



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.6.

5/26/2022

Subject:

PR Corporate Holdings, LLC; and AkBlue Holdings, LLC (Kim Fischer) requests a change of zoning classification from AU to RU-1-11. (22Z00013) (Tax Account 2105549) (District 1)

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-1-11 (Single-Family Residential).

Summary Explanation and Background:

The applicants are seeking a change of zoning classification from AU (Agricultural Residential) to RU-1-11 (Single-Family Residential) in order to develop their property into 16-lots. The applicants propose a new residential subdivision. Existing adjacent residential development (non-AU zoned properties) ranges from 0.18 - 0.48-acre lot sizes.

The character of the area is predominantly residential to the north, south and west of this lot with a range of lot sizes from 0.18-acres to over 0.48-acre lot sizes. This parcel abuts an institutional tract to the east developed as an Assisted Living Facility (ALF), which is now vacant. Residential development borders two sides (west and north) of this site. To the south are two AU zoned properties, approximately 5 acres in size.

RU-1-11 classification permits single family residences on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet, and a minimum house size is 1,100 square feet.

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

On May 9, 2022, the Planning & Zoning Board heard the request and voted 9:1 for denial.

Clerk to the Board Instructions:

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

Resolution 22Z00013

On motion by Commissioner Pritchett, seconded by Commissioner Smith, the following resolution was adopted by a unanimous vote: (Commissioner Tobia absent)

WHEREAS, PR Corporate Holdings, LLC; and AkBlue Holdings, LLC, have requested a change of zoning classification from AU (Agricultural Residential) to RU-1-11 (Single-Family Residential), on property described as Tax Parcel 253, as recorded in ORB 9419, Pages 1819 - 1820, of the Public Records of Brevard County, Florida. **Section 29, Township 21, Range 35.** (4.36 acres) Located on the north side of Diamond Rd., approx. 0.25 miles west of Old Dixie Hwy., Titusville. (3080 Diamond Rd., Titusville); and

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

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

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from AU to RU-1-11, be approved. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of May 26, 2022.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

Kristine Zonka, Chair
Brevard County Commission
As approved by the Board on May 26, 2022.

ATTEST:


RACHEL SADOFF, CLERK

(SEAL)

P&Z Board Hearing – May 9, 2022

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

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

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

Administrative Policy 1

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

Administrative Policy 2

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

Criteria:

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

Administrative Policy 3

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

Criteria:

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

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

Administrative Policy 4

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

Criteria:

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

Administrative Policy 5

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

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

Criteria:

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

Administrative Policy 6

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

Administrative Policy 7

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

Administrative Policy 8

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

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

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

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

CONDITIONAL USE PERMITS (CUPs)

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

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

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

(c) General Standards of Review.

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

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

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

FACTORS TO CONSIDER FOR A REZONING REQUEST

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

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

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

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

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

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

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

DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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

STAFF COMMENTS

22Z00013

PR Corporate Holdings, LLC and AKBlue Holdings, LLC.

AU (Agricultural Residential) to RU-1-11 (Single-Family Residential)

Tax Account Number: 2105549
Parcel I.D.s: 21-35-29-00-253
Location: 3080 Diamond Road Titusville, FL (District 1)
Acreage: 4.36 acres

Planning & Zoning Board: 5/09/2022
Board of County Commissioners: 5/26/2022

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	AU	RU-1-11
Potential*	1 SF lot	17 SF lots
Can be Considered under the Future Land Use Map	YES RES 4	YES RES 4

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

Background and Purpose of Request

The applicants are seeking a change of zoning classification from AU (Agricultural Residential) to RU-1-11 (Single-Family Residential) in order to develop their property into 16-lots.

The original zoning on the property was AU. Zoning Resolution **DNZ-5639** adopted on May 7, 1981, denied a request for a temporary security trailer use on the property.

Land Use

The subject property is currently designated Residential 4 (RES 4). Both the AU and RU-1-11 zoning classifications are consistent with the Residential 4 FLU designation.

Applicable Land Use Policies

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

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

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

Criteria:

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

The applicants propose a new residential subdivision. The required lot sizes will be consistent with up to 4-units per acre. Existing adjacent residential development (non-AU zoned properties) ranges from 0.18 – 0.48-acre lot sizes. Residential uses will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.

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

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

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

1. historical land use patterns;

The property is developed with a 1,528 square foot single-family residence originally built in 1951. There are two (2) Brevard County FLU designations (RES 4 and RES 15) within 500-feet of this site. City of Titusville Low Density Residential Land Use Designation allows density to 5-units per acre.

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

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

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

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

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

Per Policy 1.2 (C) of the Future Land Use Element, the RES 4 land use designation will require that centralized potable water and wastewater treatment shall be available concurrent with the impact of development.

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

The character of the area is predominantly residential to the north, south and west of this lot with a range of lot sizes from 0.18-acres to over 0.48-acre lot sizes. This parcel abuts an institutional tract to the east developed as an Assisted Living Facility (ALF). Residential development borders two sides (west and north) of this site.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	SF residences	RU-1-11 RI-B (Single-Family Medium Density, City of Titusville)	RES 4 (Low density Residential, City of Titusville)
South	SF residence	AU	RES 15
East	Assisted Living Facility	IN(L)	RES 4
West	SF residences	RU-1-11 RI-B (Single-Family Medium Density, City of Titusville)	RES 4 (Low density Residential, City of Titusville)

The AU zoning 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 and plants nurseries. Conditional uses in AU include hog farms, zoological parks, and land alteration.

RU-1-11 classification permits single family residences on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture.

There has been no zoning actions within a half-mile radius of the subject property within the last three years.

Preliminary Concurrency

The closest concurrency management segment to the subject property is US Highway 1, between Dairy Road to SR 46, which has a Maximum Acceptable Volume (MAV) of 41,790 trips per day, a Level of Service (LOS) of D, and currently operates at 37.09% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.36%. The corridor is anticipated to operate at 37.45% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

The applicants provided a school impact analysis letter dated March 2, 2022, that indicates there is sufficient capacity for 16 single-family homes. The schools utilized are Oak Park Elementary, Madison Middle School and Astronaut High School.

The site appears to be on well and septic. The applicant has advised that they are obtaining connection approval from the City of Titusville for potable water and that septic systems are proposed for onsite waste needs. The Brevard County potable water line is 3,400 feet to the north along Parrish Road. County sewer is located to the NW of the site at a distance of 4,600 feet, also along Parrish Road. The City of Titusville's water line is located along Avon Lane, 230-feet north of the project site.

Environmental Constraints

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

The subject parcel contains a small area of mapped Tomoka Muck, a hydric soil and indicator that wetlands may be present on the property. Except as allowable in Sec. 62-3694(c)(1)a, subdivided lots and multi-family parcels shall contain sufficient uplands for the intended use and for any buffering necessary to maintain the function of the wetland(s), and shall be compatible with adjacent uses. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

For Board Consideration

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

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary**

Item #22Z00013

Applicant: Fischer for Fehr

Zoning Request: AU to RU-1-11

Note: Applicant wants to build 16 single-family residences on 4.36 acres.

