

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Thursday, May 1, 2025

5:00 PM

Zoning

Commission Chambers

A. CALL TO ORDER 5:00 PM

Roll Call

Present: Commissioner District 1 Katie Delaney , Commissioner District 2 Tom Goodson, Commissioner District 3 Kim Adkinson, Commissioner District 4 Rob Feltner, and Commissioner District 5 Thad Altman

B. ZONING STATEMENT

The Board of County Commissioners acts as a Quasi-Judicial body when it hears request for rezoning and Conditional Use Permits. Applicants must provide competent substantial evidence establishing facts, or expert witness opinion testimony showing that the request meets the Zoning Code and Comprehensive Plan criteria. Opponents must also testify as to facts, or provide expert testimony; whether they like, or dislike, a request is not competent evidence. The Board must then decide whether the evidence demonstrates consistency and compatibility with the Comprehensive Plan and the existing rules in the Zoning Ordinance, property adjacent to the property rezoned, and the actual development of the surrounding area. The Board cannot consider speculation, non-expert opinion testimony, or poll the audience by asking those in favor or opposed to stand up or raise their hands. If a Commissioner has had communications regarding a rezoning or Conditional Use Permit request before the Board, Commissioner must disclose the subject of the communication and the identity of the person, group, or entity, with whom the communication took place before the Board takes action on the request. Each applicant is allowed a total of 15 minutes to present their request unless the time is extended by a majority vote of the Board. The applicant may reserve any portion of the 15 minutes for rebuttal. Other speakers are allowed five minutes to speak. Speakers may not pass their time to someone else in order to give that person more time to speak.

C. PLEDGE OF ALLEGIANCE; Commissioner Thad Altman, District 5

Commissioner Altman led the assembly in the Pledge of Allegiance.

D. MINUTES FOR APPROVAL

The Board approved the March 3, 2025 Workshop Meeting Minutes.

Result: APPROVED

Mover: Katie Delaney

Second: Thad Altman

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

F.1. Waiver Request, Re: Waiver of Wall Requirement for Barnes Boulevard Self Storage Site Plan (22SP00056 and 25WV00006) District 4

The Board granted and approved a waiver of Section 62-3202(h)(10), which requires a six-foot masonry or solid wall when commercial developments within a BU-1, BU-2, or Industrial are adjacent to residential zoning, subject to the criteria depicted in site plan 22SP00056, and maintaining the existing fencing and vegetation along the western and southern property line.

Result: APPROVED

Mover: Katie Delaney

Second: Tom Goodson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

**F.2. Final Plat Approval, Re: DD Lake Andrew
Developer: Morrow Investors, Inc. District 4**

The Board in accordance with Section 62-2841(i) and Section 62-2844 executed and granted final plat approval for DD Lake Andrew Developer: Morrow Investors, Inc., subject to minor engineering changes, as applicable and developer responsible for obtaining all other necessary jurisdictional permits.

Result: APPROVED

Mover: Katie Delaney

Second: Tom Goodson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

**F.3. Acceptance, RE: Binding Development Plan with Luz Nelly Nogueroles
(24Z00060) (District 2)**

The Board executed and granted Binding Development Plan with Luz Nelly Nogueroles, for property located on the west side of Martin Road, approximately 642 feet north of its turn to the north.

Result: APPROVED

Mover: Katie Delaney

Second: Tom Goodson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

**F.4. Acceptance, RE: Binding Development Plan with RHR Construction &
Development LLC (24Z00042) (District 1)**

The Board authorized the Chair to execute Binding Development Plan with RHR Construction and Development LLC, for property located at the Part of Tract B, lying east of Official Records Book 3502, Page 4474 and east of the most easterly line of Parcel C in Official Records Book 3468, Page 493, Port St. John Unit Eight, according to the map or plat thereof, as recorded in Plat Book 23, Pages 70 through 83, inclusive, of the Public Records of Brevard County, Florida.

