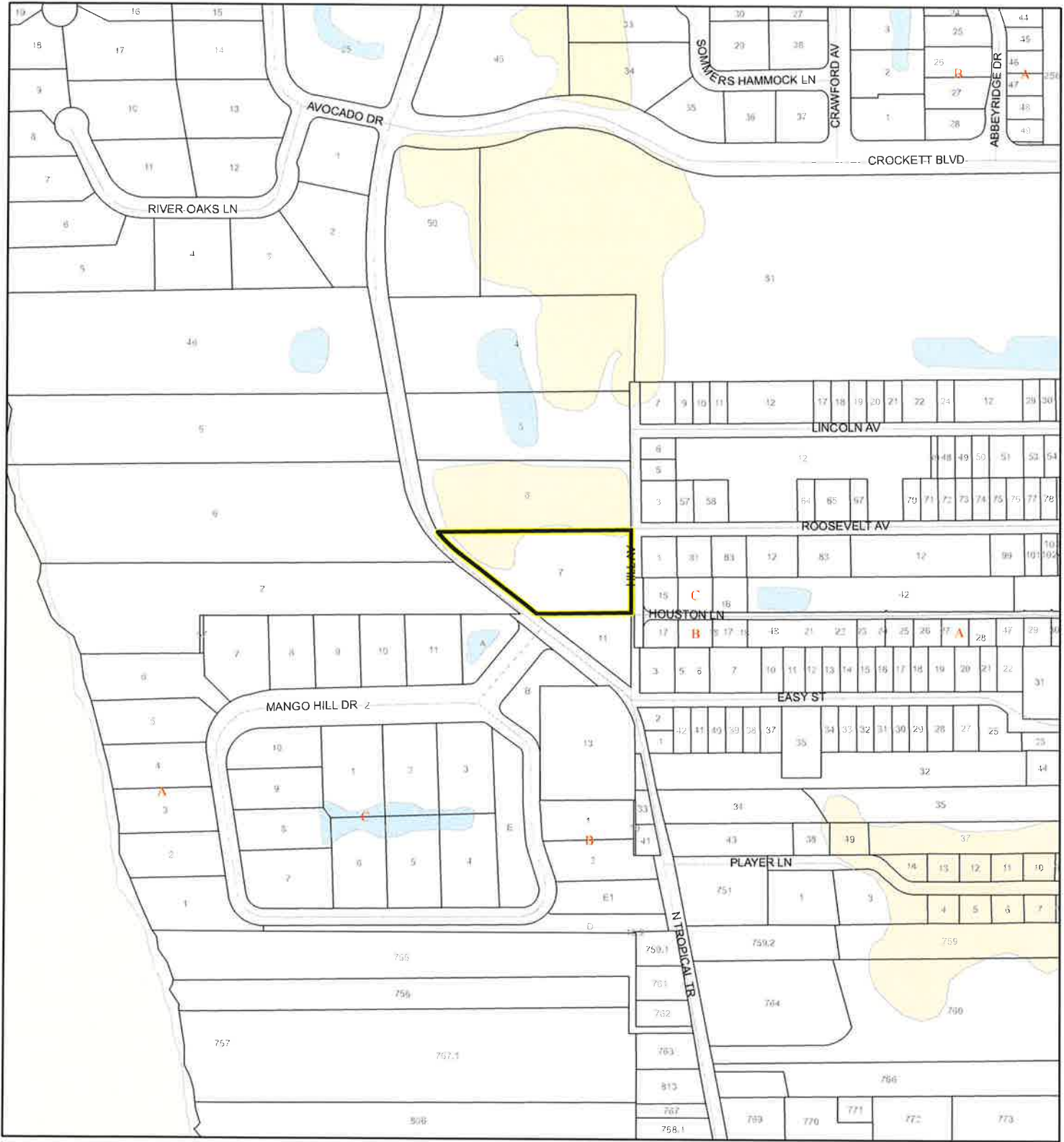
Produced by BoCC - GIS Date: 9/5/2023

 Subject Property

 Parcels

NWI WETLANDS MAP

Charles K. & Judith A. Donaldson
23Z00070



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/5/2023

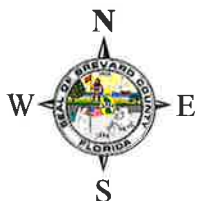
National Wetlands Inventory (NWI)

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

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

Charles K. & Judith A. Donaldson

23Z00070



1:4,800 or 1 inch = 400 feet

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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

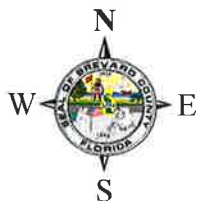
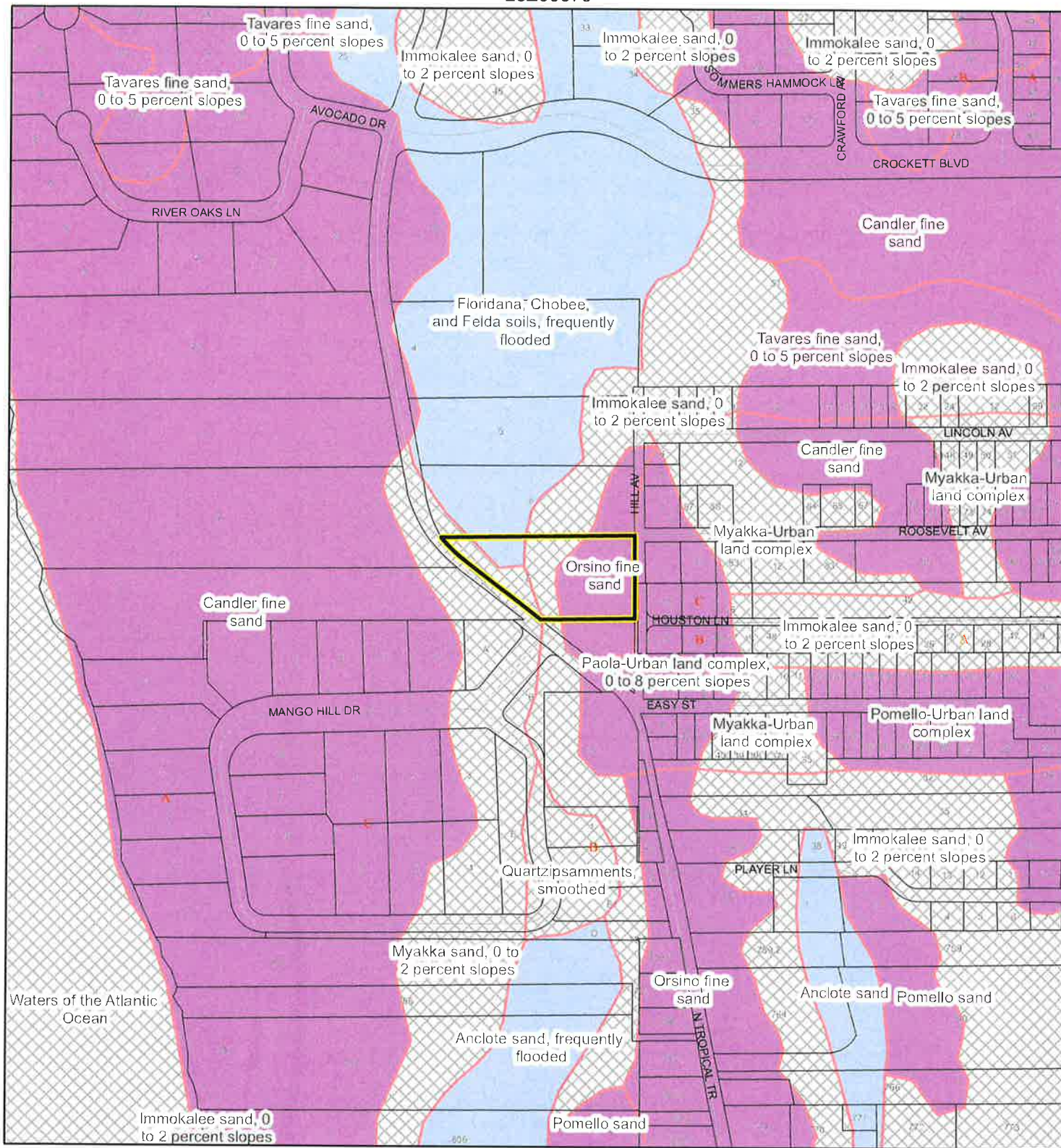
Subject Property

Parcels

USDA SCSSS SOILS MAP

Charles K. & Judith A. Donaldson

23Z00070



1:4,800 or 1 inch = 400 feet

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None
- Subject Property
- Parcels