P&Z Hearing Date: 05/09/22; **BCC Hearing Date:** 05/26/22

Tax ID No: 2105549

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

Summary of Mapped Resources and Noteworthy Land Use Issues:

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

The subject parcel contains a small area of mapped Tomoka Muck, a hydric soil and indicator that wetlands may be present on the property. Except as allowable in Sec. 62-3694(c)(1)a, subdivided lots and multi-family parcels shall contain sufficient uplands for the intended use and for any buffering necessary to maintain the function of the wetland(s), and shall be compatible with adjacent uses. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Land Use Comments:

Hydric Soils

The subject parcel contains a small area of mapped Tomoka Muck as shown on the USDA Soil Conservation Service Soils Survey map; an indicator that hydric soils and wetlands may be present on the property. Except as allowable in Sec. 62-3694(c)(1)a, subdivided lots and multi-family parcels shall contain sufficient uplands for the intended use and for any buffering necessary to maintain the function of the wetland(s), and shall be compatible with adjacent uses. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Aquifer Recharge Soils

The subject parcel contains mapped aquifer recharge soils (Tavares fine sand) as shown on the USDA Soil Conservation Service Soils Survey map. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Protected Species

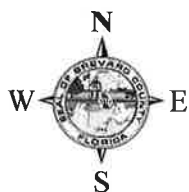
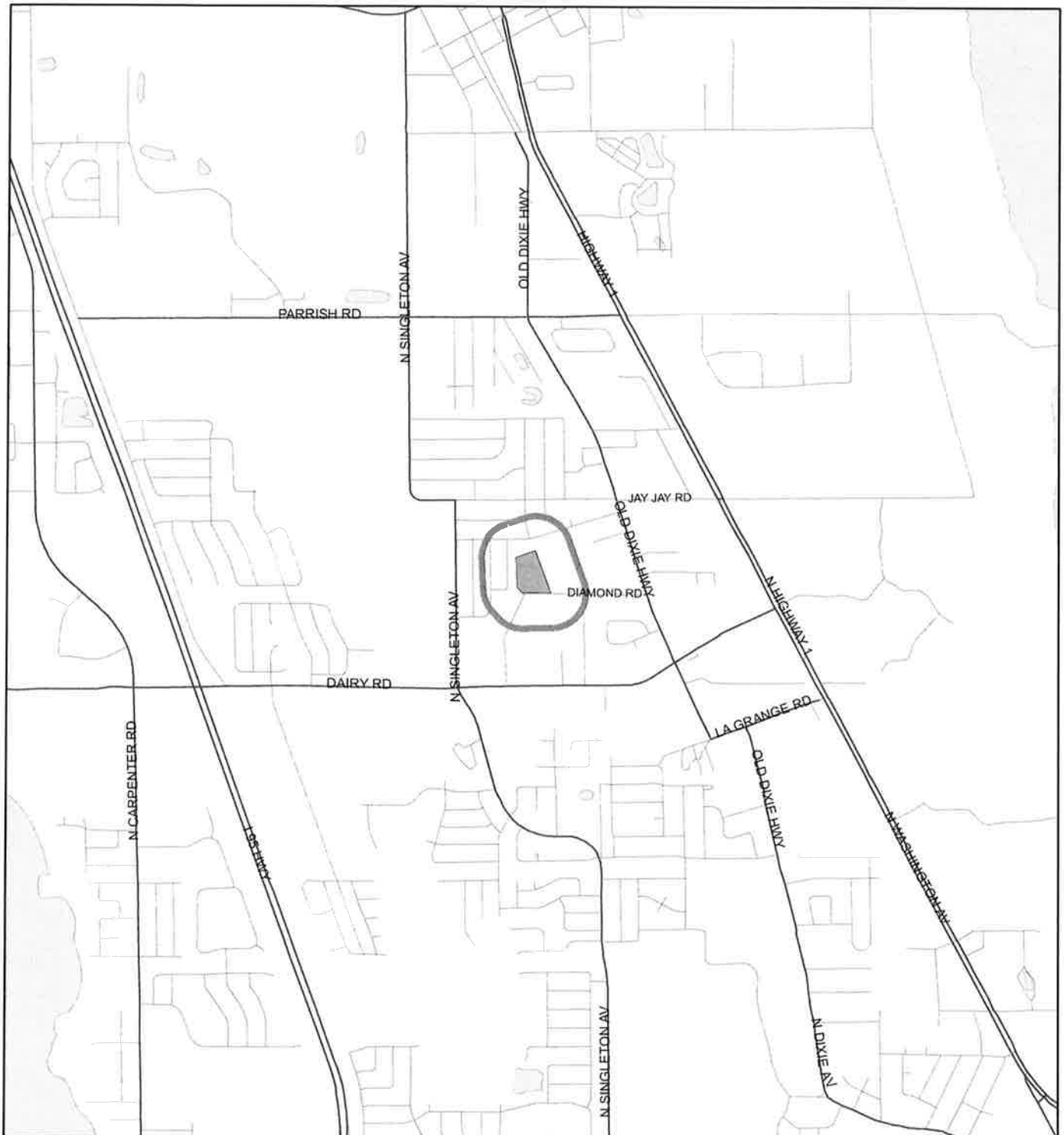
Information available to NRM indicates that federally and/or state protected species may be present on the property. Specifically, gopher tortoises can be found in areas of aquifer recharge soils. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

Protected and Specimen Trees

Protected and Specimen Trees may exist on the parcel. A tree survey will be required at time of site plan submittal; however, the applicant is encouraged to perform a tree survey prior to site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