Result: APPROVED

Mover: Katie Delaney

Second: Tom Goodson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

**H.1. Casabella Development, LLC (Kim Rezanka) requests a zoning classification
change from BU-1-A to RU-2-6. (24Z00064) (Tax Account 3018651) (District 4)**

Chairman Feltner called for a public hearing to consider a request for a change in zoning classification from BU-1-A to RU-2-6.

Billy Prasad, Planning and Development Director stated, Casabella LLC represented by Kim Rezanka, request a zoning classification change from BU-1-A to RU-2-6, application number is 24Z00064 in District 4.

Kim Rezanka, representing the applicant, stated she is there to request a continuance until the July 17th meeting; they have been in engineering design and have a couple of issues they need to resolve; they have asked that she seek a continuance until July 17th.

Chairman Feltner stated this is in his district and he is fine with it; and he asked if there was a motion to continue to the July 17th meeting.

There being no further comments or objections, the Board continued a request by Casabella Development LLC, for a change in zoning classification from BU-1-A to RU-2-6 to the July 17, 2025, Zoning meeting.

Result: CONTINUED

Mover: Tom Goodson

Seconder: Katie Delaney

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.2. Wayne & Laura Bresette (Kim Rezanka) request a zoning classification change from BU-1 to BU-2. (25Z00005) (Tax Account 2410956) (District 1)

Chairman Feltner called for a public hearing to consider a request by Wayne and Laura Brisette for a change in zoning classification from BU-1 to BU-2 with a BDP, limiting usage to Mobile Home Sales and allowing for BU-1 uses.

Billy Prasad, Planning and Development Director stated, Wayne and Laura Bresette represented by Kim Rezanka, request a zoning classification change from BU-1 to BU-2 with a BDP, limiting usage to Mobile Home Sales and allowing for BU-1 uses, application number 25Z00005 in District 1.

Kim Rezanka, representing the applicant and the contract purchaser Home Nation Cocoa, LLC. stated the purpose of this rezoning is to allow a mobile home sales facility to go on this 2.5 acres of vacant property; what she has given to the Board is the aerial map of the land proposed to be rezoned to BU-2; if they look immediately to the east, south of Lewis Drive, that section there is the existing manufactured home, mobile home sales facility operated by the contract purchaser Home Nation Cocoa and they are leasing that property; their goal is to move it over to this other property; it is very low impact use; there is commercial nursery to the north and commercial to the south, a church with a very large buffer to the east and then an existing use that is the same; talking to the purchaser, they have two to three people come in to the site a day and these mobile homes they stay there or they may come and go periodically but they are not being sold from there, they are just display models; it is a very low intensity; and use if this were in BU-1 it would have to have a mobile home park attached to it that is why it is able to be in existence on the west side of US1; she went on to say according to the staff report this is a commercial corridor; this use does not indicate that it would impact any levels of service; there would be performance standards and site plan criteria for buffering storm water and all those type of issues that come up during site plan; the staff report says there is no material violations of any comprehensive plan policies by this request and this does not encroach upon existing residential area; there were concerns at planning and zoning regarding flooding but again that is because of an Florida Department of Transportation (FDOT) drainage easement; if the Board turns to the back side of that picture, they will see the plat of Brook Hill which is immediately to the south and east and they can see the drainage easement which is controlled by FDOT; this property subject to rezoning does not even attach to that as it hits at the corner but, again, once storm water is put on a vacant piece of property it should help any drainage; there was also issues raised about crime which was a little confusing because this will be a fenced facility; and with that the Home Nation Cocoa representative Nick Dtori is there if there are any questions, otherwise she would ask that the Board approve the rezoning from BU-1 to BU-2.

Chairman Feltner asked if there were any questions for the applicant.

Commissioner Goodson asked because the map is limited, if the trailer park or the trailers she is speaking of, across the street on the west side of US1, are they mobile homes or are travel trailers.