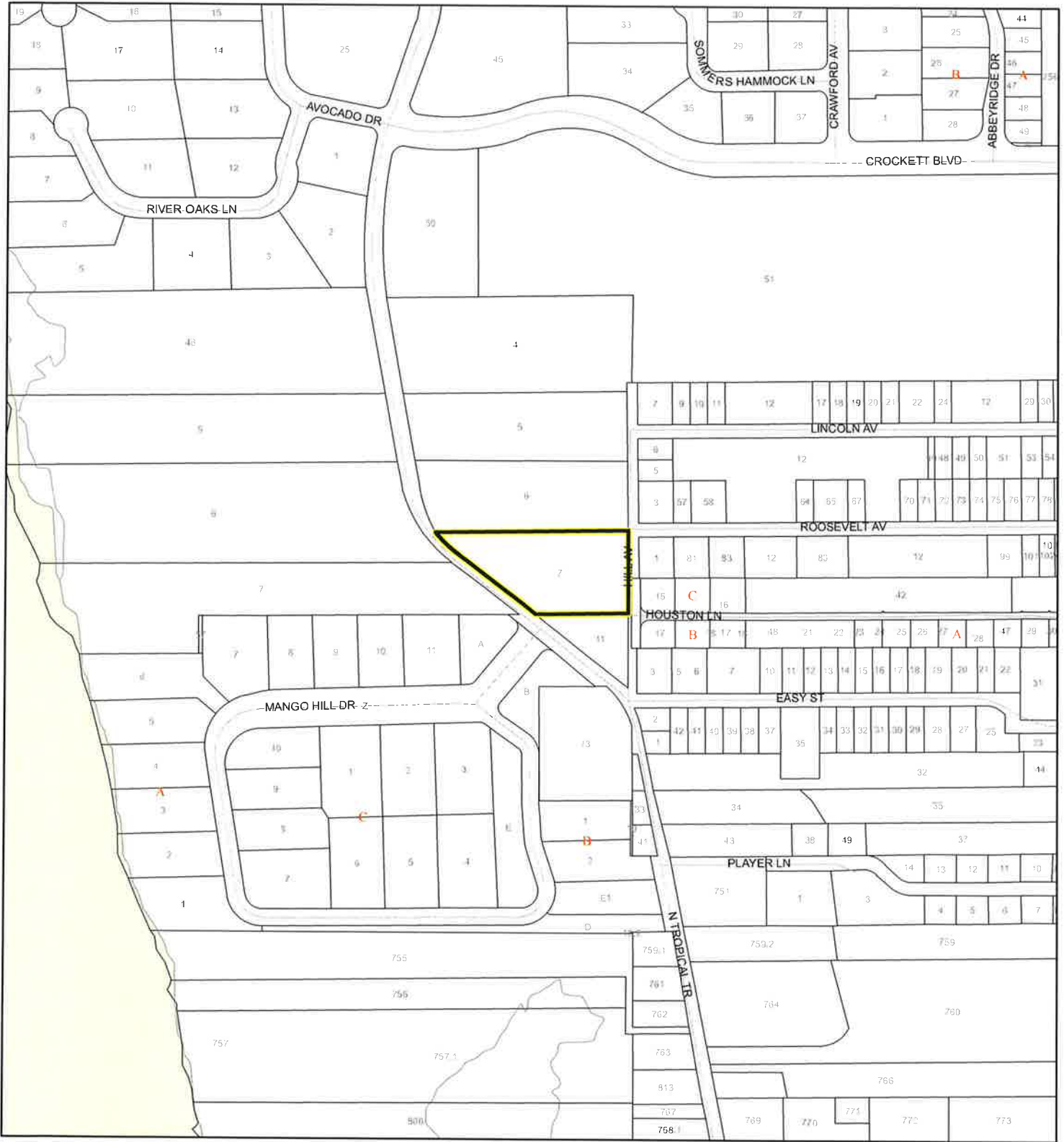
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/5/2023

FEMA FLOOD ZONES MAP

Charles K. & Judith A. Donaldson

23Z00070



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/5/2023

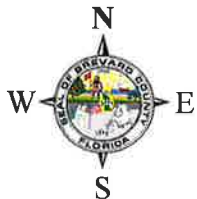
FEMA Flood Zones

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

COASTAL HIGH HAZARD AREA MAP

Charles K. & Judith A. Donaldson

23Z00070



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

Charles K. & Judith A. Donaldson






23Z00070



1:4,800 or 1 inch = 400 feet

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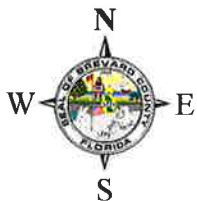
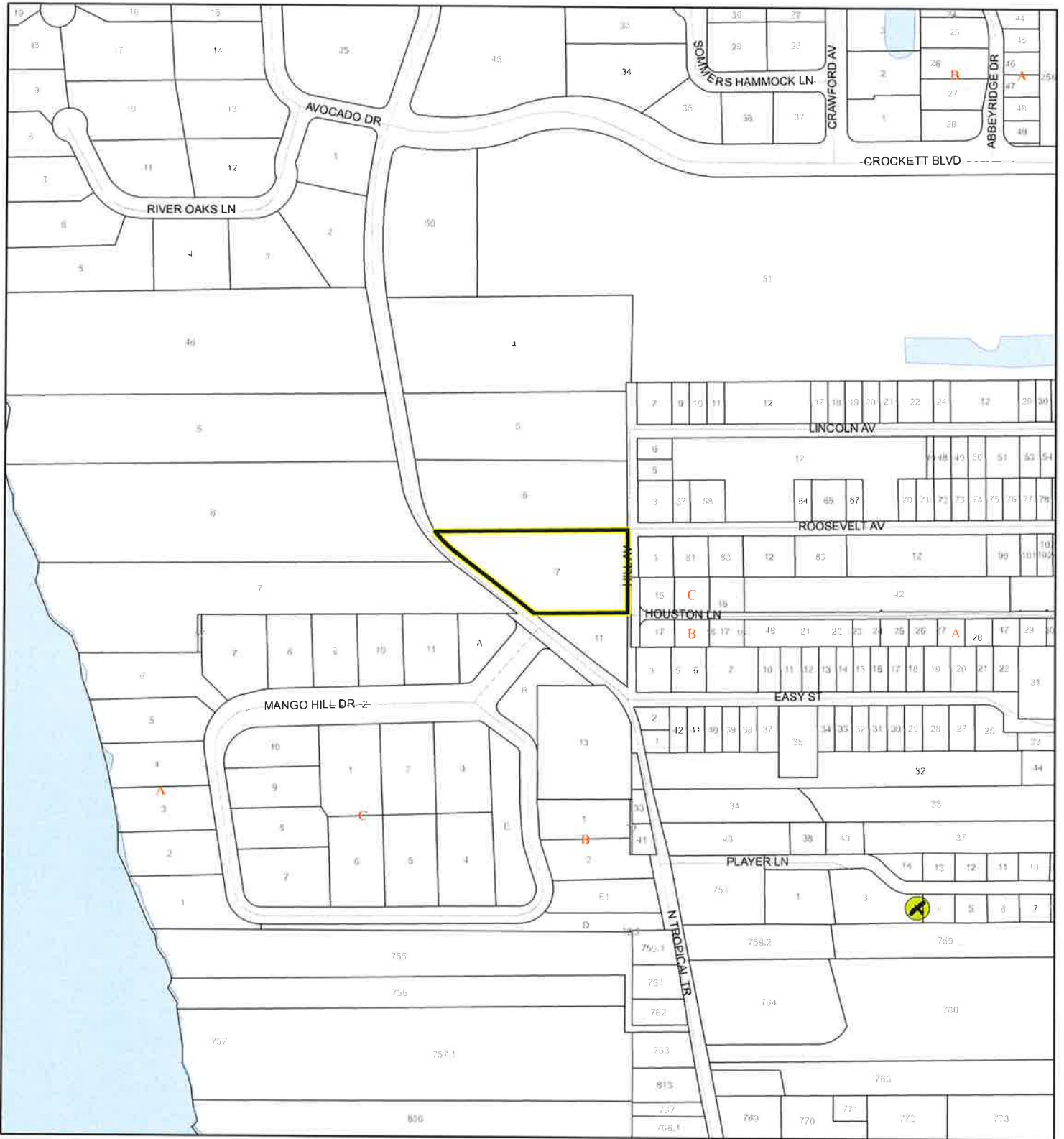
Produced by BoCC - GIS Date: 9/5/2023