LOCATION MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC
22Z00013



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

Buffer Distance: 500 feet

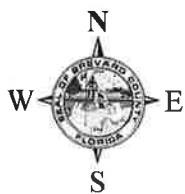
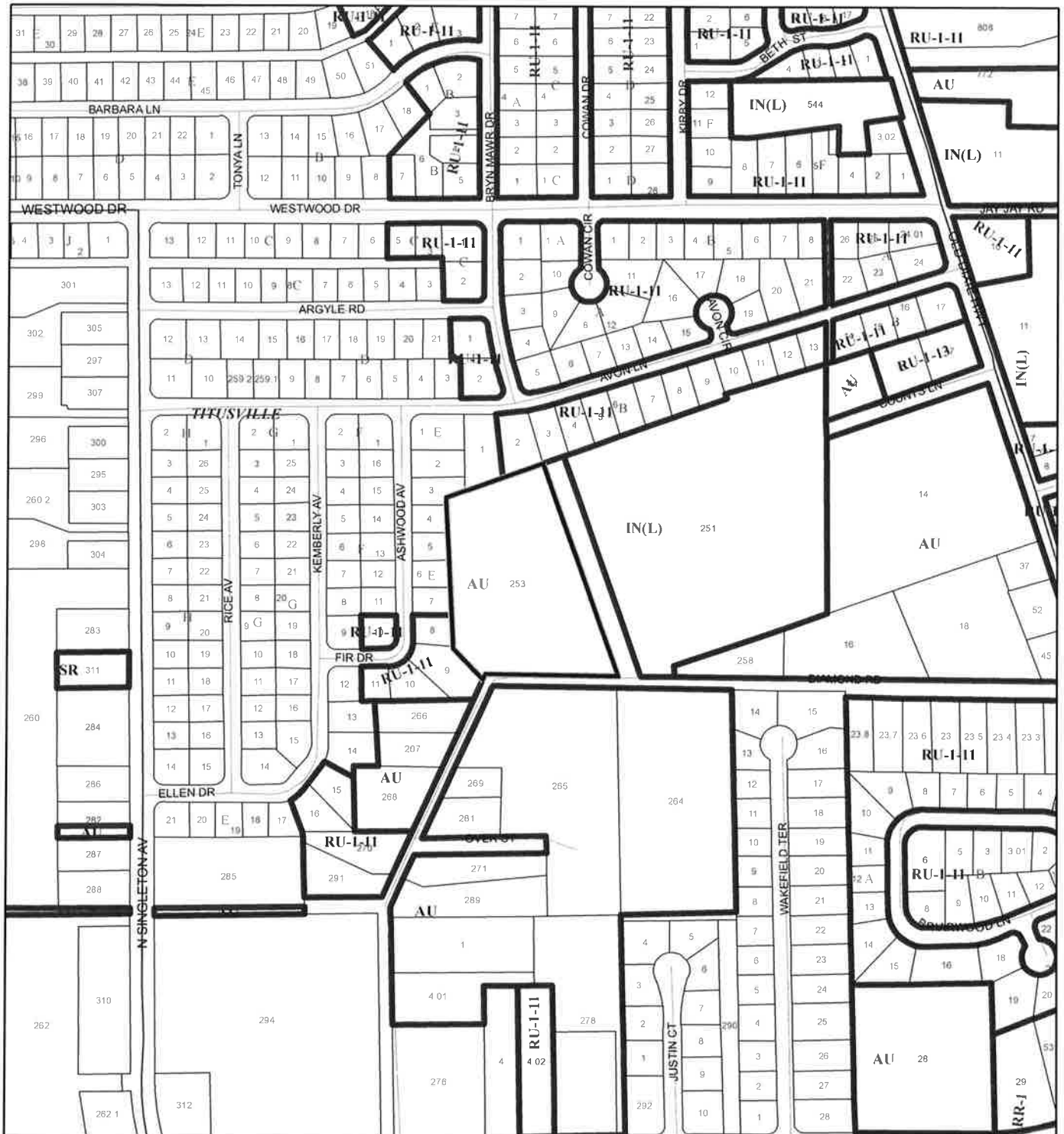
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 3/11/2022

— Buffer
■ Subject Property

ZONING MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC
22Z00013



1:4,800 or 1 inch = 400 feet

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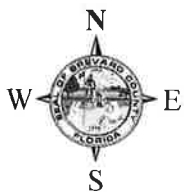
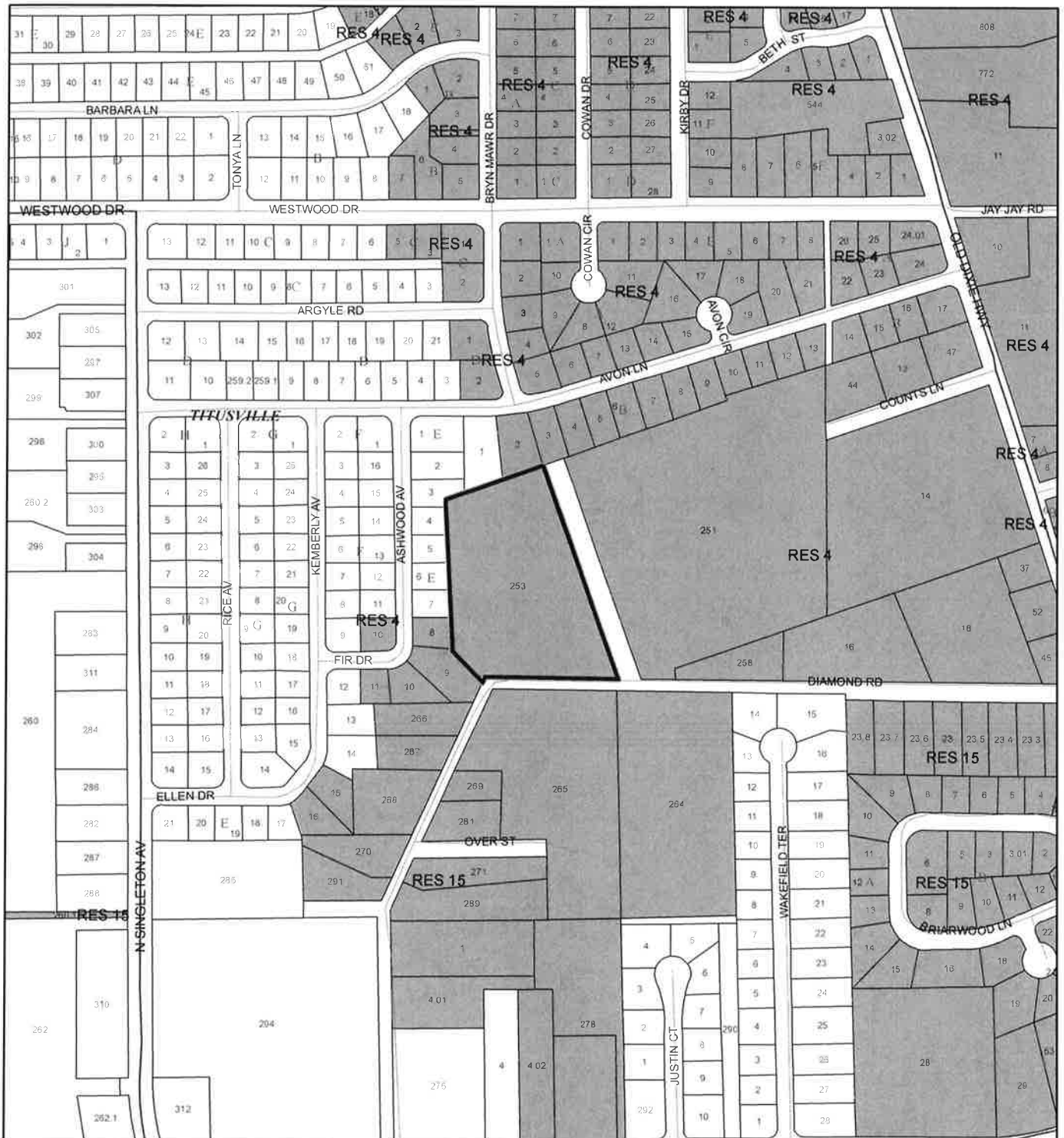
Produced by BoCC - GIS Date: 3/11/2022

- Subject Property
- Parcels
- Zoning

FUTURE LAND USE MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC

22Z00013



1:4,800 or 1 inch = 400 feet

— Subject Property
 □ Parcels

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AERIAL MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC
22Z00013



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2021

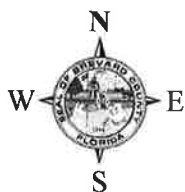
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

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— Subject Property
□ Parcels

NWI WETLANDS MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC
22Z00013



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/11/2022

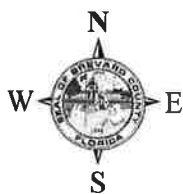
National Wetlands Inventory (NWI)

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

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC

22Z00013



1:4,800 or 1 inch = 400 feet

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SJRWMD FLUCCS WETLANDS

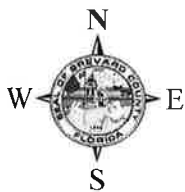
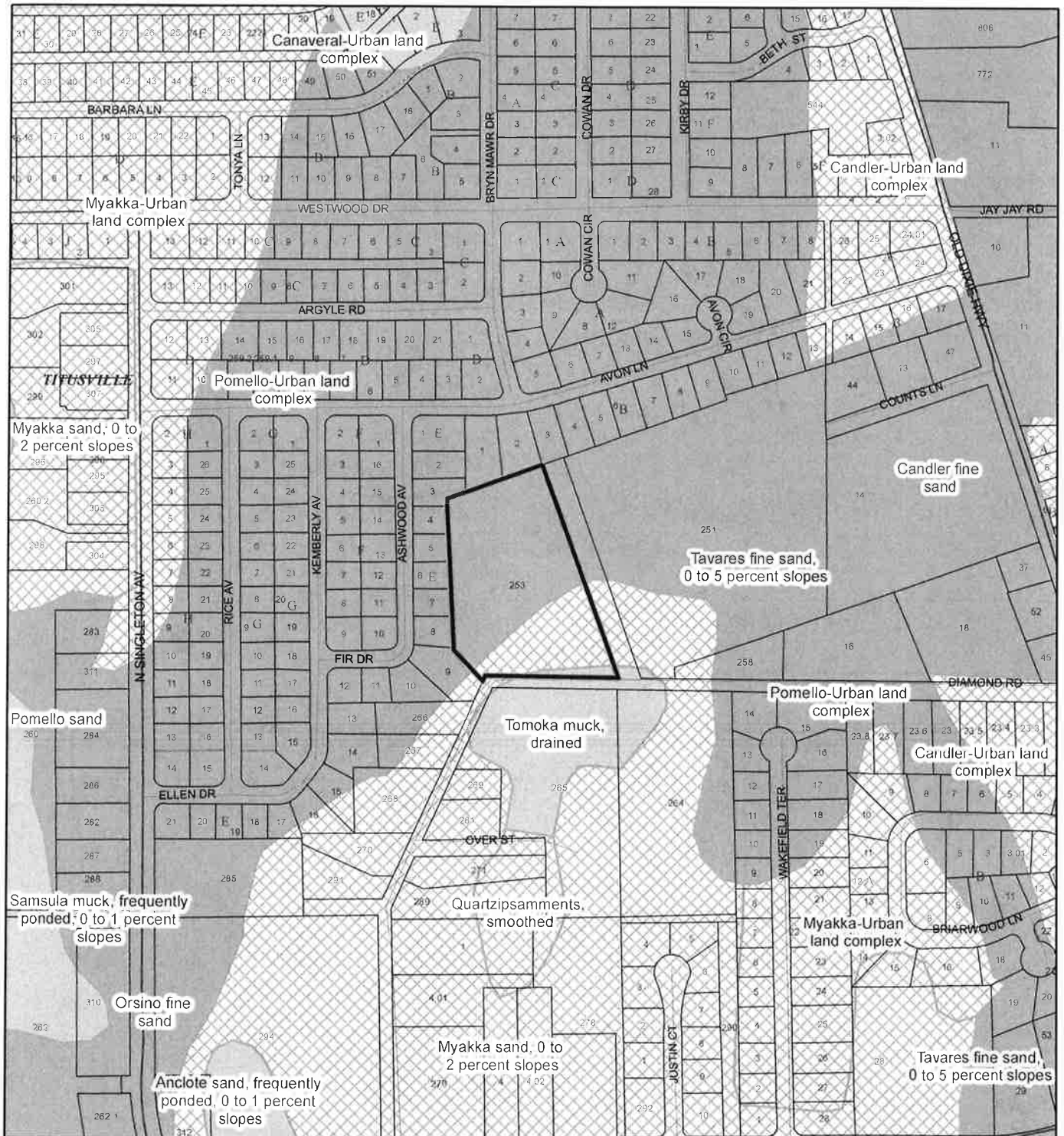
- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

Subject Property

Parcels

USDA SCSSS SOILS MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC
22Z00013



1:4,800 or 1 inch = 400 feet

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USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC

22Z00013



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/11/2022

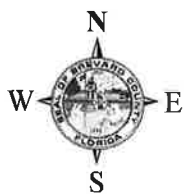
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

COASTAL HIGH HAZARD AREA MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC

22Z00013



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/11/2022

— Subject Property

□ Parcels

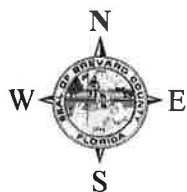
Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC

22Z00013



1:4,800 or 1 inch = 400 feet

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 Subject Property

 Parcels

Septic Overlay

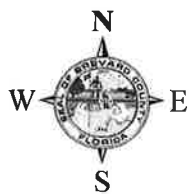
 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC
22Z00013



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/11/2022

 Subject Property

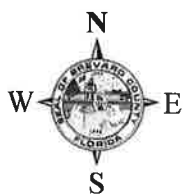
 Parcels

 Eagle Nests
FWS 2010

SCRUB JAY OCCUPANCY MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC

22Z00013



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/11/2022

 Subject Property

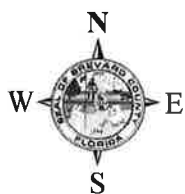
 Parcels

 Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

PR CORPORATE HOLDINGS, LLC; AKBLUE HOLDINGS, LLC

22Z00013



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 3/11/2022

SJRWMD FLUCCS Upland Forests

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

Subject Property Parcels

School Board of Brevard County

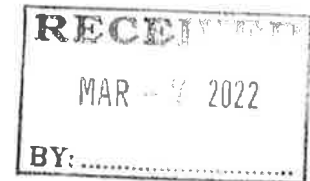
2700 Judge Fran Jamieson Way • Viera, FL 32940-6699
Mark W. Mullins, Ed.D., Superintendent

School Concurrency
22Z00013
PR Corporate and
AkBlue



March 2, 2022

Mr. George Ritchie, Planner III
Planning & Development Department
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, Florida 32940



**RE: Proposed Diamond Oaks Development
School Impact Analysis – Capacity Determination CD-2022-09**

Dear George Ritchie,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is a portion of Tax Account 2105549 (Parcel ID: 21-35-29-00-253) containing approximately 4.36 acres in District 1, Brevard County, Florida. The proposed single-family development includes 16 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 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 2022-23 to 2026-27 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2021-2022 to 2026-27* which is attached for reference.

Single-Family Homes 16			
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	4.48	4
Middle	0.08	1.28	1
High	0.16	2.56	3
Total	0.52		8

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 2022-23 to
2026-27**

School	2022-23	2023-24	2024-25	2025-26	2026-27
Oak Park	968	968	968	968	968
Madison	781	781	781	781	781
Astronaut	1,451	1,451	1,451	1,451	1,451

Projected Student Membership

School	2022-23	2023-24	2024-25	2025-26	2026-27
Oak Park	563	554	510	508	523
Madison	480	471	480	457	446
Astronaut	1,076	1,094	1,086	1,078	1,086

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2022-23	2023-24	2024-25	2025-26	2026-27
Oak Park	-	-	-	-	-
Madison	-	-	-	-	-
Astronaut	-	-	-	-	-

**Cumulative Students Generated by
Proposed Development**

School	2022-23	2023-24	2024-25	2025-26	2026-27
Oak Park	2	4	4	4	4
Madison	1	1	1	1	1
Astronaut	1	3	3	3	3

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

School	2022-23	2023-24	2024-25	2025-26	2026-27
Oak Park	565	558	514	512	527
Madison	481	472	481	458	447
Astronaut	1,077	1,097	1,089	1,081	1,089