Kim Rezanka stated the homes along Lewis Drive she believes some of them are manufactured homes, if looking to where the existing site is that is just a manufactured homes sales, but to the south of that is a mobile home park; and she does not know if that answers his question.

Commissioner Goodson replied no, it does not.

Kim Rezanka, stated she does not know what he means by travel trailers.

Commissioner Goodson said travel trailers would be something that can be driven, pulled behind the truck as far as a mobile home; and he asked if the business that is moving from the west side to the east side are in the mobile home business or are they in the travel trailer business.

Kim Rezanka stated they are in the manufactured mobile homes business.

Commissioner Goodson asked how far south is that from Canaveral Groves Boulevard.

Kim Rezanka stated she does not know that answer.

Commissioner Goodson asked how far south is that from the elementary school.

Kim Rezanka stated from Fairglenn, probably about half a mile.

Commissioner Goodson stated okay, that is all.

Commissioner Delaney stated that when they had met they spoke about possibly a BDP for the usage for the BU-1 with the allowable to go to BU-2 but have a BDP for just mobile home sales but also allow for the BU-1 uses as well.

Kim Rezanka stated yes, and that is acceptable.

Chairman Feltner asked if there were any other questions for the applicant, if there is discussion on the item; and he stated to Commissioner Delaney that this is her district, and he asked what she would she like to do.

Commissioner Delaney stated she would like to move to approve with the BDP condition that she spoke about.

There being no further comments or objections, the Board approved the request for a change of zoning classification change from BU-1 to BU-2 with a BDP limiting usage to Mobile Home Sales and allowing for BU-1 uses. (25Z00005) as requested by Wayne and Laura Bresette.

Result: APPROVED

Mover: Katie Delaney

Second: Thad Altman

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.3. Troy Holdings LLC requests a change in zoning classification from BU-1-A to BU-2, with removal of the BDP and a new BDP applied. (25Z00001) (Tax Account 2501390 & 2521094) (District 2)

Chairman Feltner called for a public hearing on a request by Troy Holdings, LLC for a change in zoning classification from BU-1-A to BU-2, with removal of the BDP and a new BDP applied .

Billy Prasad, Planning and Development Director stated, Troy Holdings, LLC, request a zoning classification change from BU-1-A to BU-2 with removal of the BDP and a new BDP applied application number 25Z0000 in District 2.

Cole Oliver, for the applicant Troy Holdings, LLC, stated this is a repeat from a 2023 hearing before the Board where they had requested a BDP with the same use that is being requested tonight; that BDP was approved by the Board and it was subsequently not recorded because the then landowners at the time sold the property and the new property owner was not sure exactly what they were going to do with it; since then the new property owner wants to move forward with that previously approved BDP; because it timed out on when it could be recorded they are here again; it is a BU-T use but the zoning would restrict it to only BU-1-A uses and that one solitary use in the BU-2 category so there are no other concerns of other BU-2 uses coming in there; in addition, and some sensitivity to the neighbors to the south, the code requires a 6 foot wall and they have proposed an 8 foot wall and then the site plan that is currently in, and the engineers are here to talk about it if needed, are requested; it actually pulls back further away from the property line; the proposed buildings; and with that they are there to answer any question that the Board may have.

Chairman Feltner stated that they do have a few cards but before they go to them he asked if the Board had any questions for the applicant.

Mike McGraw stated this was his third time here in regards to the same property and a lack of development every time he has come; first was a car wash which never developed, then a storage building facility the last time in 2023, and nothing has happened; the residents that back up to this proposed storage area are very concerned that it is going to be what it says it is going to be and that they do not end up with an auto repair shop back there, or a body shop; he does not want a storage facility that becomes businesses that want to run businesses out of their storage units; this is a residence, this is not an industrial area; the only thing that would make it slightly industrial is the 7-Eleven at the corner of Cone and Courtney; and there is a daycare center that is directly next to the back of the first building; he continued by saying he does not have a lot of aggressive attitude toward this development, but he wants to make sure that there is some guardians put up there for the residents; the noise factor, as he said if they are going to agree on a BDP that says they are going to put a storage unit there and the storage units that are proposed seem to be almost identical except for a parking variation on the south boundary and he is good with that but the eight foot wall on the south boundary that Merritt Island Redevelopment Agency (MIRA) suggested is a good idea; he keeps hearing the word wall and he wants to make sure it is a wall and not one these 8-foot PVC fences that when there is a category two it does not end up in his backyard or on is roof or pool enclosure; those are his concerns and the concerns of the other three residents that back directly; up to this area, he wants to make sure there is some form of security back there; there have been homeless encampments set up on that property in the past; the prior owner of the property kept it maintained, kept it mowed every month or so and it was fairly decent; he wants to make sure until they do that, this new guy has planted corn grass which is like a four foot tall grass on the

property, so these are just concerns, he understands a man has a right to buy property, a woman has a right to buy property and establish a business there, but it should be like in kind to the neighborhood, and it should not be anything above and beyond that. He reiterated those are the items that he really wanted to discuss; they do not have people living on the premises, people are not running businesses on the premises, and that there be security cameras and those cameras could be monitored by the owner remotely; he is not asking for a security guard on the property but there is a canal that is directly behind there and it looks like they are going to have retention ponds built in between there; they had water issues in the past, but that might have been corrected by the County but he is not sure because they have not had a good rain yet; and the one thing he did have a question on what is the actual material for this is going to be. He asked is this going to be a barn structure with metal siding, in his business they call it R panel or whatever, or is it going to be an actual concrete block structure; is it going to be stucco; what is the appearance going to be because he is going to see it every morning; he stated he does not mind seeing that versus the 7-Eleven; and he reiterated he is not disagreeing with anything major, but that they keep the property looking at least decent and he does not think a metal structure is something, it is cheap.

Chairman Feltner stated he will see if the Board can get these concerns addressed but he thinks Commissioner Goodson had a question for him.

Commissioner Goodson asked, with all his concerns, which there were not two but seven he if he had spoken with the owners about his concerns.

Mr. McGraw stated that he had not spoken with the owner; he did extend himself out to the attorney who just spoke, Cole and they had a very fruitful conversation; and he cannot tell the owner what to do there. He commented he is asking what kind of structures are they going to be putting there; what kind of regulations, is it going to be that people cannot work on their cars, they cannot work on their boats; and they cannot work on their RV's because this is going to be campers; these are travel trailers, campers, RV's, whether AC class or whatever they want to call them, and boats so they are going to have some light maintenance; and he understands if they want to work on the awning on their RV or something but he does not want power tools running all Saturday and Sunday and into 12:00 or 1:00 am because that is when they have time available to restore their old cars.

Chairman Feltner stated they will see if those items can be addressed before this.

Mr. McGraw asked if Chairman Feltner had a 67 Chevy.

Chairman Feltner replied no but he had a 67 something at one time and that he does have old cars.

Commissioner Delaney stated he is a car guy.

Chairman Feltner stated that is all he does is go to car events; and he asked if there were any other questions.

Steve Dutczak stated that his late wife worked as a County librarian in several places including the legal one in Titusville all the way up to Melbourne; his daughters went to school in Brevard County for K-12 right at that elementary school near where this plot of land is; his oldest graduated at the University of Florida School of Medicine; she is a surgeon and lives in Denver his youngest graduated with a master's in electrical engineering from the University of Central Florida, followed in his footsteps, and now works at National Aeronautics and Space

Administration (NASA) just like he did; and he is just a simple country boy who has a PhD in high energy physics, but he does not understand any of this stuff that he has been reading. He noted came here basically to see what is going on and what is going to happen and whatever; Maggie bought the house when it was zoned as a residential; it was quiet; the only thing that has been mentioned that he would consider is on the northeast corner is a 7-Eleven and why they put a 7-Eleven there he does not know because right across the street is another convenience store with the gas pump; those two are only in that one corner; if one goes south on that street alongside Courtney there is a child school center and then a hair salon and that is the extent of the commercial; he was not that impressed when he read the articles written because the impression he got was there is all kinds of commercial development and this would fit right in; he is sure the Board has gone up and down Courtney, being a major street; and it is a perfect buffer because across the street from this place, the first row of facilities, there is a church, there is a doctor's office, and then there is this other convenience store. He stated all of the commercial garages and repair shops and all that stuff are past that, farther east; the street she lives on there are 24 houses in this U and the sign says no outlet; one goes in off Courtney; goes around, and comes out the other side on Courtney, there is no other way to go; looking at an aerial, all the houses there all the way to the west, all the way south, those are all houses, not any kind of commercial; and he has no problem with putting up things that would blend in or fit in with that, he mentioned he had sat through one of these zoning things when the car wash was attempted, when the storage unit was attempted, and the Commission made a point that it could not understand why, since within a very small distance there were four car washes already, and a half a dozen storage units already around there; there was an ulterior motive to and it came out the reason they wanted a car wash was that it would increase the level of what that facility would be zoned as; what puzzled him, is why when they did not do it, that it was not sent back to the original zone; and his final comment, at the last meeting his daughter asked the Commission if this RV and Boat storage facility is not built, will this revert back to the original zone.

Chairman Feltner stated the Board will see if it can get an answer for him.

Mr. Dutczak thanked the Board.

Chairman Feltner stated he thinks his daughter Maggie is next.

Maggie Dutczak stated she is one that went to Tropical Elementary School; she has the same concerns when she was listening to other things they were talking about going from BU-1 to BU-2 her concern with this whole thing is that it is going from a BU-1-A to a B-2; classification and even in the BDP it says, "or other BU-1 uses"; to her that is a huge step; she knows what they are doing and she loves the extra step back; they have been listening and she loves the improvements from even when they submitted two years ago; it is better for seeing it every day, or listening, or whatever, but that is her concern; she is an engineer and she does not deal in grays, so if this get passed, they do this and it is great, and then they cannot do it for one reason, or another, or the egress or something, there is not an issue, they tried but want to see what other BU-1, without coming back to the Board or zoning to get it approved; and that is her big concern. She noted she does know that they have done some changes, and if they stick to them all, she does approve of what they are trying to do.

Chairman Feltner asked Commissioner Goodson if he wanted to ask something.

Commissioner Goodson asked Mr. Prasad if he understands correctly, that the developer did not register their BDP in time and they are asking to do it now; and if that is correct they are not changing anything with it.

Mr. Prasad, Planning and Development director answered that is correct, it is the same request the board previously approved it, was reverted because it was not recorded.

Commissioner Goodson asked now as far as what the owner might do with the land right now it seems like the owner wants to store boats and trailers and motor homes is that correct.

Mr. Prasad answered that is correct and as he understands it, the owner he is willing to enter into a BDP to limit the BU-2 uses to that one use.

Commissioner Goodson stated any owner would not like it if they were draining oil on his land and changing motors on his land because of the influx of contaminating the soil.

Billy Prasad answered that seems to make sense to him.

Commissioner Goodson stated right now they are doing nothing but registering the first original BDP that was voted on.

Mr. Prasad stated it is effectively a repeat.

Commissioner Goodson asked Ms. Dutczat if she agreed.

Maggie Dutczat responded she agrees it is a repeat but it is her same condition that if they are not building what they say they are building it is not going back to what it was because that is a BU-1-A; and that has been her heartburn from the beginning about it.

Commissioner Goodson asked if Mr. Prasad could comment on that.

Mr. Prasad stated if the BDP is recorded this time it would not revert if they did not build something it could remain vacant; however, they would be limited to the terms of the new BDP which is all BU-1 uses but the one BU-2 use of the outdoor storage.

Ms. Dutczat stated which is an increase from the current BU-1-A.

Commissioner Goodson asked would it be fair to say a storage facility, whether they are storing clothes or storing boats, is a storage facility.

Ms. Dutczat stated yes, she agrees with the storage but she also knows there is a big difference between what BU-1-A allows and what BU-1 allows; she knows that they have done concession; if they build this it will change the view but she is appreciative of what they are to do with that; and her concern, because she is negative, is something happens and now without having to go back through this whole process, they can build whatever BU-1 they want on, it without the setbacks.

Commissioner Goodson asked Mr. Prasad if it would be true that during the site plan review a lot of this stuff could get fought off, answered, complained about, or changed.

Mr. Prasad stated absolutely.

Ms. Dutczat asked if they would be invited to that.

Commission Goodson inquired if they would be invited.

Mr. Prasad stated no, generally site planning is an administrative process.

Commissioner Goodson stated but if they had concerns would they be notified that it is in for review.

Mr. Prasad stated generally, no.

Commission Goodson asked if she had asked the owners to keep her informed on that.

Ms. Dutczat replied no she has not.

Commissioner Goodson asked Mr. Oliver if he would keep her informed on that?

Mr. Oliver stated yes sir, the owner would agree to that.

Commissioner Goodson asked if that would be okay and he noted that it would be a start.

Ms. Dutczat stated she agrees that it was better than what they have had in the past.

Chairman Feltner stated Mr. Oliver still has some rebuttal time.

Commissioner Delaney asked if there was a possibility of keeping the BU-1-A with the BDP of the BU-2 uses for this.

Mr. Prasad stated he does not know, as far as he knows the Board has never done that because the BU-2 it is, kind of, two classifications up, now putting in a use from, but he does not know of anything stopping the Board from doing that.

Chairman Feltner stated that sounds a little problematic.

Tad Calkins, Assistant County Manager, stated that the application is for the BU-1 with the BU-2 use of RV and boat storage with the BDP doing the limitations; if the Board was going to keep it at BU-1-A then that would be something different than what has been advertised; therefore that would be something that it would have to take into consideration as it would be a lesser request than what has been advertised.

Commissioner Goodson asked would it have to go back to planning and zoning.

Mr. Calkins stated they do not have a recommendation from them with the BU-1-A.

Commissioner Goodson stated that is what he thought.

Mr. Calkins indicated that he believes planning and zoning was good with the request.

Commissioner Goodson stated they were.

Chairman Feltner stated they still have some rebuttal time left for the applicant if he wanted to address a few things.

Mr. Oliver reiterated addressing the neighbors concern to the South and they did work with the owner to try to back the buildings off more and increase the height of the wall; in addition to the

eight foot wall, the code requires a 20 foot landscape buffer after the wall, which of course they meet all the County Code requirements; he is not positive, but he believes that the Code restricts the businesses from operating out of there, if not that is something they could add to the BDP to address that concern where there would be no operating businesses out of there; he hopes that would take away some of that concern; he has met with the neighbors and talked with them on the phone several times and tried to work through this the best they can with them; and they believe the BU-1-A is the same as the neighbor to the north so he understands their concerns and they are trying to meet in the middle. He added they were hoping with the increased wall height, the landscaping buffers, and the offer of not conducting or operating business out of there, that could get them the approval tonight; and with that he would take any questions the Board may have.

Commissioner Goodson stated motion for approval.

Chairman Feltner asked with the BDP.

Commissioner Goodson stated yes and for him to continue to work with the residents and make them happy as best he can.

Mr. Oliver stated he does not know if they can always make them happy but they will try their best.

Commissioner Delaney asked if she could make a friendly amendment to include no businesses operating out of the bays.

Commissioner Goodson stated he honestly does not see it; it all sounds so good and so perfect, but if people know anything about a storage facility, he asked if it is going to be able to be enforced totally, because what if a guy brings his lawnmowers there, puts them in storage, picks them up the next morning at 10:00 a.m. and leaves to cut grass, is he operating a business out of there.

Chairman Feltner stated to clarify obviously there are a lot of these metal buildings where basically, individual garage bays are operated and he would suppose that owner is not looking to do that, otherwise, they would be going a different route; he thinks that is the concern of the neighbor; and he asked is there some way that they can say that, that is not going to happen.

Mr. Oliver stated the way he has seen it done in the past is that the business tax licenses are not attached to the premises and that is something that they are fine with; now, if someone is coming and going throughout the day with stuff, he would not consider that operating their business out of there; and to the example of landscaping, their business is in the people's yard, they may have their equipment stored there and they are leaving, but that is not where they are conducting their business in his opinion.

Chairman Feltner stated they are not operating a lift in there and impact wrenches and all that kind of stuff; and asked Commissioner Delaney if that is what she was looking for.

Commissioner Delaney responded affirmatively.

Chairman Feltner asked Commissioner Goodson if that....

Commissioner Goodson stated no.

There being no further comments or objections, the Board approved the request for a change of zoning classification change from BU-1-A to BU-2 with removal of the BDP and a new BDP applied.

Result: APPROVED

Mover: Tom Goodson

Seconders: Kim Adkinson

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.4. Ryan and Sarah Lawhon request a Small-Scale Comprehensive Plan Amendment (25S.01), to change the Future Land Use Map (FLUM) designation from RES 1:2.5 to RES 1. (25SS00001) (Tax Account 2314528 & 2322697) (District 1)

Chairman Feltner called for a public hearing to consider a Small Scale Plan Amendment (25S.01), to change the Future Land Use Map (FLUM) designation from Res 1:2.5, to Res 1 as petitioned by Ryan and Sarah Lawhorn.

Billy Prasad, Planning and Development Director, stated Items H.4 and H.5 are companion applications, which will be read into the record together, but they will need separate approval; Ryan and Sarah Lawhorn request a Small Scale Comprehensive Amendment (25S.01) to change the FLUM designation from RES 1:2.5 to RES 1 under application 25SS00001, located in District 1; and H.5. is also Ryan and Sarah Lawhorn request a zoning classification change from GU and SR with a BDP to RR-1 with the removal of the BDP application 25Z00002, located in District 1

Ryan Lawhorn stated that his wife is currently pregnant with twin boys and that they have been saving for years with a dream of buying property in Brevard County; he was born and raised in Brevard and they are ready to build their first home; they are excited to be in the process of making that dream happen and today they are asking for a zoning change so they can move forward with building their home; back in January they attended a homeowners association meeting with the Veronica Estates Subdivision to explain why this zoning change is necessary for their lot; everyone was incredibly kind and supportive; they were especially excited that the neighborhood sidewalk would now be 100% complete during the building of the house; and in front of the Board is the letters from the President, Vice President, and Secretary of Homeowner's Association (HOA) supporting the zoning change.

There being no further comments or objections, the Board adopted Ordinance No. 25 05, setting forth the seventh small scale Plan Amendment of 2025 (25S.01) to the Future Land Use Map of the Comprehensive Plan; amending Section 62 501 entitled Contents of the Plan; specifically amending Section 62 501, Part XVI(E), the Future Land Use Map Appendix; and provisions which require amendment to maintain internal consistency with these amendments; providing legal status; providing a severability clause; and providing an effective date.

Result: ADOPTED

Mover: Katie Delaney

Seconders: Thad Altman

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.5. Ryan and Sarah Lawhon request a zoning classification change from GU and SR with a BDP to RR-1 with removal of the BDP. (25Z00002) (Tax Account 2314528 & 2322697) (District 1)

Chairman Feltner called for a public hearing on a request by Ryan and Sarah Lawhorn for a zoning classification change from GU and SR with a BDP to RR-1 with removal of the BDP.

There being no further comments or objections, the Board approved the request for a change of zoning classification change from GU and SR with a BDP to RR-1 with the removal of the BDP.

Result: APPROVED

Mover: Katie Delaney

Second: Thad Altman

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

H.6. Bhawani 2023 LLC. requests a CUP (Conditional Use Permit) for Alcoholic Beverages for On-Premises Consumption (4COP) in conjunction with a 3,719 sq. ft. bar with a restaurant and outdoor patio. (25Z00004) (Tax Account 2410497) (District 2)

Chairman Feltner called for a public hearing on a request by Bhawani 2023 LLC for a conditional use permit (CUP) for alcoholic beverages for on- premises consumption (4COP) in conjunction with a 3,719 square foot bar with a restaurant and outdoor patio zoning classification.

Billy Prasad, Planning and Development Director stated, Bhawani 2023, LLC, request a CUP for alcoholic beverages 4COP in conjunction with a 3,719 square foot bar with a restaurant and outdoor patio.

Commissioner Feltner stated they have the Kings Duck Inn.

Commissioner Goodson stated yes.

Commissioner Feltner stated returning to Merritt Island and it is exciting.

Commissioner Goodson stated yes it is and do not screw this up because they are going to approve this.

There being no further comments or objections, the Board approved the request for a Conditional Use Permit (CUP) for alcoholic beverages for On-Premises Consumption (COP) in conjunction with a 3,719 square foot bar with a restaurant and outdoor patio.

Result: APPROVED

Mover: Tom Goodson

Second: Rob Feltner

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

J.1. Waiver Request, Re: Waiver of Wall Requirement for C & C Crane Works Site Plan (24SP00013 and 25WV00003) District 1

Billy Prasad, Planning and Development Director stated, Bhawani 2023, LLC, waiver request for a wall; they are requesting a waiver of requirements in section 62-3202(h)(10) which requires a six-foot masonry wall and certain zoning classifications that are adjacent to residential zoning to allow for fencing and vegetation along the southern and western property lines.

There being no further comments or objections, the Board approved a waiver of Section 62-3202(h)(10), which requires a six-foot masonry wall or solid wall when commercial developments within a BU-1, BU-2, or Industrial zoning classification are adjacent to residential zoning, allowing for fencing and vegetation along the southern and western property lines, and is subject to the criteria depicted in the site plan, 24SP00013, and in addition, any future development, redevelopment, or alteration of the subject property that modifies the aforementioned site plan or reduces the vegetative buffer will void the wall waiver.

Result: APPROVED

Mover: Katie Delaney

Second: Thad Altman

Ayes: Delaney, Goodson, Adkinson, Feltner, and Altman

L. BOARD REPORTS

L.3. Katie Delaney, Commissioner District 1

Commissioner Delaney stated she does have a short something; today was a big day for her office, they had a moving day and they are now out of Tom Statham Park and they have moved into the six-story building on the fourth floor; she wanted to say a huge thank you to Skip from facilities and his team, they were incredible; Kevin from I.T. and his team they were also incredible and she just wanted to thank them so much for helping her make this campaign promise a reality; she thanked the parks department for joining with her to let Tom Statham Park go back to the public so that it will be open for public use again; and she noted more will come with that when it is ready to go and hopefully everybody will line up to start renting and using it again.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>

In accordance with BCC-97 Section G.1 the agenda shall provide a section for public comment limited to fifteen (15) minutes following approval of the consent agenda during each Regular County Commission Meeting. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. During this fifteen-minute segment of public comment, speakers will be heard in the order in which they turned in a pink card asking to be heard. Any speaker not heard during the first fifteen-minute section will be heard during a second public comment section held at the conclusion of business specified on the regular Commission agenda. Individuals may not speak under both the first and second public comment sections. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda or request a staff report

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

Upon Consensus of the Board, the Meeting adjourned at 5:51 p.m.

ATTEST:

RACHEL M. SADOFF, CLERK

ROB FELTNER, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by the Board on