-  Subject Property
-  Parcels
- Septic Overlay**
-  40 Meters
-  60 Meters
-  All Distances

EAGLE NESTS MAP

Charles K. & Judith A. Donaldson

23Z00070



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/5/2023

 Subject Property

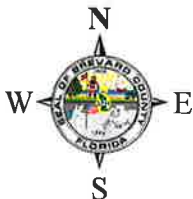
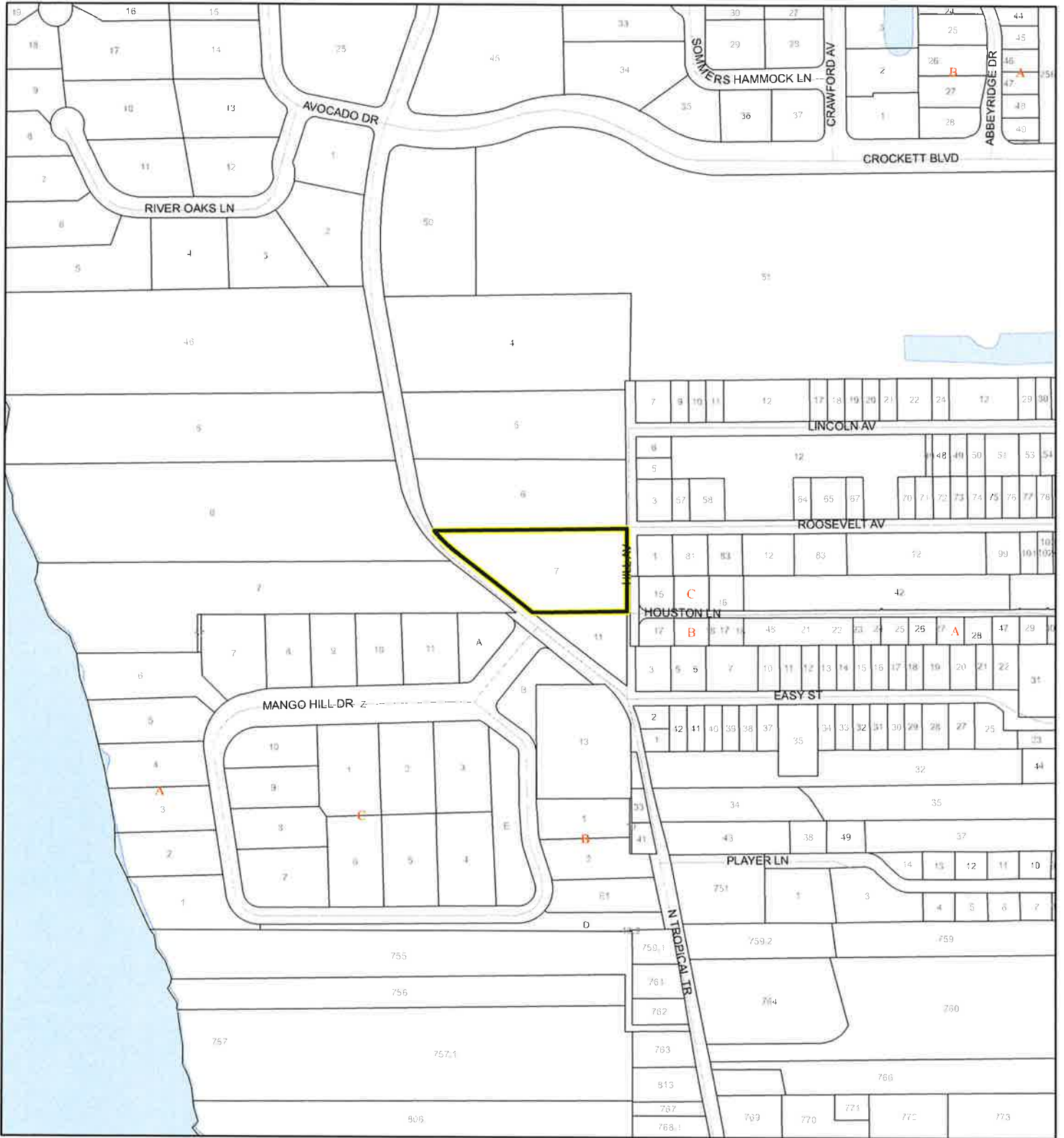
 Parcels

 Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP

Charles K. & Judith A. Donaldson

23Z00070



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/5/2023

 Subject Property

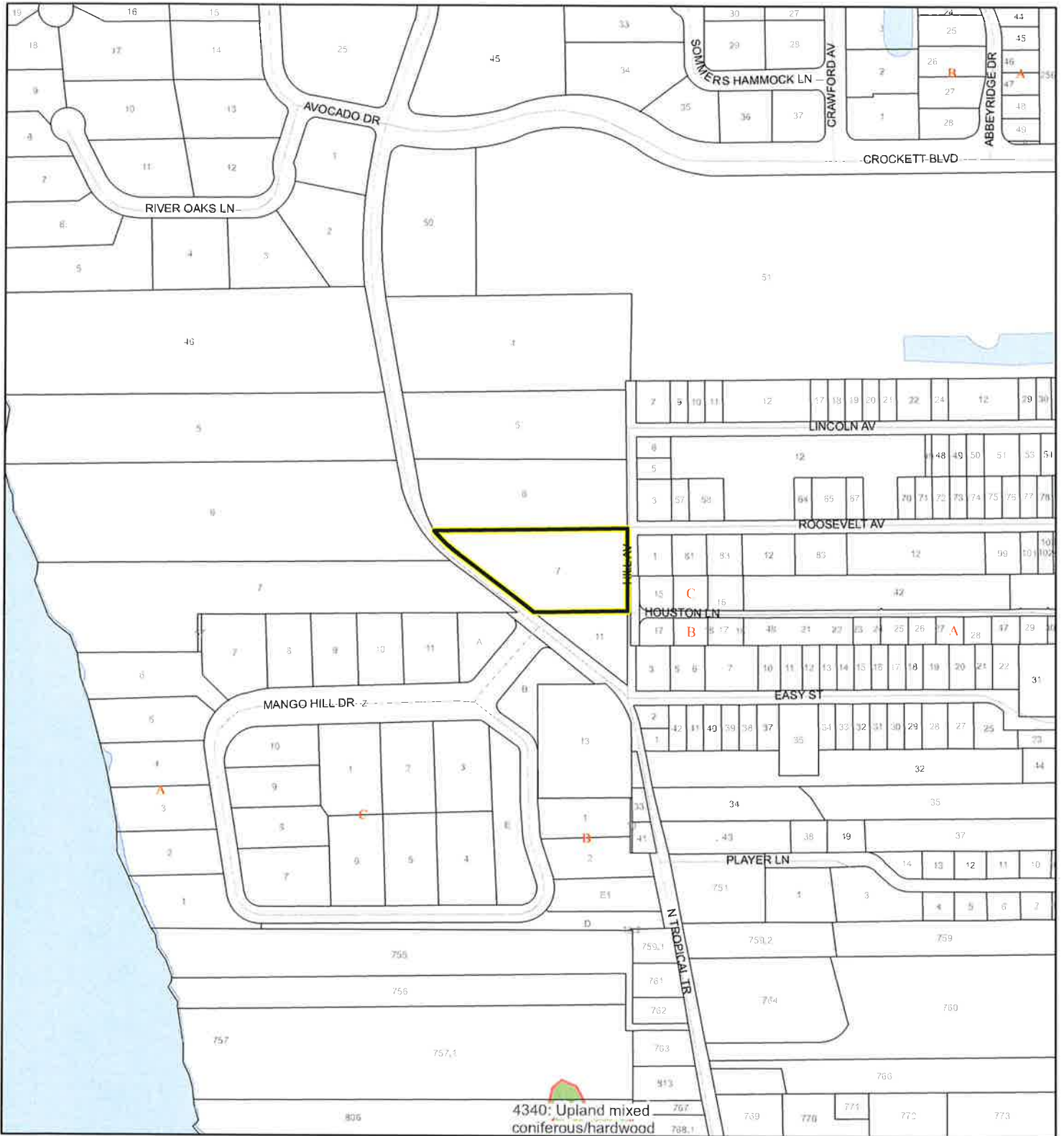
 Parcels

 Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

Charles K. & Judith A. Donaldson

23Z00070



4340: Upland mixed coniferous/hardwood



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 9/5/2023

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

BOUNDARY SURVEY

23Z0070
Donaldson



POINT OF COMMENCEMENT
NORTHWEST CORNER OF THE
NORTHWEST 1/4 OF SECTION 22
NORTHWEST 1/4 OF SECTION 22
S00°23'34"E 1773.42'