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

School	2022-23	2023-24	2024-25	2025-26	2026-27
Oak Park	403	410	454	456	441
Madison	300	309	300	323	334
Astronaut	374	354	362	370	362



At this time, Oak Park Elementary School, Madison Middle School and Astronaut High School are projected to have enough capacity for the total of projected and potential students from the Diamond Oaks 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

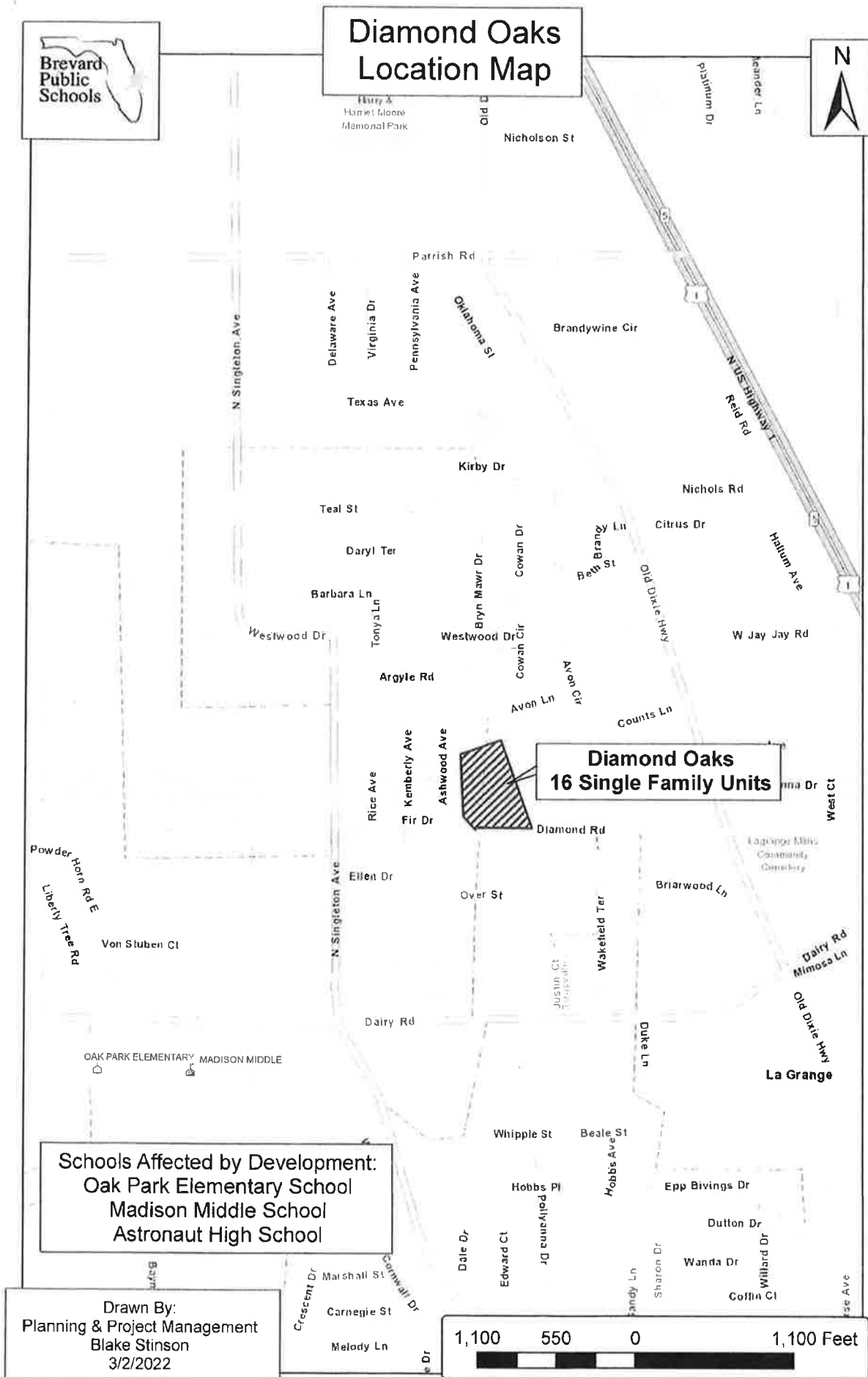
Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years 2021-2022 to 2026-27*

Copy: Susan Hann, AICP, Assistant Superintendent of Facility Services
File CD-2022-09

David G. Lindemann, AICP, Director of Planning & Project Management,
Facilities Services
File CD-2022-09



Diamond Oaks Location Map



Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service Data and Analysis for School Years 2021-22 to 2026-27



Summary		2021-22		2022-23		2023-24		2024-25		2025-26		2026-27			
Highest Utilization Elementary Schools:		88%	89%	89%	90%	90%	91%	91%	92%	92%	93%	93%			
Highest Utilization Middle Schools:		85%	86%	87%	88%	89%	90%	91%	92%	93%	94%	95%			
Highest Utilization Jr / Sr High Schools:		84%	85%	86%	87%	88%	89%	90%	91%	92%	93%	94%			
Highest Utilization High Schools:		101%	102%	103%	104%	105%	106%	107%	108%	109%	110%	111%			
School	Type	Grades	Utilization Factor	School Year 2021-22		School Year 2022-23		School Year 2023-24		School Year 2024-25		School Year 2025-26		School Year 2026-27	
				FISH Capacity	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
Elementary School Concurrence Service Areas															
Allen	Elementary	PK-6	100%	751	630	84%	751	694	93%	751	738	773	752	773	738
Anderson	Elementary	K-6	100%	884	592	67%	884	597	68%	884	589	884	565	884	554
Apollo	Elementary	K-6	100%	902	782	87%	902	781	84%	902	729	902	739	902	719
Atlanta	Elementary	PK-6	100%	739	629	85%	739	616	83%	739	600	739	552	739	576
Audubon	Elementary	PK-6	100%	761	464	61%	761	458	60%	761	438	761	427	761	440
Cambidge	Elementary	PK-6	100%	765	506	66%	765	513	67%	765	510	765	485	765	480
Cape View	Elementary	PK-6	100%	570	278	49%	570	287	50%	570	281	570	288	570	284
Carroll	Elementary	K-6	100%	751	619	82%	751	605	81%	751	613	751	600	751	593
Challenger 7	Elementary	PK-6	100%	573	506	88%	573	476	83%	573	458	573	457	573	414
Columbia	Elementary	PK-6	100%	751	484	64%	751	446	59%	751	448	751	437	751	414
Coquina	Elementary	K-6	100%	711	534	75%	711	557	78%	711	572	711	596	711	602
Crest	Elementary	PK-6	100%	1,114	717	64%	1,114	812	73%	1,114	847	1,114	877	1,114	922
Croton	Elementary	PK-6	100%	785	487	61%	785	530	67%	785	559	785	566	785	664
Discovery	Elementary	PK-6	100%	980	615	63%	980	639	65%	980	633	980	627	980	611
Endicott	Elementary	PK-6	100%	968	687	72%	968	668	69%	968	641	968	627	968	640
Enterprise	Elementary	K-6	100%	729	605	83%	729	587	81%	729	551	729	529	729	513
Fairplay	Elementary	PK-6	100%	789	581	74%	789	597	76%	789	620	789	626	789	639
Fairplay	Elementary	K-6	100%	711	427	60%	711	440	62%	711	424	711	420	711	409
Gallview	Elementary	PK-6	100%	777	454	58%	777	467	60%	777	503	777	513	777	521
Harbor City	Elementary	PK-6	100%	629	357	57%	629	369	61%	629	399	629	400	629	411
Holland	Elementary	PK-6	100%	605	444	73%	605	471	78%	605	473	605	472	605	477
Imperial Estates	Elementary	K-6	100%	729	622	85%	729	626	86%	729	619	729	620	729	645
Indiantown	Elementary	PK-6	100%	930	721	78%	930	857	92%	930	834	930	854	930	874
Jupiter	Elementary	PK-6	100%	892	631	71%	892	594	67%	892	578	892	559	892	553
Lockner	Elementary	PK-6	100%	790	594	75%	790	587	74%	790	565	790	551	790	551
Longleaf	Elementary	K-6	100%	958	643	67%	958	615	64%	958	793	958	765	958	751
Manatee	Elementary	PK-6	100%	918	634	69%	918	624	68%	918	563	918	578	918	585
Meadowdale Intermediate	Elementary	3-6	100%	1,114	832	75%	1,114	902	81%	1,114	920	1,114	950	1,114	950
Meadowdale Primary	Elementary	K-6	100%	824	678	82%	824	731	89%	824	725	824	734	824	731
Mia	Elementary	PK-6	100%	707	438	62%	707	430	61%	707	444	707	417	707	416
Mims	Elementary	PK-6	100%	725	431	59%	725	433	60%	725	441	725	452	725	446
Oak Park	Elementary	PK-6	100%	968	561	58%	968	554	57%	968	510	968	508	968	534
Ocean Breeze	Elementary	PK-6	100%	654	538	82%	654	524	80%	654	508	654	484	654	472
Palm Bay Elem	Elementary	PK-6	100%	983	547	55%	983	571	58%	983	570	983	602	983	622
Pinewood	Elementary	PK-6	100%	569	486	87%	569	517	91%	569	524	569	526	569	532
Port Malabar	Elementary	PK-6	100%	852	636	75%	852	630	74%	852	636	852	645	852	632
Quart	Elementary	PK-6	100%	1,152	673	58%	1,152	694	60%	1,152	722	1,152	734	1,152	728
Riverside	Elementary	PK-6	100%	777	624	80%	777	681	83%	777	709	777	722	777	750
Roosevelt	Elementary	K-6	100%	599	261	44%	599	241	40%	599	221	599	202	599	190
Sabal	Elementary	PK-6	100%	785	516	66%	785	516	66%	785	523	785	516	785	530
Salum	Elementary	PK-6	100%	978	679	69%	978	731	75%	978	978	978	822	978	810
Sea Park	Elementary	PK-6	100%	461	298	65%	461	324	70%	461	324	461	330	461	331
Shenwood	Elementary	PK-6	100%	609	428	70%	609	429	70%	609	434	609	442	609	441
Sunrise	Elementary	PK-6	100%	913	613	67%	913	738	81%	913	824	913	829	913	824
Sunrise	Elementary	K-6	100%	755	595	79%	755	584	77%	755	555	755	546	755	523
Surfside	Elementary	K-6	100%	541	408	75%	541	345	64%	541	329	541	336	541	329
Tropical	Elementary	K-6	100%	910	641	70%	910	635	70%	910	614	910	597	910	609
Turner	Elementary	PK-6	100%	874	579	66%	874	621	71%	874	642	874	659	874	684
University Park	Elementary	PK-6	100%	811	468	57%	811	496	61%	811	554	811	622	811	657
Viera Elem	Elementary	K-6	100%	1,030	635	62%	1,030	671	65%	1,030	626	1,030	626	1,030	602
Westside	Elementary	K-6	100%	857	728	85%	857	715	83%	857	872	857	872	857	855
Williams	Elementary	PK-6	100%	715	493	69%	715	483	68%	715	452	715	452	715	438
Elementary Totals				42,471	28,890		42,471	30,184		42,471	31,024	42,471	31,190	42,471	31,547

Middle School Concurrence Service Areas														
Area	7-8	9-12	1,514	1,171	77%	1,514	1,217	80%	1,514	1,238	82%	1,514	1,319	87%
Central	7-8	9-12	960	843	88%	960	829	86%	960	854	89%	960	816	85%
Dellaware	7-8	9-12	680	510	75%	680	485	71%	680	506	74%	680	550	81%
Hickory	7-8	9-12	660	574	87%	660	594	90%	660	556	84%	660	540	82%
Jackson	7-8	9-12	873	622	71%	873	583	67%	873	560	64%	873	531	61%
Johnson	7-8	9-12	1,064	680	65%	1,064	707	66%	1,064	752	71%	1,064	780	73%
Kennedy	7-8	9-12	869	652	75%	869	641	74%	869	617	71%	869	628	72%
Kennedy	7-8	9-12	781	480	61%	781	471	60%	781	480	61%	781	457	59%
McNair	7-8	9-12	611	336	55%	611	359	59%	611	362	59%	611	348	57%
Southwest	7-8	9-12	1,211	940	78%	1,211	922	76%	1,211	1,000	83%	1,211	1,119	92%
Stone	7-8	9-12	1,024	747	73%	1,024	766	75%	1,024	745	73%	1,024	772	75%
Middle Totals			10,247	7,555		10,247	7,514		10,247	7,681		10,247	7,941	
Junior / Senior High School Concurrence Service Areas														
Area	Jr / Sr High	PK, 9-12	2,084	1,516	73%	2,084	1,578	75%	2,084	1,627	78%	2,084	1,637	78%
Cocoa	Jr / Sr High	PK, 9-12	1,445	943	65%	1,445	917	63%	1,445	890	62%	1,445	821	57%
Cocoa Beach	Jr / Sr High	PK, 9-12	1,852	1,556	84%	1,852	1,526	82%	1,852	1,511	82%	1,852	1,465	79%
Jr / Sr High Totals			5,381	4,015		5,381	4,021		5,381	4,028		5,381	3,923	
Senior High School Concurrence Service Areas														
Area	High	9-12	1,451	1,077	74%	1,451	1,094	75%	1,451	1,085	75%	1,451	1,078	74%
Astronaut	High	9-12	2,263	1,653	73%	2,263	1,728	76%	2,263	1,642	73%	2,263	1,602	71%
Bayside	High	9-12	2,221	1,610	72%	2,221	1,634	74%	2,221	1,555	70%	2,221	1,680	76%
Eau Gallie	High	9-12	2,314	1,991	86%	2,314	2,038	88%	2,314	2,193	95%	2,314	2,179	94%
Heritage	High	9-12	2,370	2,210	93%	2,370	2,208	93%	2,370	2,200	93%	2,370	2,151	91%
Melbourne	High	9-12	1,962	1,523	78%	1,962	1,523	78%	1,962	1,454	74%	1,962	1,401	71%
Merritt Island	High	9-12	1,836	1,286	70%	1,836	1,286	70%	1,836	1,286	70%	1,836	1,286	70%
Palms Bay	High	9-12	1,551	1,153	75%	1,551	1,153	75%	1,551	1,153	75%	1,551	1,153	75%
Reynolds	High	9-12	1,527	1,153	75%	1,527	1,153	75%	1,527	1,153	75%	1,527	1,153	75%
Satellite	High	9-12	1,849	1,231	67%	1,849	1,231	67%	1,849	1,231	67%	1,849	1,231	67%
Titusville	High	9-12	2,203	1,653	75%	2,203	1,653	75%	2,203	1,653	75%	2,203	1,653	75%
Viera	High	9-12	2,251	1,653	73%	2,251	1,653	73%	2,251	1,653	73%	2,251	1,653	73%
High Totals			22,627	17,878		22,627	18,126		22,627	18,330		22,627	18,953	
Schools of Choice (Not Concurrence Service Areas)														
Area	Elementary	K-6	475	414	87%	475	414	87%	475	414	87%	475	414	87%
Freedom 7	Elementary	K-6	481	396	82%	481	417	87%	481	417	87%	481	417	87%
South Lake	Elementary	K-6	569	498	88%	569	508	89%	569	508	89%	569	508	89%
Steverson	Elementary	K-6	618	544	88%	618	552	89%	618	552	89%	618	552	89%
West Melbourne	Jr / Sr High	7-12	1,077	921	85%	1,077	950	88%	1,077	950	88%	1,077	950	88%
Edgewood	Jr / Sr High	7-12	1,264	946	75%	1,264	946	75%	1,264	946	75%	1,264	946	75%
Schools of Choice			4,484	3,711		4,484	3,787		4,484	3,787		4,484	3,787	
Brevard Totals			85,210	63,089		85,210	64,597		85,210	65,450		85,210	66,275	

Notes

1. FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2021-22 are reported from the FISH database as of October 12, 2021.
2. Student Membership is reported from the Fall Final Membership Count (10/15/2021).
3. Davis Demographics SchoolSite 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 Generation Multipliers (SGM)
 - 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-K-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current Front-To-Back 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. A total of 15 Relocatable Classrooms are assumed to add future student stations as listed below:
 - Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) relocatable classrooms = 25 student stations
 - Intermediate relocatable classrooms are proposed to be added at Roy Allen Elementary, Jupiter Elementary, Sunnyside Elementary, and Westside Elementary Schools (Total 12 Classrooms)
 - High school relocatable classrooms are proposed to be added at Satellite High and Viera High (Total of 3 Classrooms)
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.

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, May 9, 2022**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

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

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

Excerpt of Complete Agenda

PR Corporate Holdings, LLC; and AkBlue Holdings, LLC (Kim Fischer)

A change of zoning classification from AU (Agricultural Residential) to RU-1-11 (Single-Family Residential). The property is 4.36 acres, located on the north side of Diamond Rd., approx. 0.25 miles west of Old Dixie Hwy., Titusville. (3080 Diamond Rd., Titusville) (Tax Account 2105549) (District 1)

Kim Fischer, 1614 White Dove Drive, Winter Springs, stated there is an old dilapidated building on the property that has a residential home that will be torn down along with a couple of garages. She stated the Future Land Use is RES 4 (Residential 4), and they would like to have a zoning that is consistent. She noted the City of Titusville Fire Department will be utilizing the land next year for training. She also noted there is City water available and the development will be on septic systems.

Public Comment.

Eva Goins, 3120 Diamond Road, Titusville, stated most of the homes on Diamond Road are one acre or more. She said she purchased her house in 2019, on .91 acres, and she purchased it because there was a lot of privacy and similar homes on the road. She said she called the engineering company because she received a letter from them that said there was going to be a meeting to change the zoning. She said it was explained to her that a subdivision is planned to on the 4.36-acre property, and because Titusville will only allow 75' x 75' lots, they will put a house on 75' x 75' lots, so up to 12 - 15 homes are going to be on 4.36 acres on an established country road. She said the development will create 12 houses at a minimum, and every house has 2 - 3 cars, so that's over 20 cars coming in and out of the L-shaped street that goes from Dairy Road onto Old Dixie Highway. She said the proposed development will greatly impact her quality of life, and it is not consistent with the current community.

Ms. Fischer stated she sent out letters to the neighbors and Ms. Goins contacted her along with a couple of others who contacted her wanting to sell their property. She said the Future Land Use is RES 4, which is 4 units per acre, and noted the County requires the lots to be 75' x 100', not 75' x 75'. She said they can get approximately 13 homes on the parcel, and they will be consistent in size with the subdivision to the north and west. She said to the east is commercial, so the only residential is across the street. Diamond Road has two access points, not one, and traffic should not be of any significant increase considering people can exit onto Dairy Road and Old Dixie Highway. She concluded by saying the request is consistent with the surrounding area and what is built will have to be consistent with the neighbors.

Ben Glover stated there is RU-1-11 all around the property, but it seems like they are on more major roads, and Diamond Road seems to be more like a country road.

Bruce Moia stated Diamond Road ties into Old Dixie to the east and into Dairy Road to the south. The development to the west is 80' x 100' lots for the most part, but all of the lots that front Diamond Road, except closer to Old Dixie, are large lots of an acre or more. He said he is surprised they are not annexing into the City of Titusville. It's almost transitional between the large lots and the small lots, so he wouldn't say it's inconsistent because it does match what is to the west, but there is not a transition from very large lots to very small lots, they abut each other.

Robert Sullivan asked if water and sewer will be brought to the development. Ms. Fischer replied water is directly in front of the property, so it's not a rural area. She said the City of Titusville's code is very specific that you must connect to their sewer system and their sewer system is what is not readily available. She said Titusville has agreed to allow them to utilize their water without annexation.

Mr. Sullivan stated the level of service for the road, from Dairy Road to S.R. 46 is Level D, which is not very good. Ms. Fischer stated with a level of service of D there is some capacity; with 13 homes there will be a peak trip of one per home, so there is still capacity, it just means wait times are a little longer.

John Hopengarten asked if the neighborhood to the west is also on septic. Ms. Fisher replied they are not septic, but their connection is in the opposite direction.

Mr. Glover stated based on the location of Diamond Road, it doesn't sit well with him.

Motion by Ben Glover, seconded by Liz Alward to recommend denial of the change of zoning classification from AU to RU-1-11.

Ms. Alward stated she doesn't think the board should be increasing densities if they aren't going to be able to connect to sewer.

Mark Wadsworth called for a vote on the motion and it passed 9:1, with Bruce Moia voting nay.



BOARD OF COUNTY COMMISSIONERS

Rita Pritchett, District 1 Commissioner

7101 N. Highway 1

Titusville, FL 32780

(321) 607-6901

D1.commissioner@brevardfl.gov

Planning and Development
Commission Meeting May 26, 2022
Tax Account 2105549

Commissioner Pritchett received an email from and spoke with Kim Fischer, P.E. regarding the above referenced property. The Commissioner listened to Ms. Fischer's concerns.

3080 Diamond Road in Titusville.

The property is slightly less than 5 acres and is surrounded on the north and west by 75' wide lots. To the east is an old Assisted Living Facility that is condemned.

The breakdown in use immediately adjacent to the subject property is as follows:

Subject Property:	Dilapidated single family residence with future land use of 4 du/acre
North:	75' wide lots with density maximum of 4 du/acre
West:	75' wide lots with density maximum of 4 du/acre
East:	Institutional zoning with a condemned Assisted Care Living Facility
South:	Agriculture zoned with future land use of up to 15 du/acre

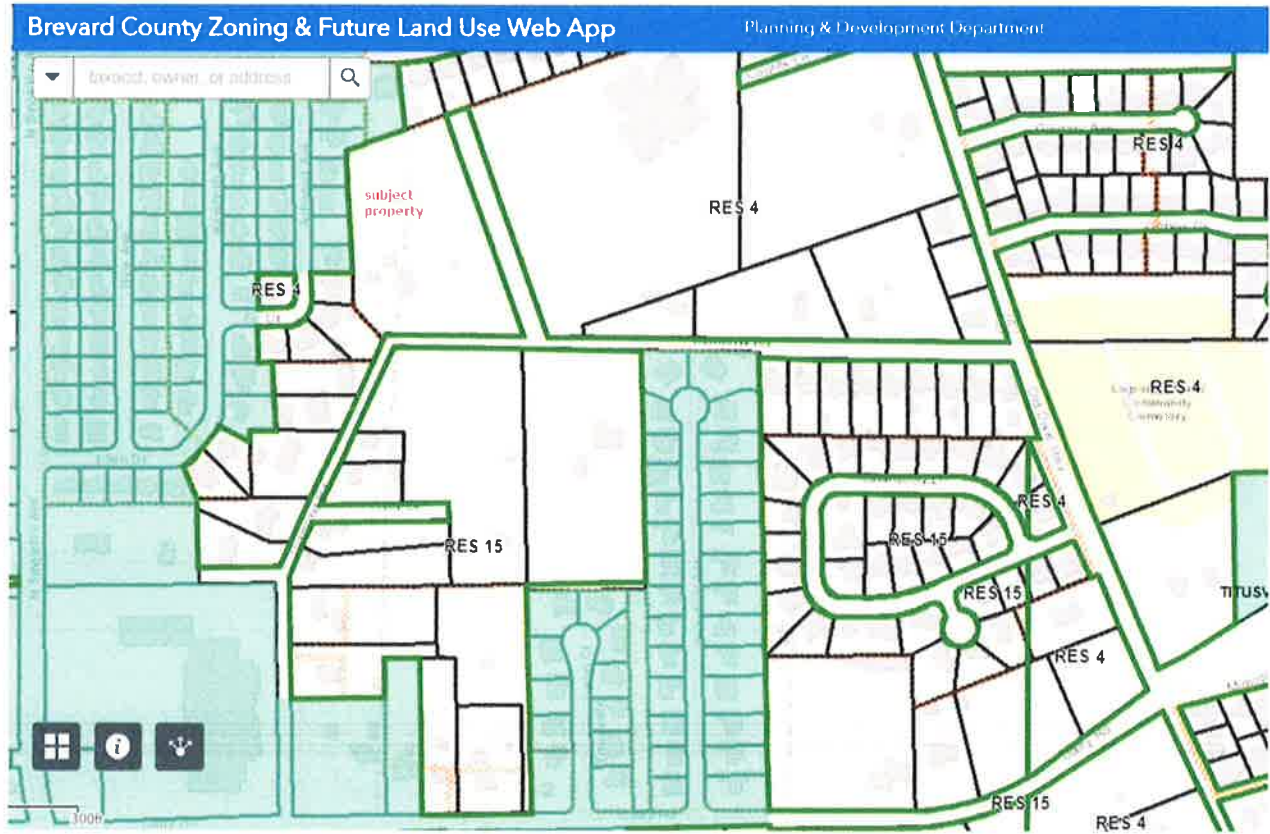
Along Diamond Road there are approximately 27 properties with driveway connections. Excluding subject property there are 6 driveways that lead to properties greater than 1 acre in size. Diamond Road connects to both Old Dixie Highway and Dairy Road.

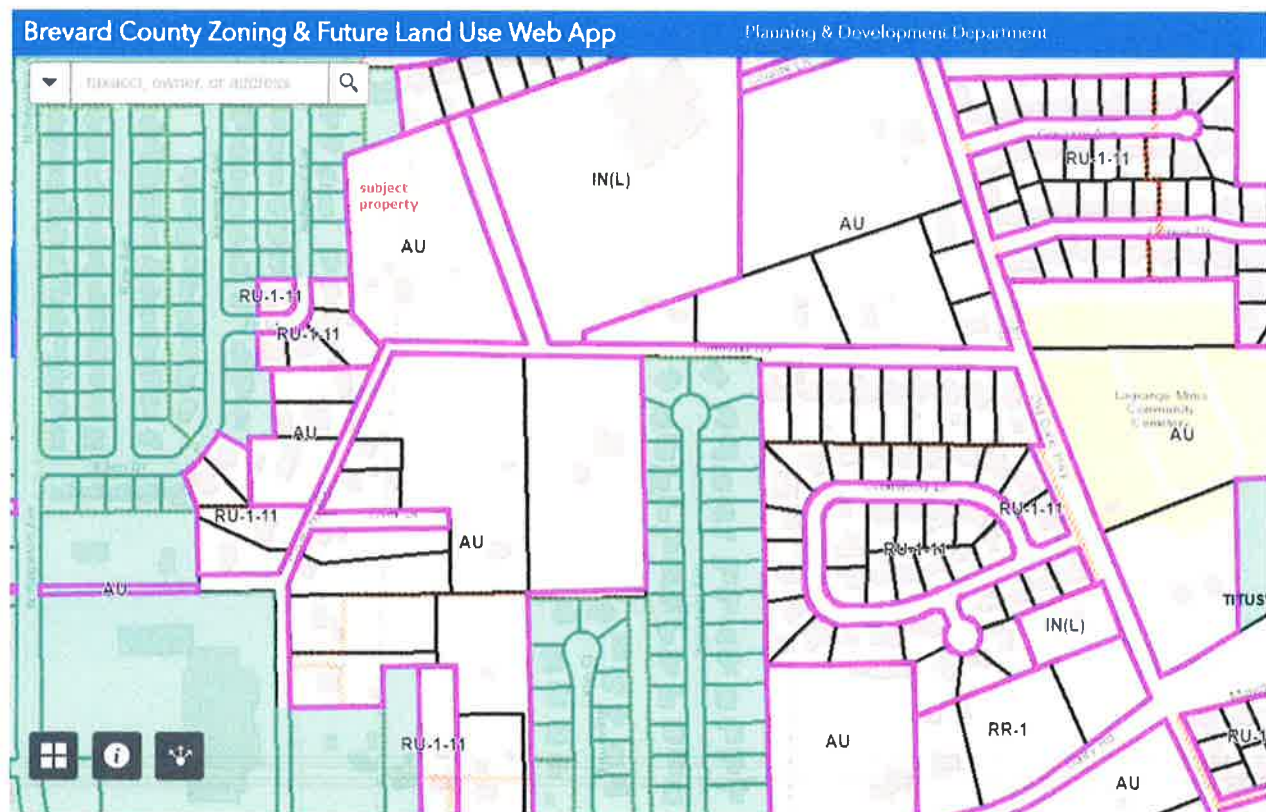
We are requesting a zoning of RU-1-11 from the current agricultural zoning.

AERIAL



FUTURE LAND USE MAP





Map showing a residential area with a red-outlined parcel. The map includes street names: N SINGLETON AV, RICE AV, KEMBERLY AV, ASHWOOD AV, FIOR DR, DIAMOND RD, OVER ST, WAKEFIELD TER, and BRIARWOOD CIR. The red-outlined parcel is located between Ashwood Av and Fior Dr. Various numerical values are scattered across the map, likely representing property values or lot sizes.