PARCEL 6
PARCEL ID: 24-36-22-00-6
OFFICIAL RECORDS BOOK 7943 PAGE 2262

ROOSEVELT AVENUE

WASHINGTON PARK
PLAT BOOK 3/PAGE 86

S89°28'25"E 535.96'(M)

NORTH LINE OF OFFICIAL RECORDS BOOK 9587 PAGE 2437

POINT OF BEGINNING
LEGAL DESCRIPTION

LEGAL DESCRIPTION:

LEGAL DESCRIPTION: DONALDSON PROJECT 2019-157
PREPARED BY SURVEYOR

A parcel of land lying in Fractional Section 22, Township 24 South, Range 36 East, Brevard County, Florida and being a portion of the lands described in Deed Book X at Page 457 of the Public Records of Brevard County, Florida, the same being more particularly described as follows:

Commence at the Northeast corner of the NW 1/4 of the NE 1/4 of said Section 22; thence run S 00°23'34" E along the East line of the NE 1/4 of the NW 1/4 and along the East line of the SW 1/4 of the NE 1/4 of said Section 22 for 1773.42 feet to the Southeast corner of that certain parcel of land described in Official Records Book 7943 at Page 2262 of the Public Records of Brevard County, Florida, said point being the Point of Beginning of this description; thence continue S 00°23'34" E along the aforesaid East line for 238.92 feet to a point on the North line of that certain parcel of land described in Official Records Book 8895 at Page 796 of the Public Records of Brevard County, Florida; thence run N 89°37'49" W along said North line for 263.13 feet to a point on the maintained Easery limits of North Tropical Trail; thence run N 50°24'11" W along said Easery maintained limits of North Tropical Trail for 271.81 feet to a point of tangency of a circular curve to the right whose radius is 384.40 feet and whose central angle is 15°16'42" for an arc distance of 89.08 feet to a point on the South line of the aforementioned parcel of land described in Official Records Book 7943 at Page 2262 of the Public Records of Brevard County, Florida; thence run S 89°28'25" E along said South line for 535.96 feet to the Point of Beginning; said Parcel contains 2.20 acres more or less

SUBJECT PARCEL
2.20 ACRES

MAINTAINED LIMITS

N50°24'11"W 271.81'(M)
COUNTY ROAD 3
BY PERSCRIPTION

SOUTH LINE OF OFFICIAL RECORDS BOOK 9587 PAGE 2437
N89°37'49"W 263.13'(M)

259.50(0)
PARCEL 11
PARCEL ID: 24-36-22-00-11
OFFICIAL RECORDS BOOK 8385 PAGE 736



Scale: 1" = 40'



15 Alma Blvd, Suite 102
Maitland, FL 32751
Phone: (321) 507-4811
LICENSED BUSINESS #7578

UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND IS DATED FOR THE DRAWING, THIS SURVEY IS VOID AND NOT VALID.

John Campbell
Professional Surveyor #255
State of Florida

DocuSigned by:
John Campbell

FIELD: 2019-157		CHECKED BY: J.R. Campbell	SECTION 22
NO. BY DATE REVISION		DRAWN BY: Dan Stalmeier	TOWNSHIP 24 SOUTH
		DATE: 6/22/2023	RANGE 36 EAST

Boundary Survey
PREPARED FOR AND CERTIFIED TO:
CHARLES K. AND JUDITH A. DONALDSON

Street Address: 1605 North Tropical Trail, Merritt Island, FL 32953

- ### SURVEY REPORT:
- The intended purpose of this boundary survey is to show existing boundary of a portion of the subject property.
 - This survey does not reflect or determine ownership.
 - This survey meets or exceeds the minimal horizontal control accuracy of 1:7500 for a suburban survey.
 - Measurements shown herein are expressed in feet and decimal parts thereof.
 - Dimensions shown are taken at the exposed area of improvements, underground, fences, foundations, utilities or other subsurface structures are not located for the purpose of this survey.
 - This drawing is not valid unless bearing an original signature and embossed lead surveyors seal.
 - bearings shown herein are based on the N/W line of North Tropical Trail, having a recorded bearing of S00°23'24"E along recovered monumentation.
 - This survey was performed without the benefit of updated title search information. There may be other easements and matters of records affecting the site as recorded in the public records of Brevard County.
 - FEHA FLOOD DATA: (FOR INFORMATION ONLY) The surveyor no longer certifies the FEMA Flood Zone. This certification is made by an independent contractor of the Federal Government. As a courtesy to the client, this surveyor files the subject parcel to determine if the Flood Zone 'X' area would be in a 1% annual chance floodplain. Community Plan No. 12069-CBOR dated 3/17/2014.

EXPLANATION OF ABBREVIATIONS

- A Dots (Central Angle of Arc)
- (D) Deed Information
- FEMA Flood Emergency Management Agency
- FIRM Flood Insurance Rate Map
- ID Identification
- L Length (Feet)
- LS Locust Street
- LS Locust Street
- (M) Measured Information
- NAVP North American Vertical Datum 1988
- OHV Overhead Utility Line
- R Right-of-Way
- R/W Right-of-Way

LEGEND OF SYMBOLS

- ⊙ Set 5/8" Iron Rod & Cap, LB 7978
- ⊙ Found 1/2" Iron Rod, No ID
- ⊙ Found 5/8" Iron Rod & Cap, LS 3867
- ⊗ Computed Point, Not Set
- Break Line
- U Utility Pole
- ⊕ Centerline

School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Dr. Mark J. Rendell, Ed.D., Superintendent

June 27, 2023

Mr. Paul Body, Planner III
Land Development Section
Planning & Development Department
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940

**RE: Proposed Donaldson Property Development
School Impact Analysis – Capacity Determination CD-2023-16**

Dear Mr. Paul Body,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is a portion of Tax Account number 2416959 (Parcel ID number: 24-36-22-00-7) containing a total of approximately 2.47 acres in District 2, Brevard County, Florida. The proposed development includes 35 multi-family homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 and Amended Appendix "A"-School District Student Generation Multiplier (approved April 11, 2022) of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2023-24 to 2027-28 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2022-23 to 2027-28* which is attached for reference.

Multi-Family Homes		35	
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.11	3.85	4
Middle	0.02	0.7	1
High	0.05	1.75	2
Total	0.18		7

Planning & Project Management
Facilities Services
Phone: (321) 633-1000 x11418 • FAX: (321) 633-4646



**FISH Capacity (including relocatable classrooms) from the
Financially Feasible Plan (FFP) Data and Analysis for School Years 2023-24 to
2027-28**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Mila	707	707	707	707	707
Jefferson	873	873	873	873	873
Merritt Island	1,962	1,962	1,962	1,962	1,962

Projected Student Membership

School	2023-24	2024-25	2025-26	2026-27	2027-28
Mila	435	439	396	383	362
Jefferson	608	600	609	563	548
Merritt Island	1,546	1,512	1,457	1,437	1,454

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2023-24	2024-25	2025-26	2026-27	2027-28
Mila	-	-	-	-	-
Jefferson	-	-	-	-	-
Merritt Island	-	-	-	-	-

**Cumulative Students Generated by
Proposed Development**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Mila	-	4	4	4	4
Jefferson	-	1	1	1	1
Merritt Island	-	2	2	2	2

**Total Projected Student Membership (includes
Cumulative Impact of Proposed Development)**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Mila	435	443	400	387	366
Jefferson	608	601	610	564	549
Merritt Island	1,546	1,514	1,459	1,439	1,456

**Projected Available Capacity =
FISH Capacity - Total Projected Student Membership**

School	2023-24	2024-25	2025-26	2026-27	2027-28
Mila	272	264	307	320	341
Jefferson	265	272	263	309	324
Merritt Island	416	448	503	523	506

At this time, Mila Elementary School, Jefferson Middle School, and Merritt Island Senior High School are projected to have enough capacity for the total of projected and potential students from the Donaldson Property development.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,



Karen M. Black, AICP
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years 2022-23 to 2027-28*

Copy: Susan Hann, AICP, Assistant Superintendent of Facility Services
File CD-2023-16

David G. Lindemann, AICP, Director of Planning & Project Management,
Facilities Services
File CD-2023-16

Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service

Data and Analysis for School Years 2022-23 to 2027-28

Summary	2022-23		2023-24		2024-25		2025-26		2026-27		2027-28	
	Highest Utilization Elementary Schools:	93%	99%	100%	99%	99%	99%	99%	99%	99%	100%	100%
	Highest Utilization Middle Schools:	88%	83%	81%	82%	83%	82%	83%	82%	83%	82%	80%
Highest Utilization Jr / Sr High Schools:	83%	83%	81%	81%	81%	82%	81%	82%	81%	82%	81%	76%
Highest Utilization High Schools:	107%	99%	99%	97%	97%	98%	98%	98%	98%	98%	98%	100%

School	Type	Grades	Utilization Factor	School Year 2022-23		School Year 2023-24		School Year 2024-25		School Year 2025-26		School Year 2026-27		School Year 2027-28	
				FISH Capacity	10/14/22 Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity
Allen	Elementary	PK-6	100%	751	588	751	588	751	635	704	751	720	773	756	99%
Andersen	Elementary	K-6	100%	884	568	884	568	884	549	537	884	530	884	508	57%
Apollo	Elementary	K-6	100%	902	731	902	731	902	749	902	736	902	736	902	80%
Atlantis	Elementary	PK-6	100%	739	620	739	620	739	608	739	585	739	585	739	77%
Audubon	Elementary	PK-6	100%	761	450	761	450	761	435	761	419	761	419	761	42%
Cambridge	Elementary	PK-6	100%	787	495	787	495	787	511	787	505	787	505	787	56%
Cape View	Elementary	PK-6	100%	570	305	570	305	570	309	570	315	570	315	570	52%
Carrall	Elementary	K-6	100%	751	626	751	626	751	643	751	619	751	619	751	58%
Challenger 7	Elementary	PK-6	100%	573	503	573	503	573	474	573	462	573	462	573	84%
Columbia	Elementary	PK-6	100%	751	506	751	506	751	531	751	522	751	522	751	72%
Coquina	Elementary	K-6	100%	1,114	560	1,114	560	1,114	668	1,114	668	1,114	668	1,114	72%
Creed	Elementary	PK-6	100%	795	488	795	488	795	514	795	542	795	542	795	89%
Croton	Elementary	PK-6	100%	980	643	980	643	980	675	980	671	980	671	980	68%
Discovery	Elementary	PK-6	100%	968	719	968	719	968	717	968	707	968	707	968	76%
Endeavour	Elementary	PK-6	100%	729	597	729	597	729	578	729	552	729	552	729	73%
Enterprise	Elementary	PK-6	100%	789	617	789	617	789	617	789	632	789	632	789	80%
Fairglen	Elementary	PK-6	100%	711	468	711	468	711	465	711	468	711	468	711	79%
Gemini	Elementary	K-6	100%	777	441	777	441	777	460	777	481	777	481	777	84%
Gulfview	Elementary	PK-6	100%	629	403	629	403	629	457	629	474	629	474	629	65%
Harbor City	Elementary	PK-6	100%	605	432	605	432	605	451	605	444	605	444	605	81%
Holland	Elementary	PK-6	100%	729	659	729	659	729	712	729	724	729	724	729	81%
Holland Estates	Elementary	K-6	100%	798	686	798	686	798	685	798	685	798	685	798	83%
Imperial Estates	Elementary	K-6	100%	930	729	930	729	930	801	930	882	930	882	930	79%
Indian Land	Elementary	PK-6	100%	892	585	892	585	892	569	892	562	892	562	892	89%
Jupiter	Elementary	PK-6	100%	790	637	790	637	790	613	790	590	790	590	790	84%
Locklear	Elementary	PK-6	100%	988	898	988	898	988	889	988	845	988	888	988	63%
Longleaf	Elementary	K-6	100%	838	621	838	621	838	580	838	568	838	568	838	71%
Manatee	Elementary	PK-6	100%	1,114	825	1,114	825	1,114	779	1,114	773	1,114	805	1,114	68%
McAuliffe	Elementary	3-6	100%	824	651	824	651	824	660	824	630	824	618	824	74%
Meadowlane Intermediate	Elementary	PK-6	100%	707	435	707	435	707	439	707	396	707	383	707	51%
Meadowlane Primary	Elementary	PK-6	100%	725	464	725	464	725	481	725	512	725	512	725	72%
Mills	Elementary	PK-6	100%	968	505	968	505	968	471	968	478	968	475	968	47%
Mira	Elementary	PK-6	100%	654	550	654	550	654	542	654	533	654	534	654	64%
Oak Park	Elementary	PK-6	100%	983	613	983	613	983	610	983	627	983	630	983	64%
Palm Bay Elem	Elementary	PK-6	100%	569	521	569	521	569	541	569	522	569	522	569	84%
Pinewood	Elementary	PK-6	100%	852	640	852	640	852	683	852	746	852	760	852	93%
Port Malabar	Elementary	PK-6	100%	932	693	932	693	932	684	932	681	932	685	932	95%
Quest	Elementary	PK-6	100%	777	699	777	699	777	718	777	780	777	843	777	99%
Riviera	Elementary	PK-6	100%	599	288	599	288	599	269	599	256	599	239	599	40%
Roosevelt	Elementary	K-6	100%	785	500	785	500	785	453	785	516	785	534	785	37%
Sabal	Elementary	PK-6	100%	998	649	998	649	998	677	998	821	998	785	998	68%
Sea Park	Elementary	PK-6	100%	461	337	461	337	461	373	461	326	461	326	461	80%
Sea View	Elementary	PK-6	100%	609	459	609	459	609	458	609	459	609	459	609	79%
Sherwood	Elementary	PK-6	100%	913	759	913	759	913	843	913	908	913	826	913	74%
Stuntee	Elementary	PK-6	100%	755	602	755	602	755	561	755	541	755	516	755	83%
Sunrise	Elementary	K-6	100%	541	442	541	442	541	425	541	418	541	417	541	60%
Sunrise	Elementary	K-6	100%	910	669	910	669	910	614	910	600	910	512	910	77%
Tropical	Elementary	PK-6	100%	874	555	874	555	874	589	874	647	874	675	874	63%
Turner	Elementary	PK-6	100%	811	487	811	487	811	545	811	592	811	642	811	74%
University Park	Elementary	PK-6	100%	1,030	695	1,030	695	1,030	717	1,030	857	1,030	926	1,030	67%
Viera Elem	Elementary	K-6	100%	857	799	857	799	857	846	857	923	857	989	857	70%
Westside	Elementary	K-6	100%	715	451	715	451	715	443	715	414	715	411	715	86%
Williams	Elementary	PK-6	100%	42,215	30,468	42,237	30,778	42,303	30,996	42,455	31,549	42,677	31,905	43,007	57%
Elementary Totals				42,215	30,468	42,237	30,778	42,303	30,996	42,455	31,549	42,677	31,905	43,007	57%

School	Type	Grades	Utilization Factor	School Year 2022-23			School Year 2023-24			School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28		
				FISH Capacity	Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Middle School Concurrence Service Areas																					
Central	Middle	7-8	90%	1,514	1,129	75%	1,514	1,158	76%	1,514	1,228	81%	1,514	1,289	85%	1,514	1,377	91%			
DeLaura	Middle	7-8	90%	960	842	88%	960	902	94%	960	920	96%	960	989	102%	960	1,014	106%			
Hoover	Middle	7-8	90%	680	505	74%	680	534	79%	680	574	84%	680	577	85%	680	588	86%			
Jackson	Middle	7-8	90%	660	550	83%	660	545	83%	660	538	82%	660	555	84%	660	568	85%			
Jefferson	Middle	7-8	90%	873	608	70%	873	600	69%	873	609	70%	873	563	64%	873	548	63%			
Johnson	Middle	7-8	90%	1,064	610	57%	1,064	650	61%	1,064	698	66%	1,064	753	71%	1,064	825	78%			
Kennedy	Middle	7-8	90%	869	571	66%	869	687	79%	869	670	77%	869	669	77%	869	677	78%			
Madison	Middle	7-8	90%	781	446	57%	781	484	62%	781	452	58%	781	476	61%	781	593	76%			
McNair	Middle	7-8	90%	616	365	59%	616	346	56%	616	354	57%	616	337	55%	616	347	56%			
Southwest	Middle	7-8	90%	1,230	920	75%	1,230	1,024	83%	1,230	1,127	92%	1,230	1,174	95%	1,230	1,285	104%			
Stone	Middle	7-8	90%	1,076	668	62%	1,076	799	74%	1,076	823	76%	1,076	890	83%	1,076	977	91%			
Middle Totals				10,323	7,314	75%	10,323	7,729	74%	10,323	7,893	76%	10,323	8,072	78%	10,323	8,631	83%			
Junior / Senior High School Concurrence Service Areas																					
Cocoa	Jr / Sr High	PK, 7-12	90%	2,097	1,545	74%	2,097	1,555	74%	2,097	1,525	73%	2,097	1,518	72%	2,097	1,470	70%			
Cocoa Beach	Jr / Sr High	7-12	90%	1,445	983	68%	1,445	1,000	69%	1,445	941	65%	1,445	928	64%	1,445	867	60%			
Space Coast	Jr / Sr High	7-12	90%	1,852	1,534	83%	1,852	1,505	81%	1,852	1,450	78%	1,852	1,428	77%	1,852	1,402	76%			
Jr / Sr High Totals				5,394	4,062	83%	5,394	4,060	81%	5,394	3,916	79%	5,394	3,874	77%	5,394	3,739	76%			
Senior High School Concurrence Service Areas																					
Astronaut	High	9-12	95%	1,451	1,109	76%	1,451	1,123	77%	1,451	1,129	78%	1,451	1,164	80%	1,451	1,158	80%			
Bayside	High	9-12	95%	2,263	1,865	83%	2,263	2,023	89%	2,263	2,099	93%	2,263	2,175	96%	2,263	2,371	104%			
Eau Gallie	High	PK, 9-12	95%	2,221	1,582	71%	2,221	1,597	72%	2,221	1,625	73%	2,221	1,631	73%	2,221	1,693	76%			
Heritage	High	9-12	95%	2,314	2,033	88%	2,314	2,065	89%	2,314	2,057	89%	2,314	2,089	91%	2,314	2,171	94%			
Melbourne	High	9-12	95%	2,370	2,245	95%	2,370	2,248	95%	2,370	2,248	95%	2,370	2,284	96%	2,370	2,345	99%			
Marriott Island	High	PK, 9-12	95%	1,962	1,546	79%	1,962	1,512	77%	1,962	1,457	74%	1,962	1,437	73%	1,962	1,454	74%			
Palm Bay	High	PK, 9-12	95%	2,657	1,483	56%	2,657	1,581	60%	2,657	1,683	63%	2,657	1,704	64%	2,657	1,700	64%			
Rockledge	High	9-12	95%	1,836	1,559	85%	1,836	1,640	89%	1,836	1,699	93%	1,836	1,693	92%	1,836	1,620	89%			
Satellite	High	PK, 9-12	95%	1,527	1,518	99%	1,527	1,433	92%	1,527	1,413	91%	1,527	1,359	89%	1,527	1,299	84%			
Titusville	High	9-12	95%	1,813	1,313	73%	1,813	1,335	74%	1,813	1,351	75%	1,813	1,316	73%	1,813	1,322	73%			
Viera	High	PK, 9-12	95%	2,141	2,289	107%	2,141	2,391	111%	2,141	2,474	115%	2,141	2,579	120%	2,141	2,664	124%			
High Totals				22,555	18,528	82%	22,512	18,945	84%	22,512	19,178	85%	22,512	19,441	86%	22,512	19,793	87%			
Schools of Choice (Not Concurrence Service Areas)																					
Freedom 7	Elementary	K-6	100%	475	403	85%	475	414	87%	475	414	87%	475	414	87%	475	414	87%			
Stevenson	Elementary	K-6	100%	569	506	89%	569	508	89%	569	508	89%	569	508	89%	569	508	89%			
South Lake	Elementary	K-6	100%	481	434	90%	481	434	90%	481	434	90%	481	434	90%	481	434	90%			
West Melbourne	Elementary	K-6	100%	618	549	89%	618	552	89%	618	552	89%	618	552	89%	618	552	89%			
Edgewood	Jr / Sr High	7-12	90%	1,077	938	87%	1,077	950	88%	1,077	950	88%	1,077	950	88%	1,077	950	88%			
West Shore	Jr / Sr High	7-12	90%	1,264	930	74%	1,264	950	75%	1,264	950	75%	1,264	950	75%	1,264	950	75%			
Schools of Choice Totals				4,484	3,760	84%	4,484	3,827	85%	4,484	3,899	87%	4,484	3,935	88%	4,484	3,975	89%			
Brevard Totals				84,971	64,132	75%	85,226	64,706	76%	85,768	65,593	77%	86,296	67,227	78%	86,840	68,418	79%			

Notes
1. FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2022-23 are reported from the FISH database as of October 14, 2022.
2. Student Membership is reported from the Fall Final Membership Count (10/14/2022).
3. Davis Demographics Schools Site Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:
- Development Projections from Brevard County Local Government Jurisdictions
- Brevard County School Concurrence Student General Enrollment Multipliers (SGM)
- Fall Membership student addresses and corresponding concurrency service areas
- Student Mobility Rates / Cohort Survival Rates
- Brevard County Birth rates by zip code
4. Davis Demographics estimates are then adjusted using the following factors:
- PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
- Current From/To attendance patterns are assumed to remain constant.
- Nonrelocated student addresses are assumed to continue in their attendance schools.
- Charter School Growth
5. In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.
6. If student projections are accurate, the school board could add additional classroom capacity, implement attendance boundary changes, or add relocatable classrooms. A south area elementary school is planned for the future growth, but the exact timing hasn't been established.
If only relocatable classrooms are used for the next 5 years, the following changes would be needed to accommodate projected growth. These schools are being analyzed for the best options to accommodate additional students.
- Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
For school year 2023-24, no additional capacity is needed.
For school year 2024-25, a total of 3 intermediate classrooms are projected for Westside Elementary School
For school year 2025-26, a total of 6 intermediate classrooms are projected for Pinewood (1), Riviera (1), Sunrise (1) and Westside (3) Elementary Schools
For school year 2026-27, a total of 14 intermediate classrooms are projected for Imperial Estates (1), Jupiter (2), Riviera (2), Sunrise (4), Westside (2) Elementary Schools, and Southwest Middle School (3). 4 High School relocatable classrooms are proposed for Viera High School.
For school year 2027-28, a total of 15 intermediate classrooms are projected for Roy Allen (1), Imperial Estates (2), Jupiter (3), Riviera (2), and Westside (3) Elementary Schools. 9 High School relocatable classrooms are proposed for Bayside (5) and Viera (4) High School.
7. A classroom addition is planned for construction at Viera High School for 2023-24. The factored capacity is adjusted for the proposed 350 student stations.
8. A classroom addition is planned for construction at South Lake Elementary School for 2023-24. The factored capacity is adjusted for the proposed 176 student stations.
9. A classroom addition is planned for construction at West Melbourne School of Science for 2024-25. The factored capacity is adjusted for the proposed 176 student stations.
10. Capacity adjusted for Board approved addition of one relocatable each at Pinewood Elementary and Satellite High Schools for school year 2024-25 forward.



Donaldson Property Location Map

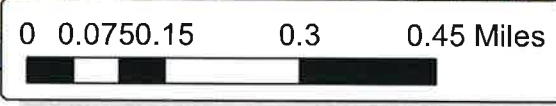


**Donaldson Property
CD-2023-16
35 Multi-Family Units**



Schools Affected by Development:
Mila Elementary School
Jefferson Middle School
Merritt Island Senior High School

Drawn By:
Planning & Project Management
Blake Stinson
June 27, 2023



Account (1234567)



Account: 2418959 Parcel ID: 24-36-22-00-7

Scale: 2/2/2022 579,500

BCPAO Market Value: \$657,040

Owner: DONALDSON, CHARLES K; DONALDSON, JUDITH A

Address: 1605 N TROPICAL TRL, MERRITT ISLAND FL 32953

Zoom | Clear | Details | EagleView | Hide Info

BCPAO Data Bickley, CFA, Brevard County Property Appraiser | Instructions | Disclaimer



REAL PROPERTY DETAILS
 Account 2417110 - Roll Year 2023

Owners JORDAN, JOHN; BUSBY, THOMAS, JR; HREIRA, ABDELALI
 Mailing Address 1783 HAZELTON ST NW PALM BAY FL 32907
 Site Address 1620 HILL AVE MERRITT ISLAND FL 32953
 Parcel ID 24-36-22-02-3
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 0353 - LOW RISE APARTMENTS - 2 OR 3 STORIES - 10 TO 49 U
 Total Acres 0.30
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0011/0037
 Subdivision CARVER PARK
 Land Description CARVER PARK LOTS 3,4 EXC ORB 1014 PG 345



Category	VALUE SUMMARY		
	2023	2022	2021
Market Value	\$414,040	\$246,150	\$225,000
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$414,040	\$246,150	\$225,000
Assessed Value School	\$414,040	\$246,150	\$225,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$414,040	\$246,150	\$225,000
Taxable Value School	\$414,040	\$246,150	\$225,000

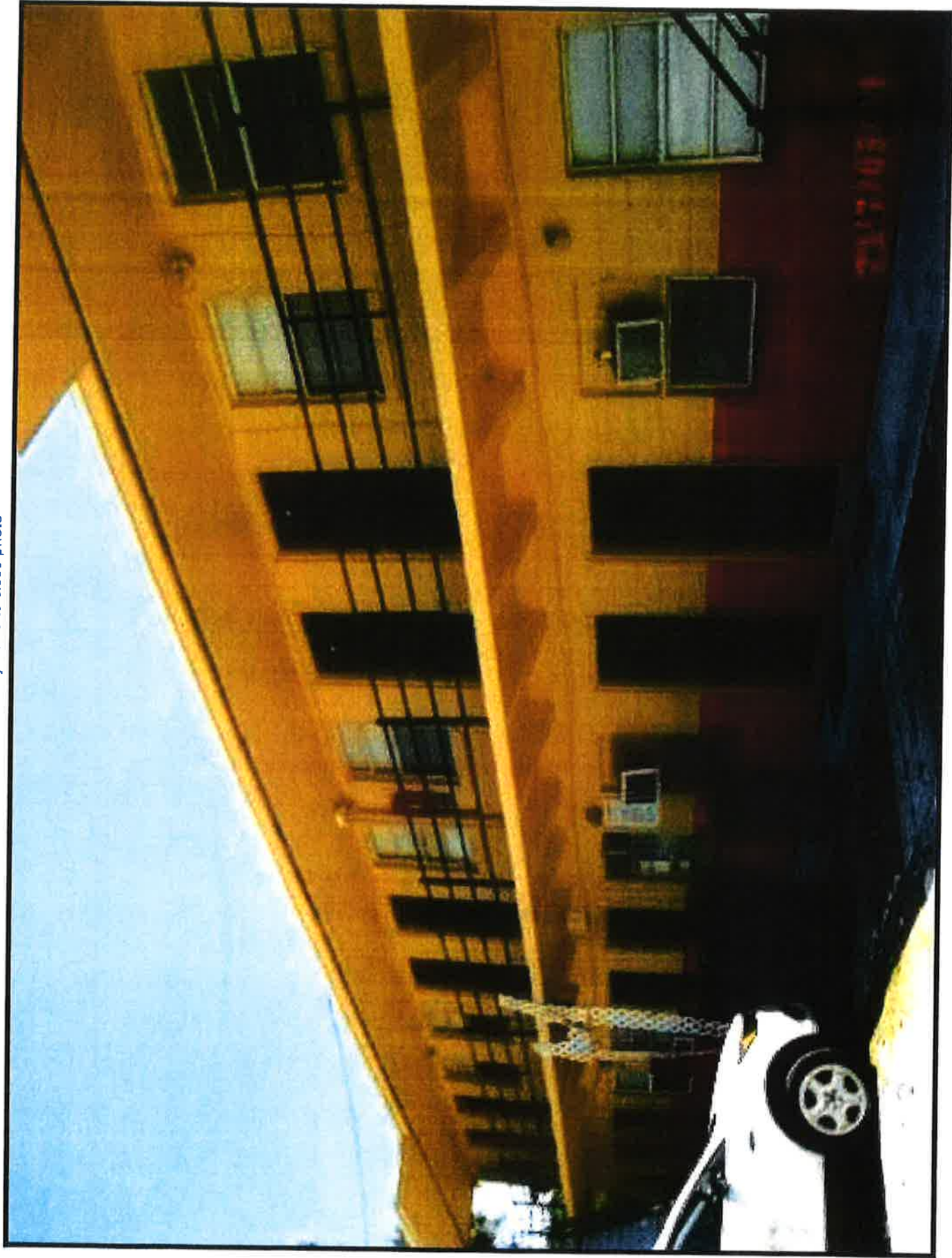
SALES / TRANSFERS			
Date	Price	Type	Instrument
06/22/2022	\$195,000	WD	9546/0074
09/05/2021	--	PR	9266/2256
07/20/2020	--	DC	9139/1322
08/01/1966	\$63,500	--	0890/0569

BUILDINGS
PROPERTY DATA CARD #1

Building Use: 0353 - LOW RISE APARTMENTS - 2 OR 3 STORIES - 10 TO 49 UNITS

Materials		Details	
Exterior Wall:	PAINTED EXTERIOR	Year Built	1964
Frame:	MASNRYCONC	Story Height	8
Roof:	ASPH/ASB SHNGL	Floors	2
Roof Structure:	WOOD TRUSS	Residential Units	11
		Commercial Units	0
Sub-Areas		Extra Features	
Base Area (1st)	3,354	No Data Found	
Base Area (2nd)	3,354		
Open Porch	344		
Open Porch	344		
Open Porch	480		
Open Porch	480		
Total Base Area	6,708		
Total Sub Area	8,356		

[Click anywhere to close photo](#)





Account (1234567)

Brevard County owned

Measure Area

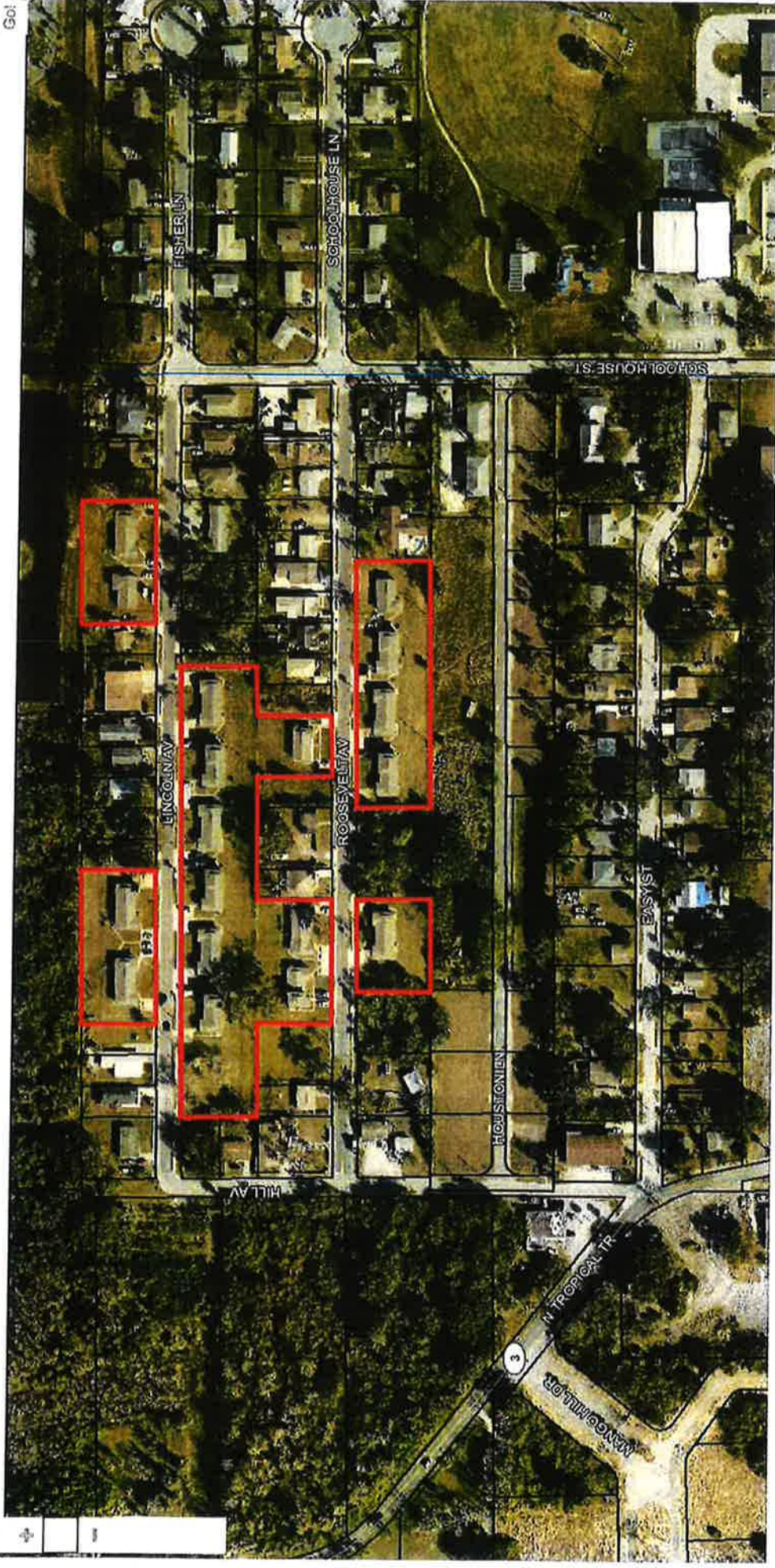
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Acres

5.38 Acres

Click three or more points on map to draw a polygon. Double-click last point to end polygon.

Close



Account: 2417068 Parcel ID: 24-36-22-01-1-12
 Sole: N/A
 BCPAO Market Value: \$1,967,260
 Owners: HOUSING AUTHORITY OF BREVARD CO
 Address: 488 ROOSEVELT AVE MERRITT ISLAND FL 32953

[Zoom | Clear | Details | EagleView | Hide Info](#)

[BCPAO](#) Dana Bickley, CFA, Brevard County Property Appraiser | [Instructions](#) | [Disclaimer](#)



REAL PROPERTY DETAILS
Account 3016969 - Roll Year 2023

Owners BIG BLUE APARTMENTS LLC
Mailing Address 550 S WADSWORTH BLVD, # 520 LAKEWOOD CO 80226
1527 SCHOOLHOUSE ST UNIT A1 MERRITT ISLAND FL 32953
1527 SCHOOLHOUSE ST UNIT A2 MERRITT ISLAND FL 32953
1527 SCHOOLHOUSE ST UNIT A3 MERRITT ISLAND FL 32953
1527 SCHOOLHOUSE ST UNIT A4 MERRITT ISLAND FL 32953
Site Address 1527 SCHOOLHOUSE ST UNIT B1 MERRITT ISLAND FL 32953
1527 SCHOOLHOUSE ST UNIT B2 MERRITT ISLAND FL 32953
1527 SCHOOLHOUSE ST UNIT B3 MERRITT ISLAND FL 32953
1527 SCHOOLHOUSE ST UNIT B4 MERRITT ISLAND FL 32953
Parcel ID 24-36-22-00-58
Taxing District 2200 - UNINCORP DISTRICT 2
Exemptions NONE
Property Use 0859 - MULTIPLE LIVING UNITS - 5 TO 9 UNITS (NOT ATTAC
Total Acres 0.50
Site Code 0001 - NO OTHER CODE APPL.
Plat Book/Page --
Subdivision --
Land Description PART OF SE 1/4 OF NE 1/4 AS DESC IN ORB 7935 PG 134



Category	VALUE SUMMARY		
	2023	2022	2021
Market Value	\$760,320	\$734,400	\$421,960
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$510,560	\$464,150	\$421,960
Assessed Value School	\$760,320	\$734,400	\$421,960
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$510,560	\$464,150	\$421,960
Taxable Value School	\$760,320	\$734,400	\$421,960

Date	SALES / TRANSFERS		
	Price	Type	Instrument
09/11/2020	\$675,000	WD	8855/0789
10/31/2018	--	QC	8302/0904
07/07/2017	\$440,000	WD	7935/0134

BUILDINGS
PROPERTY DATA CARD #1

Building Use: 0840 - QUADRUPLEX

Materials		Details	
Exterior Wall:	STUCCO	Year Built	1999
Frame:	MASNRYCONC	Story Height	8
Roof:	ASPH/ASB SHNGL	Floors	2
Roof Structure:	WOOD TRUSS	Residential Units	4
		Commercial Units	
Sub-Areas		Extra Features	
Base Area (1st)	1,695	No Data Found	
Base Area (2nd)	1,695		
Open Porch	210		
Total Base Area	3,390		

Total Sub Area **Sub-Areas** 3,600

PROPERTY DATA CARD #2

Building Use: 0840 - QUADRUPLEX

	Materials		Details	
Exterior Wall:	STUCCO	Year Built		2011
Frame:	MASNRYCONC	Story Height		8
Roof:	ASPH/ASB SHNGL	Floors		2
Roof Structure:	WOOD TRUSS	Residential Units		4
		Commercial Units		

	Sub-Areas		Extra Features	
Base Area (1st)	1,695	No Data Found		
Base Area (2nd)	1,695			
Open Porch	210			
Total Base Area	3,390			
Total Sub Area	3,600			

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, November 13, 2023, at 3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were: Board members present were: Henry Minneboo (D1); Ron Bartcher (D1); Robert Sullivan (D2); Ben Glover (D3); Mark Wadsworth, Chair (D4); Logan Luse (D4 Alt); Bruce Moia (D5); Robert Brothers (D5); and John Hopengarten (BPS).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Alex Esseesse, Deputy County Attorney; Paul Body, Senior Planner; Trina Gilliam, Senior Planner; Darcie McGee, Assistant Director, Natural Resources Management; and Jennifer Jones, Special Projects Coordinator.

Excerpt of Complete Agenda

Charles K. and Judith A. Donaldson (Kim Rezanka)

A change of zoning classification from AU (Agricultural Residential) to RU-2-15 (Medium Density Multi-Family Residential). The property is 2.20 acres, located on the east side of N. Tropical Trail, approx. 0.25 mile south of Crockett Blvd. (1605 N. Tropical Trail, Merritt Island, portion east of N. Tropical Trail) (23Z00070) (Tax Account 2416959) (District 2)

Kim Rezanka, Lacey, Lyons, Rezanka Law Firm, Rockledge, stated the Donaldson's were before the board last year to change the property on the west side to RES 4, so that they could split the property. [Ms. Rezanka distributed a handout to the board. The handout can be found in file 23Z00070, located in the Planning and Development Department.] She stated the subject property is 2.2 acres currently zoned AU, and if it were split as AU it would be nonconforming. The property's Future Land Use is RES 15 and there is RES 15 to the north, south, and east, as well as some RES 10. The parcel to the south and east is an old 2-story apartment complex approximately 300 feet to the south and east, with BU-1 zoning. Immediately to the east is vacant property owned by Brevard County, presumably for affordable housing and on the surplus land list required by the Live Local Act. The Housing Authority owns duplexes that are RES 15 and could be redeveloped as affordable housing. There is also the Big Blue Apartments, LLC, at the end of Easy Street, designated as RES 10. She noted the staff report mentions Waters Mark Plantation that was platted in 2008 but is mostly undeveloped.

No public comment.

Henry Minneboo stated North Tropical Trail has an unwritten dividing line that begins at the store on the corner and is a clear distinction between the people who live north of there, and people who live south. Throughout the entire length on the east side, everybody has large parcels; they own from North Tropical Trail west to the river, and there is no multi-family of any kind north of the subject property, nor on the east side. He said it's not conducive to the area to change to RU-2-15, because North Tropical Trail is not designed for multi-family on the east side.

Ms. Rezanka stated the dividing line is North Tropical Trail, it is east to west, not north to south. The parcels on the west side are RES 15, and there is similar zoning to what is being requested to the east and adjacent to the subject property; and there are also duplexes and apartments. She said AU is not appropriate to sell off and develop, but workforce and affordable housing is a big issue, and that is what is next door to the east.

Mr. Minneboo stated everybody to the north of the subject property has large parcels, and there are no large parcels to the east.

Bruce Moia stated he agrees with Mr. Minneboo, adjacent to the east is RU-1-7, and EU to the west. He said it seems like a strange transition based on the adjacent zoning.

Ben Glover stated he agrees as well and said he could support something that wasn't as drastic as RU-2-15.

Mark Wadsworth asked Ms. Rezanka if her client would agree to a lesser zoning.

Ms. Rezanka replied yes, RU-2-4 would be acceptable, which would be a transition from EU and there is RU-2-4 at the other end of Houston Street. She said RU-2-4 would allow 4 units per acre for a total of nine potential units.

Motion by Ben Glover, seconded by Bruce Moia, to approve the change of zoning classification from AU to RU-2-4. The motion passed 8:1, with Minneboo voting nay.



BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS
COMMISSIONER JOHN TOBIA, DISTRICT 3

2539 Palm Bay Rd NE, Suite 4
Palm Bay, FL 32905
www.Brevardfl.gov

Phone: (321) 633-2075
Fax: (321) 633-2196
John.Tobia@Brevardfl.gov

December 4, 2023

To: Jennifer Jones
From: John Tobia, Brevard County Commissioner, District 3
Re: Phone Disclosure

Ms. Jones,

Regarding the upcoming agenda item G.6 on the Brevard County Zoning meeting on December 7, 2023, please be advised in advance that I spoke with the following party via telephone on December 4, 2023.

Kim Rezanka, Esq.

The phone call lasted approximately five minutes, during which the above individual provided background information regarding the item.

Sincerely,

John Tobia
County Commissioner, District 3



BOARD OF COUNTY COMMISSIONERS

District 3 Includes:

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco