



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

8/5/2021

Subject:

Schwab Construction Group, Inc. (Daniel Lee Schwab) requests a change of zoning classification from BU-1 to RU-2-15. (21Z00015) (Tax Account 2426535) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from BU-1 (General Retail Commercial) to RU-2-15 (Medium Density Multi-Family Residential).

Summary Explanation and Background:

The applicant is seeking a change of zoning classification from BU-1 (General Retail Commercial) to RU-2-15 (Medium-Density Multi-Family Residential) for the purpose of building a 13-unit townhome subdivision, on vacant property located on the southeast corner of Palmetto Avenue and Burnwood Drive. The applicant has not provided a proposed development plan submitted with this application for the proposed multi-family townhomes.

The subject property retains the CC (Community Commercial) Future Land Use designation. The proposed RU-2-15 zoning classification may be considered consistent with the CC Future Land Use designation, per Policy 2.13.

The abutting parcel to the south and east of the abutting undeveloped road is a multi-family condominium, zoned RU-2-15. The vacant parcel to the west, across Burnwood Drive, is zoned RU-2-15. The parcel to the north, across Palmetto Avenue is zoned BU-1 and is developed as a shopping center.

The parcel will be serviced by Brevard County sewer and City of Cocoa water.

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

On July 12, 2021, the Planning and Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

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

Resolution 21Z00015

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

WHEREAS, Schwab Construction Group, Inc. has requested a change of zoning classification from BU-1 (General Retail Commercial) to RU-2-15 (Medium Density Multi-Family Residential), on property described as Tax Parcel 9, as recorded in ORB 8937, Pages 407 - 408, of the Public Records of Brevard County, Florida. **Section 35, Township 24, Range 36.** (0.94 acres) Located on the southeast corner of Palmetto Ave. and Burnwood Dr. (141 Burnwood Dr., and 165 Palmetto Ave., Merritt Island); 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 Brevard County Planning and Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved as recommended; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from BU-1 to RU-2-15U 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 August 5, 2021.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

Rita Pritchett, Chair

Brevard County Commission

As approved by the Board on August 5, 2021.

ATTEST:



RACHEL SADOFF, CLERK

(SEAL)

Planning and Zoning Board Hearing – July 12, 2021

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 staff, 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 Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all 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 re-zoning 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:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

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

Administrative Policy 6

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

Administrative Policy 7

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

Administrative Policy 8

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

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

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

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

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

CONDITIONAL USE PERMITS (CUPs)

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

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

- (c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

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

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

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare."

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

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

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

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

DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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

STAFF COMMENTS

21Z00015

**Schwab Construction Group, Inc. (Patricia A. Schwab & Daniel Lee Schwab)
BU-1 (General Retail Commercial) to RU-2-15 (Medium-Density Multi-Family Residential)**

Tax Account Number: 2426535
Parcel I.D.: 24-36-35-00-9
Location: Southeast side of Palmetto Avenue, 1,000 feet southwest of E. Merritt Avenue (District 2)
Acreage: 0.94 acres

Planning and Zoning Board: 07/12/2021
Board of County Commissioners: 08/05/2021

Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal may be considered under the Future Land Use Designation, Section 62-1255 per Policy 2.13.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	BU-1	RU-2-15
Potential*	40,946 sq. ft. commercial development	13 single-family units
Can be Considered under the Future Land Use Map	YES CC	YES CC**

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

** Zoning classification may be considered per Policy 2.13 of the Future Land Use Element.

Background and Purpose of Request

The applicant is seeking a change of zoning classification from BU-1 (General Retail Commercial) to RU-2-15 (Medium-Density Multi-Family Residential) for the purpose of building a 13 unit townhome subdivision. The parcel is vacant. The applicant did not provide staff with a proposed development plan submitted with this application for the proposed multi-family townhomes.

The BU-1 zoning is the original zoning of the parcel adopted May 22, 1958.

Land Use

The subject property retains the CC (Community Commercial) Future Land Use designation. The existing zoning classification BU-1 is considered consistent with the CC (Community Commercial) Future Land Use designation. The proposed RU-2-15 may be considered consistent with the CC (Community Commercial) Future Land Use designation per Policy 2.13.

Applicable Land Use Policies

Future Land Use: FLUE Policy 2.7 – Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses. Development activities which may be considered within the Community Commercial (CC) Future Land Use designation, provided that the listed criteria are met, include the following:

- a) Existing strip commercial
- b) Transient commercial uses;
- c) Tourist commercial uses;
- d) Professional offices;
- e) Personal service establishments;
- f) Retail establishments;
- g) Non-retail commercial uses;
- h) Residential uses;
- i) Institutional uses;
- j) Recreational uses;
- k) Public facilities;
- l) Transitional uses pursuant to Policy 2.14; and
- m) Planned Industrial Park development (as permitted by PIP zoning).

Residential Development in Neighborhood Commercial and Community Commercial Land Use Designations: FLUE Policy 2.13 - This request should be evaluated in the context of Policy 2.13 of the Future Land Use Element, which encourages residential development in areas designated Neighborhood Commercial and Community commercial.

“Residential development or the integration of residential development with commercial development shall be permitted in the Neighborhood Commercial and Community Commercial land use designations, provided that the scale and intensity of the residential/mixed use development is compatible with abutting residential development and areas designated for residential use on the Future Land Use Map. Residential development is permissible in these commercial land use designations at density of up to one category higher than the closest residentially designated area on the Future Land Use Map (FLUM) which is on the same side of the street. Increases in density beyond this allowance may be considered through a public hearing. In the Coastal High Hazard Area (CHHA), however, residential development is limited to the density of the closest residentially designated area on the FLUM that is on the same side of the street...”

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

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

The subject property is vacant land and lies within the Community Commercial (CC) Future Land Use designation. The abutting parcels and the surrounding parcels lie within the Neighborhood Commercial (NC) Future Land Use designation. The parcels north of Palmetto Avenue lie within the Community Commercial (CC) Future Land Use designation. The Community Commercial (CC) Future Land Use designation is compatible with the current BU-1 zoning and the proposed RU-2-15 may be considered consistent with the CC (Community Commercial) Future Land Use designation per Policy 2.13.

This request should be evaluated in the context of Policy 2.13 of the Future Land Use Element, which encourages residential development in areas designated Neighborhood Commercial and Community commercial.

The residential density of the surround area, along with the subject parcel's proposed RU-2-15 zoning will allow for a density of 15 units per acre.

There have been no Future Land Use changes within the past 20 years.

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

The subject parcel is zoned BU-1 and is vacant.

The developed character of the surrounding area along the southeast side of Palmetto Avenue is RU-2-15, BU-1 and RU-1-11(Single-Family Residential) zoned parcels which are developed multi-family uses in RU-2-15, commercial buildings in BU-1 and single-family houses in RU-1-11.

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

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

There have been no rezoning applications in the surrounding area in the past 10 years.

Surrounding Area

The abutting parcel to the south and east of the abutting undeveloped road is zoned RU-2-15 a multi-family condominium. The parcel to the west, across Burnwood Drive is zoned RU-2-15 which was previously a Mobile Home Park and appears to be vacant. This parcel was rezoned from TR-3 (Mobile Home Park) to RU-2-15 per zoning action **Z-11245** on May 22, 2006. The parcel to the north, across Palmetto Avenue is zoned BU-1 and is developed as a shopping center.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Indian River Lagoon Nitrogen Reduction Overlay

- Protected and Specimen Trees
- Protected Species

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Preliminary Transportation Concurrency

The closest concurrency management segment to the subject property is N. Courtenay Parkway, between E. Merritt Island Cswy. (Highway 520) and E. Merritt Avenue, which has a Maximum Acceptable Volume of 41,790 trips per day, a Level of Service (LOS) of D, and currently operates at 59.99% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.32%. The corridor is anticipated to continue to operate at 60.31% of capacity daily (LOS D). The proposal is not anticipated to create a deficiency in LOS.

According to the School Impact Analysis-Capacity Determination Letter (CD-2021-09) dated May 5, 2021, a proposed development of 14 units on the subject property is projected to generate 4 elementary students, 1 middle school student, and 2 high school students. CD-2021-09 concludes: "At this time, Mila Elementary School, Jefferson Middle school and Merritt Island High School are projected to have enough capacity for the total of projected and potential from the Clover Townhomes development.

The parcel will be serviced by Brevard County sewer and City of Cocoa water.

For Board Consideration

The Board may wish to consider whether the request is consistent and compatible with the surrounding area given the fact that RU-2-15 zoning has been established.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item # 21Z00015

Applicant: Daniel Schwab

Zoning Request: BU-1 to RU-2-15

Note: Applicant wants to build townhomes.

P&Z Hearing Date: 07/12/21; **BCC Hearing Date:** 08/05/21

Tax ID No: 2426535

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

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Indian River Lagoon Nitrogen Reduction Overlay
- Protected and Specimen Trees
- Protected Species

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Land Use Comments:

Indian River Lagoon Nitrogen Reduction Overlay

The entire parcel is mapped within the Indian River Lagoon Nitrogen Reduction Overlay per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay. If sewer is not available, then the use of an alternative septic system designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required.

Protected and Specimen Trees

Aerials show the parcel to be wooded. Per Section 62-4339, the project has requirements for Canopy, Protected and Specimen tree(s) preservation. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), a purpose and intent of the ordinance is to encourage the protection of Specimen Trees. Per Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, 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

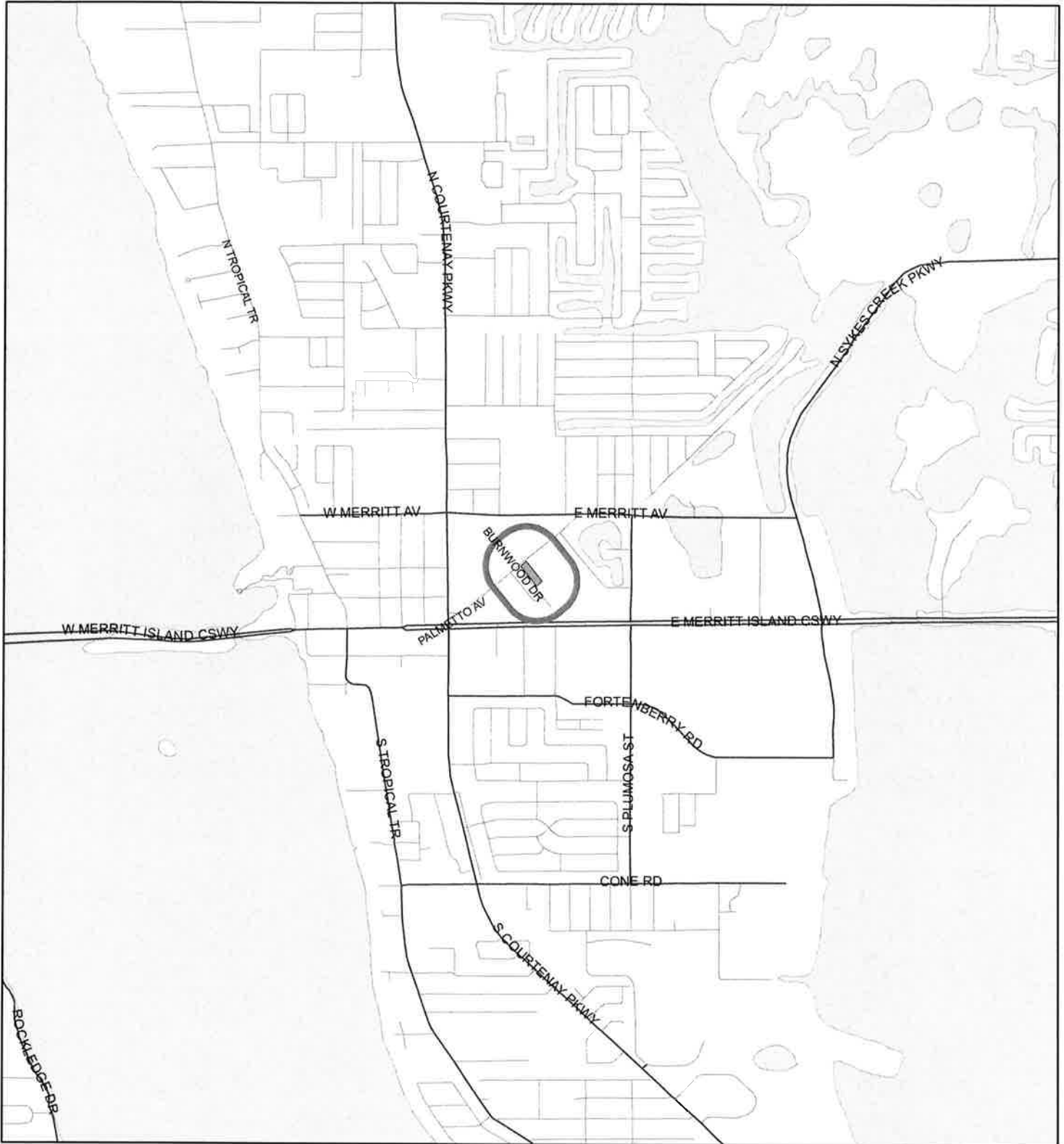
Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. The applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities. Land clearing is not permitted without prior authorization by NRM.

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. 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.

LOCATION MAP

SCHWAB CONSTRUCTION GROUP, INC.
21Z00015



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

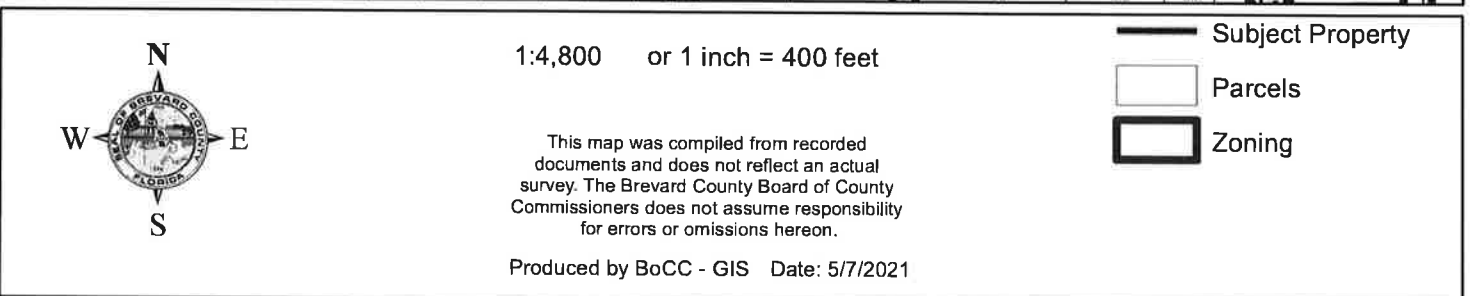
Buffer Distance: 500 feet

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: 5/7/2021

— Buffer
■ Subject Property

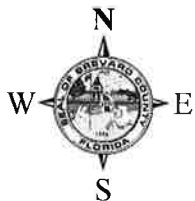
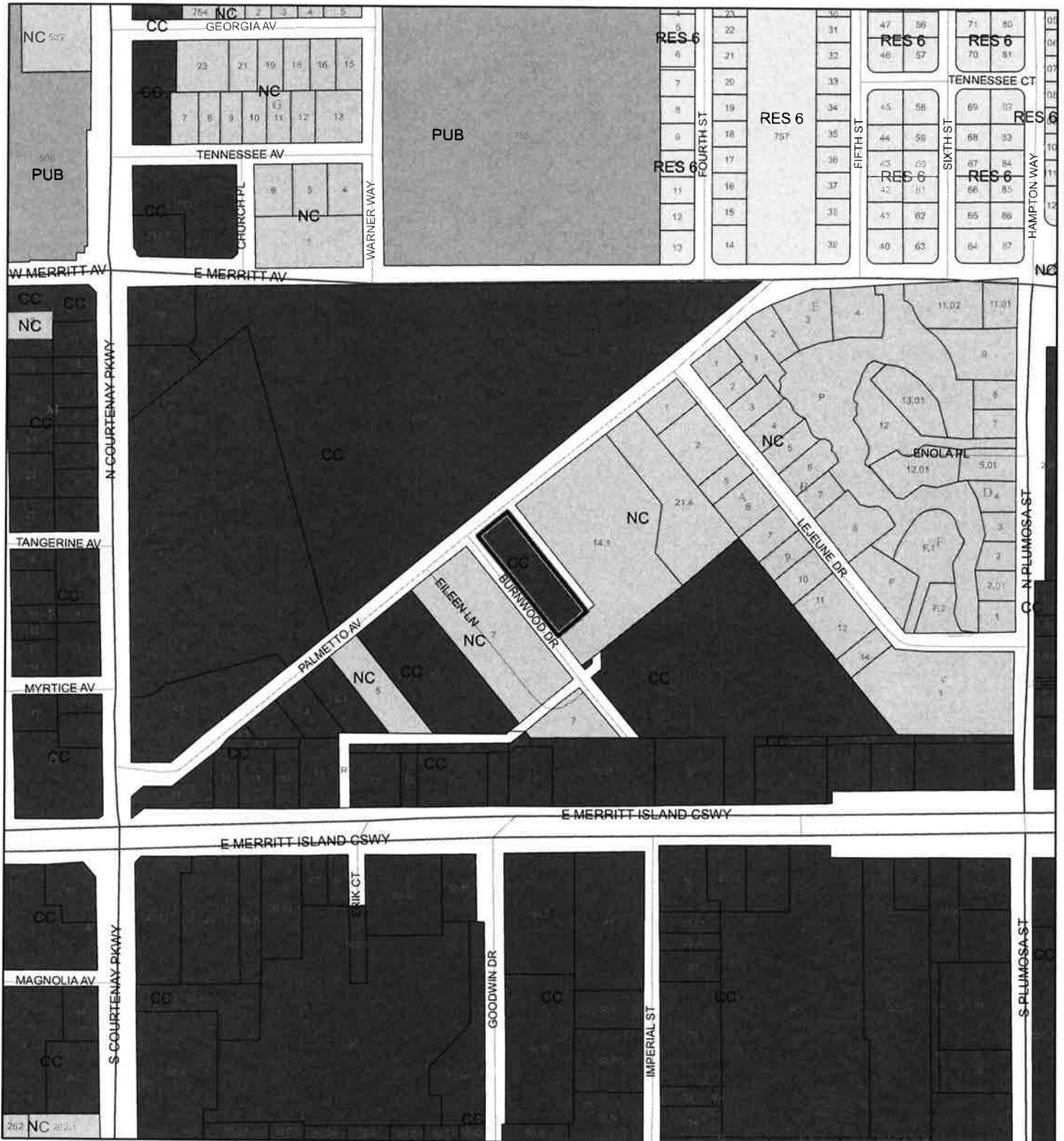
21Z00015



FUTURE LAND USE MAP

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015



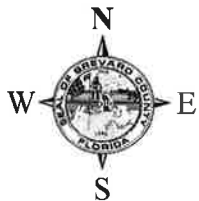
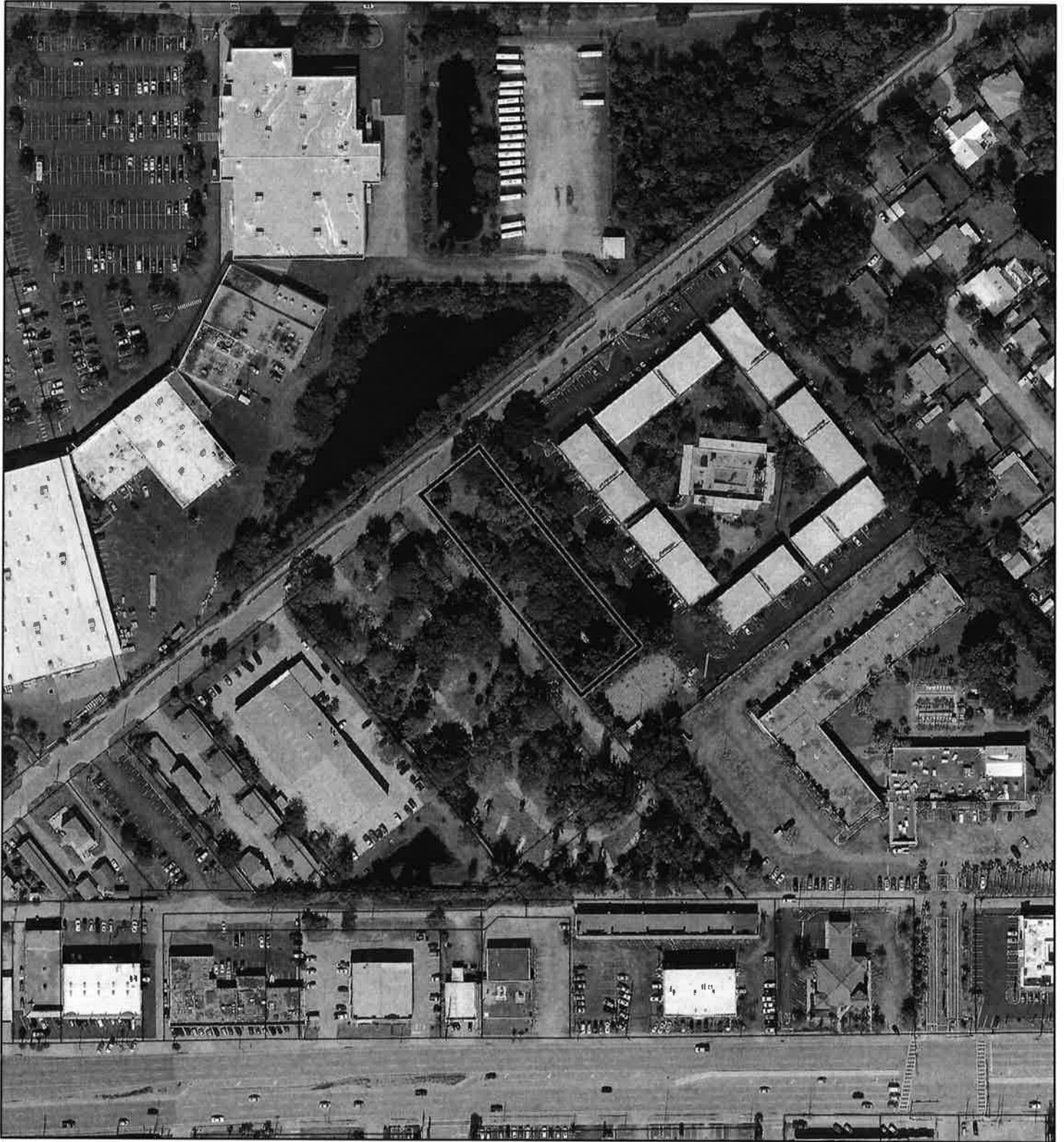
1:4,800 or 1 inch = 400 feet

— Subject Property
 □ Parcels

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

Produced by BoCC - GIS Date: 5/6/2021

AERIAL MAP
SCHWAB CONSTRUCTION GROUP, INC.
21Z00015



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2020

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.

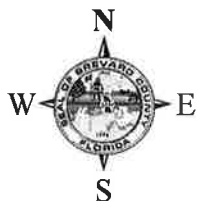
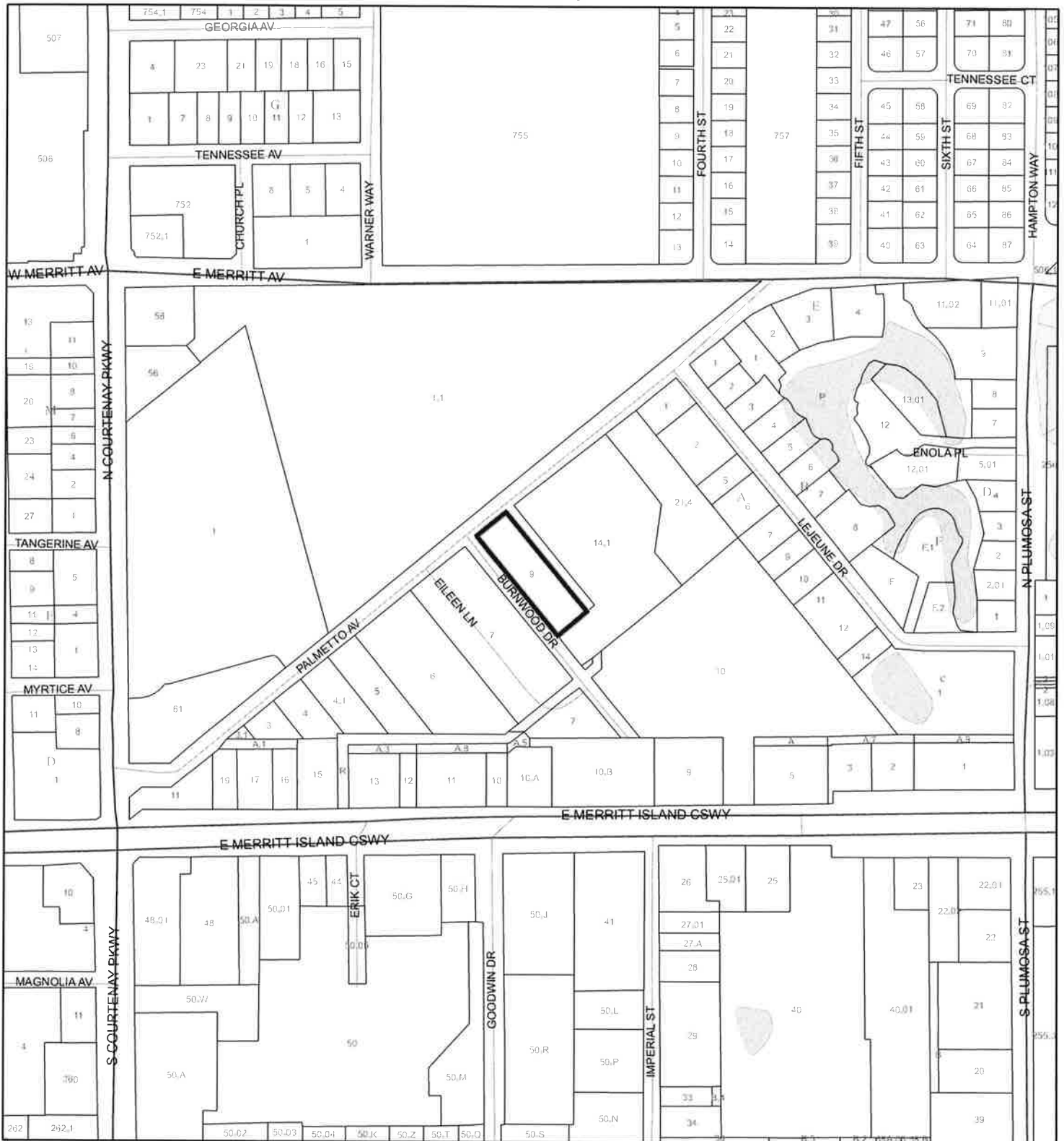
Produced by BoCC - GIS Date: 5/7/2021

— Subject Property
□ Parcels

NWI WETLANDS MAP

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/6/2021

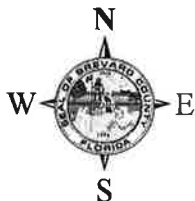
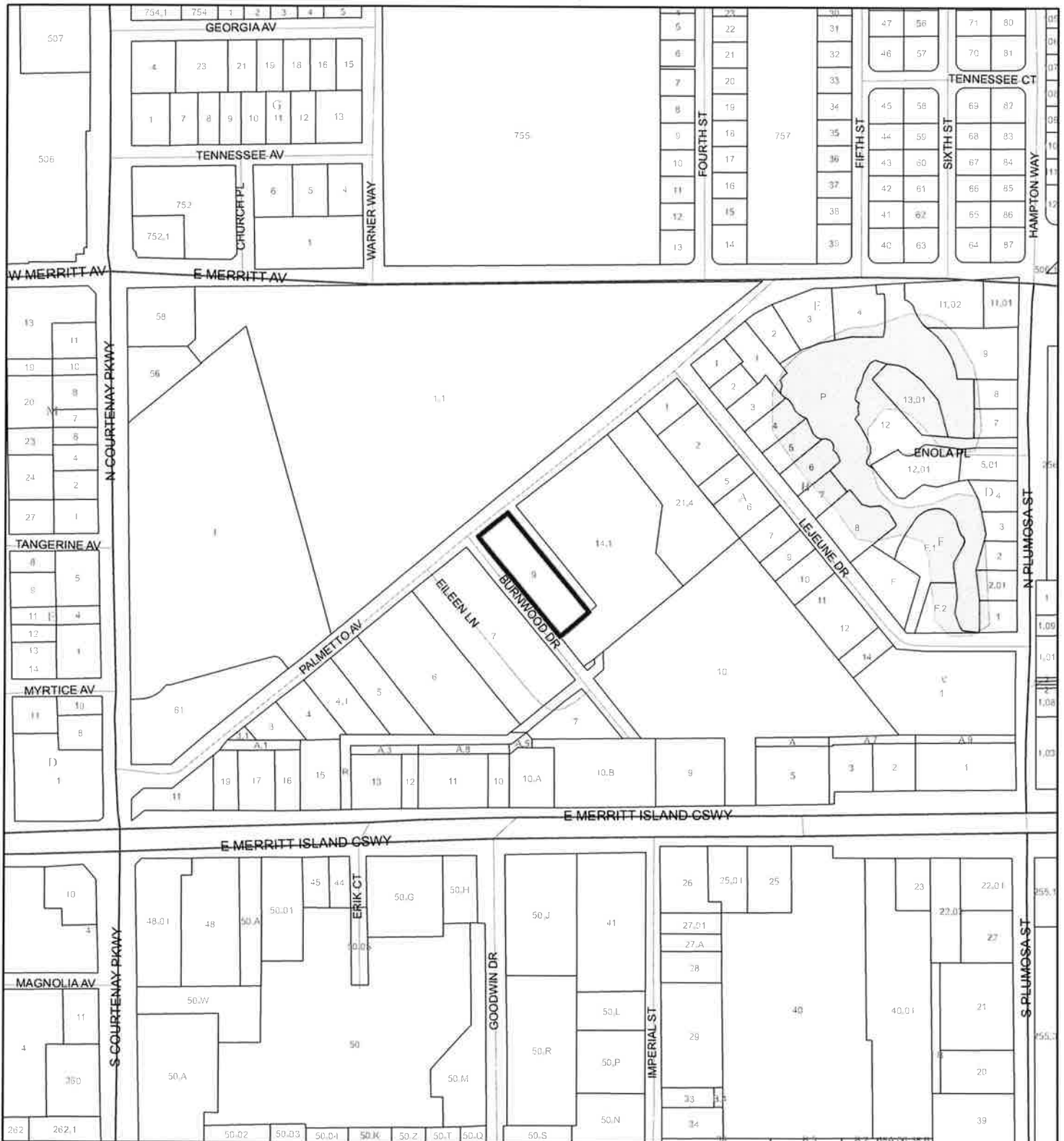
National Wetlands Inventory (NWI)

	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

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/6/2021

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

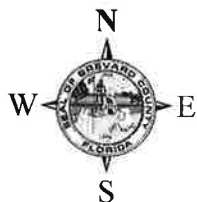
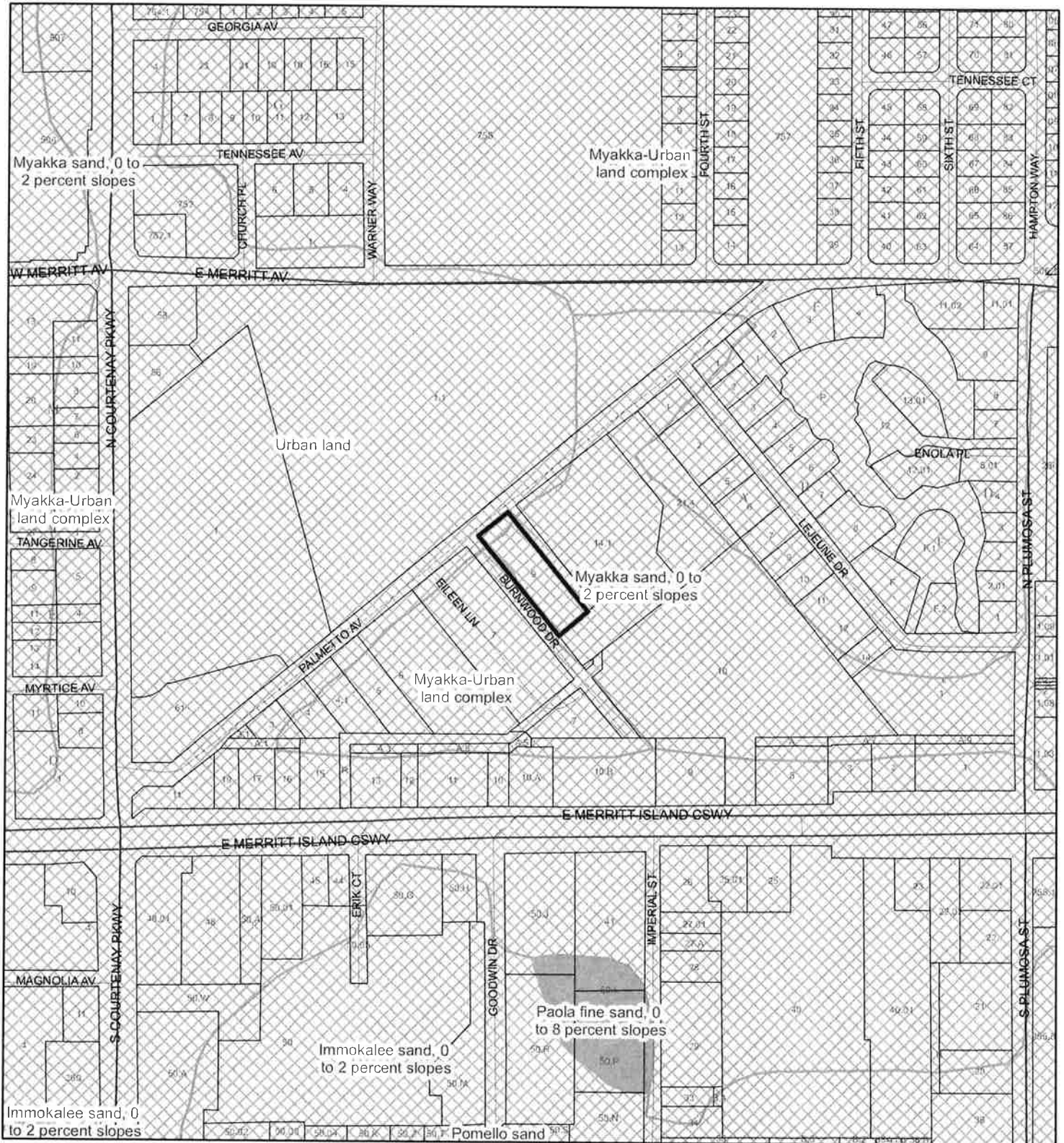
 Subject Property

 Parcels

USDA SCSSS SOILS MAP

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/6/2021

USDA SCSSS Soils

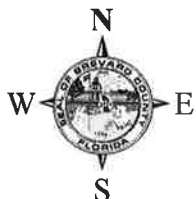
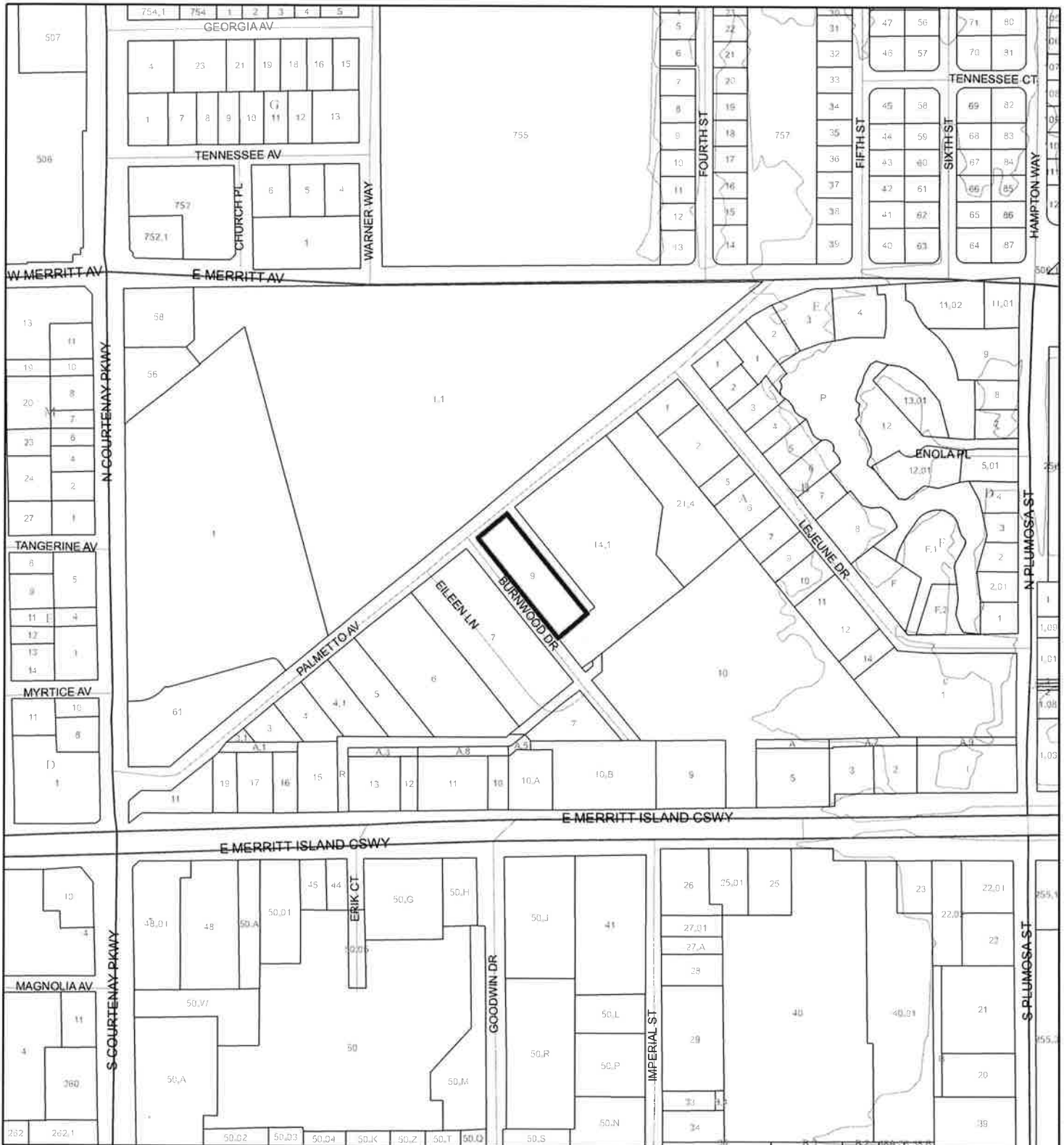
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/6/2021

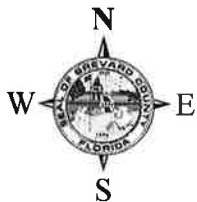
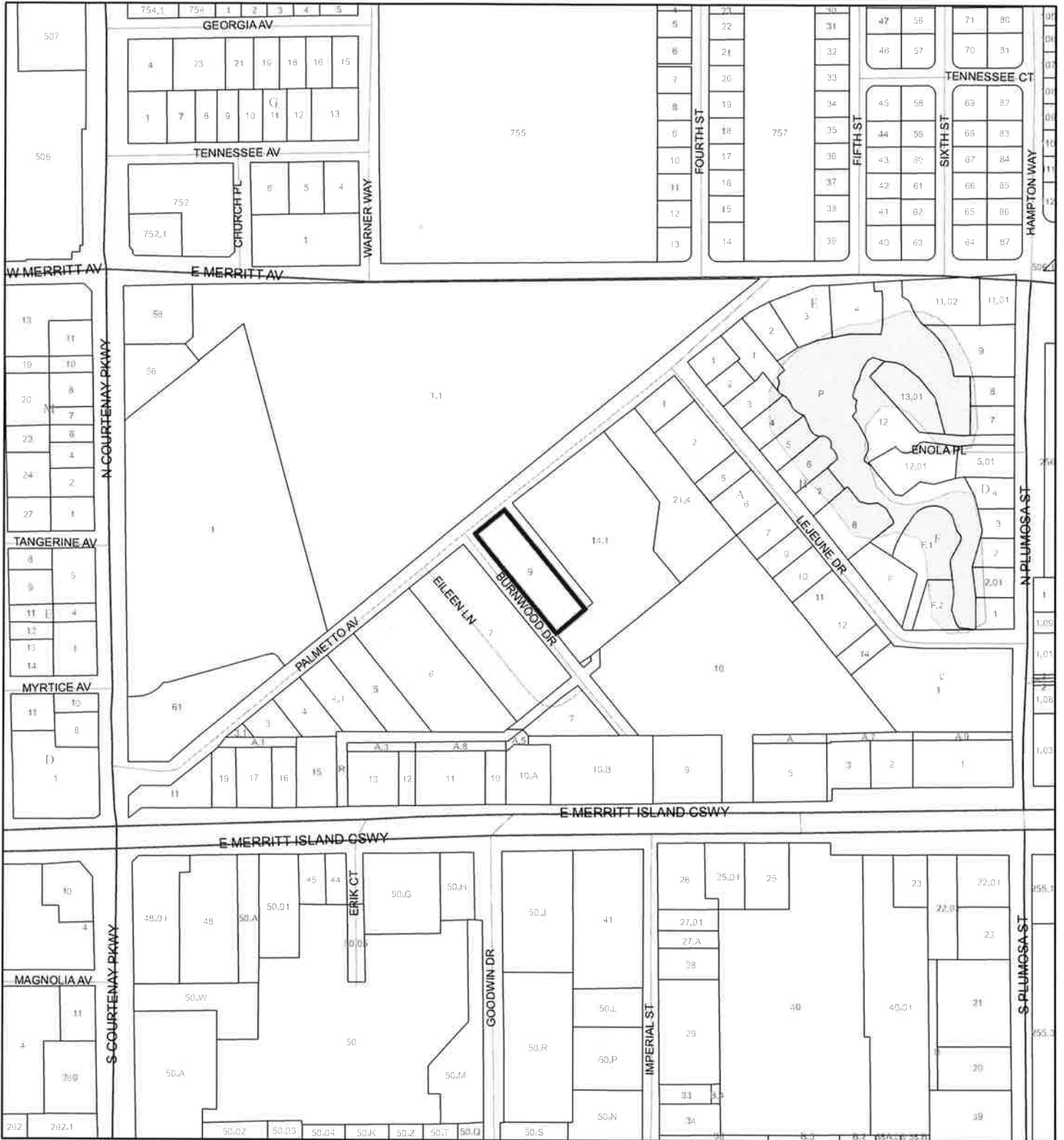
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

COASTAL HIGH HAZARD AREA MAP

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015



1:4,800 or 1 inch = 400 feet


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Produced by BoCC - GIS Date: 5/6/2021

 Subject Property

 Parcels

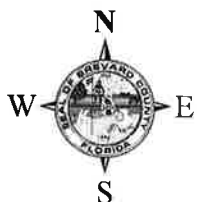
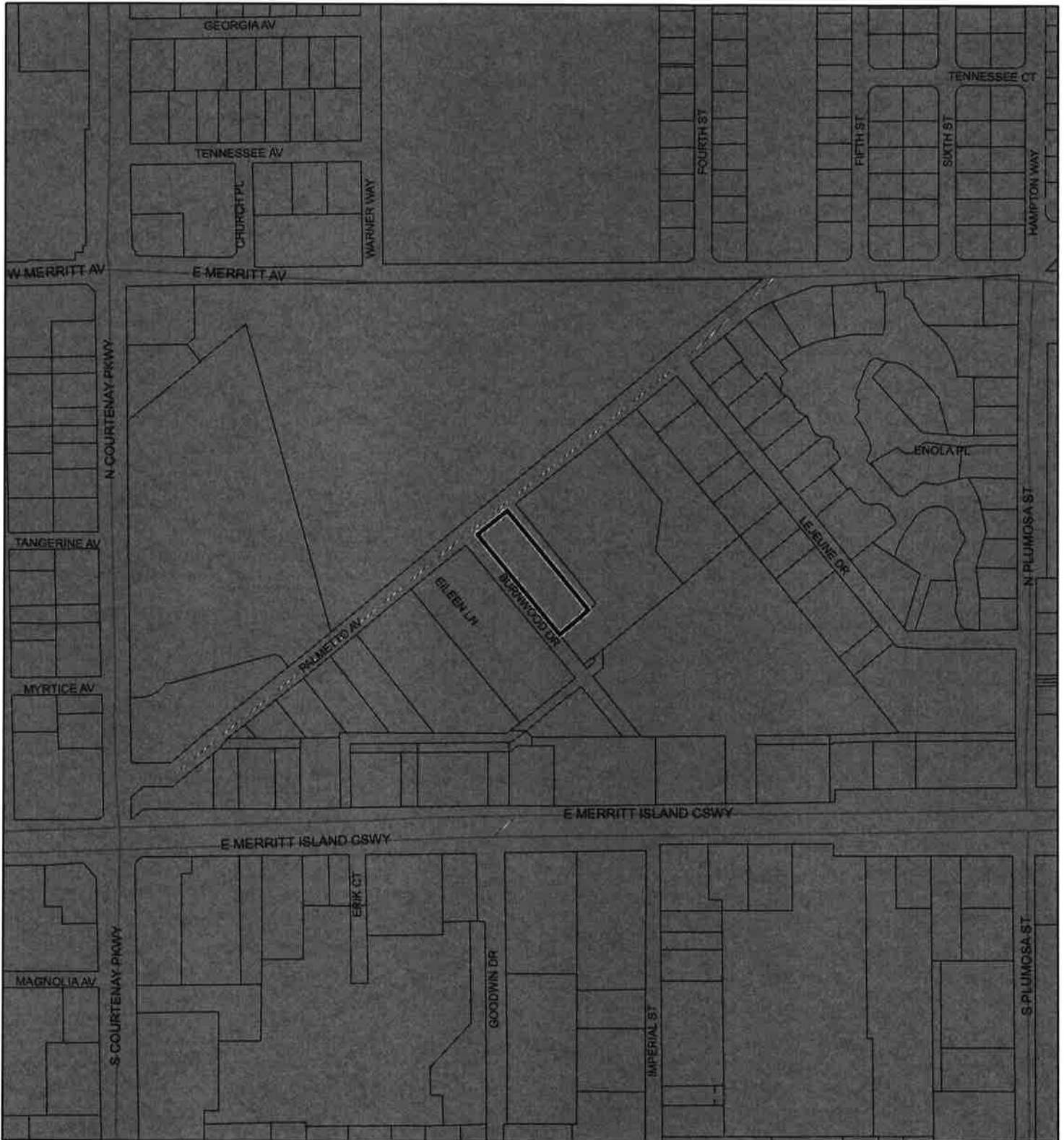
Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/6/2021

Subject Property

Parcels

Septic Overlay

40 Meters

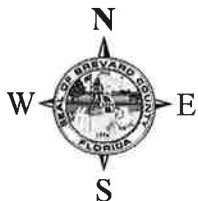
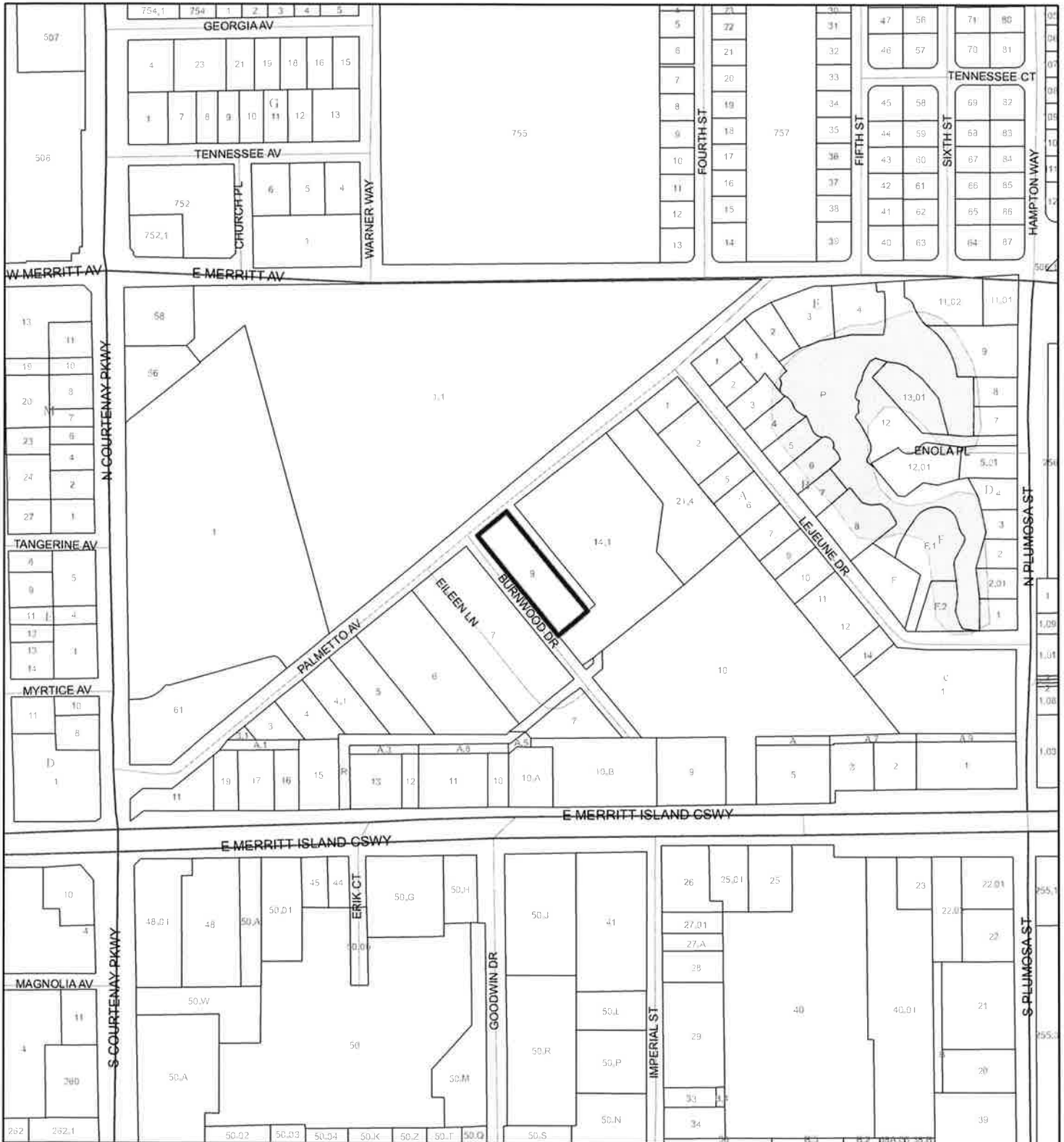
60 Meters

All Distances

SCRUB JAY OCCUPANCY MAP

SCHWAB CONSTRUCTION GROUP, INC.




21Z00015



1:4,800 or 1 inch = 400 feet

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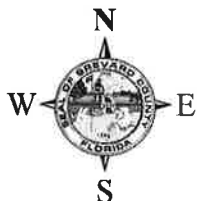
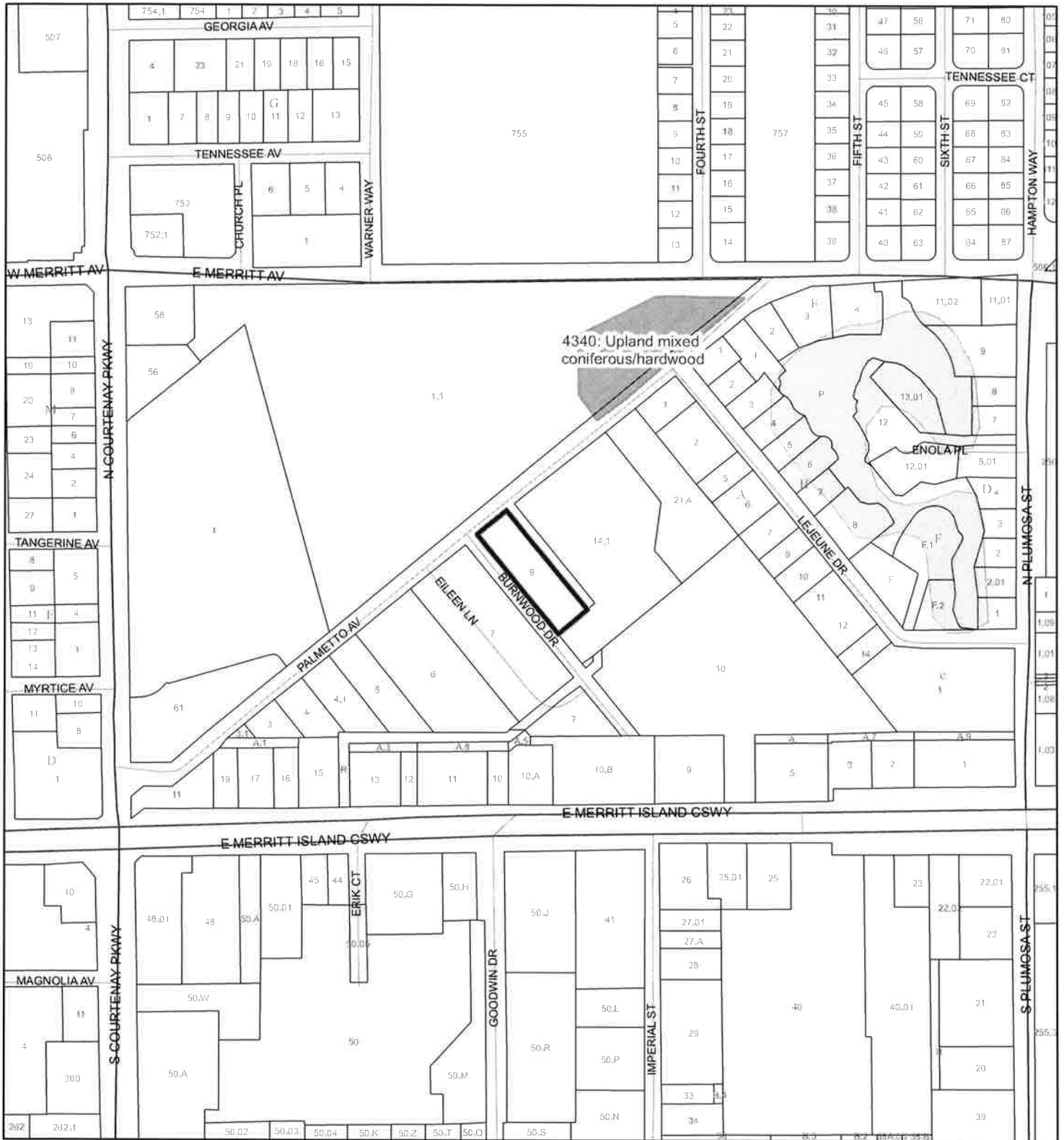
Produced by BoCC - GIS Date: 5/6/2021

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

SCHWAB CONSTRUCTION GROUP, INC.

21Z00015




1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/6/2021

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

BOARD OF COUNTY COMMISSIONERS

MIRA

**Application for Zoning Action, Comprehensive Plan Amendment, or
Variance**

Applications must be submitted in person. Please call 321-633-2070 for an appointment at least 24 hours in advance. Mailed, emailed, or couriered applications will not be accepted.

PZ # 21Z00015

Existing FLU: CC COMMUNITY COMMERCIAL Existing Zoning: BU-1

Proposed FLU: NA Proposed Zoning: RU-2-15

PROPERTY OWNER INFORMATION

If the owner is an LLC, include a copy of the operating agreement.

Daniel Lee Schwab SCHWAB CONSTRUCTION GROUP INC
Name(s) Company
141 BURNWOOD DR MERRITT ISLAND FL 32952
Street City State Zip Code
tdschwab17@yahoo.com 321-446-8411
Email Phone Cell

APPLICANT INFORMATION IF DIFFERENT FROM OWNER:

☐ Attorney ☐ Agent ☐ Contract Purchaser ☐ Other _____

Name(s) Company

Street City State Zip Code

Email Phone Cell

APPLICATION NAME

- ☐ Large Scale Comprehensive Plan Amendment (CP) (greater than 10 acres)
- ☐ Small Scale Comprehensive Plan Amendment (CP) (less than 10 acres)
- ☐ Text Amendment (CP): Element _____
- ☐ Other Amendment (CP): _____
- ☒ Rezoning Without CUP (RWOC)
- ☐ Combination Rezoning and CUP (CORC)
- ☐ Conditional Use Permit (CUP)
- ☐ Binding Development Plan (BDP)
- ☐ Binding Development Plan (BDP) (Amendment)
- ☐ Binding Development Plan (BDP) (Removal)
- ☐ Variance(s) (V) (building permits will not be approved until 30 days after the date the order is signed)
- ☐ Administrative Approval of Setbacks, Lot Size, or Accessory Structures
- ☐ Administrative Approval of Flag Lot or Easement
- ☐ Administrative Approval of On-Premises Consumption of Alcoholic Beverages for Restaurants / Snack Bars
- ☐ Other Action: _____

Acreage of Request: 0.94

Reason for Request:

the planned construction is for 13 townhome subdivision and the current commercial zoning does not allow this use.

The undersigned understands this application must be complete and accurate prior to advertising a public hearing:

- ☒ I am the owner of the subject property, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the owner of the subject property of this application. (Notarized Authorization to Act must be submitted with application)
- ☒ An approval of this application does not entitle the owner to a development permit.
- ☐ For Variances, I understand that building permits will not be approved until 30 days after the date the order is signed, in order to comply with the appeal procedure.
- ☒ I certify that the information in this application and all sketches and data attached to and made part hereof are true and accurate to the best of my knowledge.

Signature of Property Owner or
Authorized Representative

5/3/2021
Date

State of Florida

County of Brevard

Subscribed and sworn before me, by ☒ physical presence or _____ online notarization,
this 3 day of, May, 20 21, personally appeared

Daniel Schwab + Patricia Schwab, who is personally known to me or produced
FLDL as identification, and who did / did not take an oath.

Kristen Champion
Notary Public Signature

Seal



Office Use Only:

Accela No. 21200015 Fee: \$1,596.00 Date Filed: 5-3-21 District No. 2

Tax Account No. (list all that apply) 2426535

Parcel I.D. No.

Twp	Rng	Sec	Sub	Block	Lot/Parcel
<u>24</u>	<u>36</u>	<u>35</u>	<u>00</u>	<u>9</u>	<u>-</u>

Planner: PB Sign Issued to: code enforcement Notification Radius: 500

MEETINGS

DATE

TIME



P&Z

July 12, 2021

3:00 p.m.



PSJ Board



NMI Board



LPA



BOA



BCC

August 5 2021

5:00 p.m.

Wetland survey required by Natural Resources ☐ Yes ☒ No Initials PB

Per LeeAnn

Is the subject property located in a JPA, MIRA, or 500 feet of the Palm Bay Extension?



Yes



No

If yes, list

MIRA

Location of subject property: Southeast corner of Palmetto Ave and Burnwood Dr.

Description of Request:

Rezone From BU-1 to RU-2-15



School Board of Brevard County

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

May 5, 2021

Mr. Paul Body
Planning & Development Department
Brevard County Board of County Commissioners
2726 Judge Fran Jamieson Way
Viera, Florida 32940

**RE: Proposed Clover Townhomes Development
School Impact Analysis – Capacity Determination CD-2021-09**

Dear Mr. Body,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account 2426535 (Parcel ID: 24-36-35-00-9) containing approximately 0.94 acres in District 2, Brevard County, Florida. The proposed single-family development includes 14 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 2020-21 to 2025-26 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2020-2021 to 2025-26* which is attached for reference.

Single-Family Homes 14			
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	3.92	4
Middle	0.08	1.12	1
High	0.16	2.24	2
Total	0.52		7

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



An Equal Opportunity Employer

**FISH Capacity (including relocatables) from the
Financially Feasible Plan (FFP) Data and Analysis for School Years 2020-21 to
2025-26**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Mila	707	707	707	707	707
Jefferson	854	854	854	854	854
Merritt Island	1,891	1,891	1,891	1,891	1,891

Projected Student Membership

School	2021-22	2022-23	2023-24	2024-25	2025-26
Mila	442	432	428	418	408
Jefferson	640	632	609	601	593
Merritt Island	1,587	1,494	1,517	1,491	1,428

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2021-22	2022-23	2023-24	2024-25	2025-26
Mila	-	-	-	-	-
Jefferson	1	5	8	10	13
Merritt Island	2	10	17	20	26

**Cumulative Students Generated by
Proposed Development**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Mila	-	1	3	4	4
Jefferson	-	0	1	1	1
Merritt Island	-	1	2	2	2

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

School	2021-22	2022-23	2023-24	2024-25	2025-26
Mila	442	433	431	422	412
Jefferson	641	637	618	612	607
Merritt Island	1,589	1,505	1,536	1,513	1,456

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

School	2021-22	2022-23	2023-24	2024-25	2025-26
Mila	265	274	276	285	295
Jefferson	213	217	236	242	247
Merritt Island	302	386	355	378	435

At this time, Mila Elementary School, Jefferson Middle School and Merritt Island High School are projected to have enough capacity for the total of projected and potential students from the Clover Townhomes 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 Candidate
Manager – Facilities Planning & Intergovernmental Coordination
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years 2020-2021 to 2025-26*

Copy: Susan Hann, Assistant Superintendent of Facility Services
File CD-2021-09

David G. Lindemann, AICP, Director of Planning & Project Management,
Facilities Services
File CD-2021-09

Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service Data and Analysis for School Years 2020-21 to 2025-26



Summary		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
Highest Utilization Elementary Schools:		87%	90%	100%	100%	100%	100%
Highest Utilization Middle Schools:		87%	89%	90%	93%	98%	98%
Highest Utilization Jr / Sr High Schools:		81%	81%	80%	89%	94%	96%
Highest Utilization High Schools:		93%	99%	98%	99%	99%	100%

School	Type	Grades	Utilization Factor	School Year 2020-21			School Year 2021-22			School Year 2022-23			School Year 2023-24			School Year 2024-25			School Year 2025-26		
				FISH Capacity	10/09/19 Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Elementary School Concurrency Service Areas																					
Allen	Elementary	PK-6	100%	751	596	79%	751	678	87%	751	652	87%	751	681	91%	751	773	95%	751	791	95%
Anderson	Elementary	PK-6	100%	884	618	70%	884	617	70%	884	657	74%	884	696	79%	884	702	79%	884	713	81%
Apollonia	Elementary	PK-6	100%	902	785	87%	902	801	89%	902	777	86%	902	755	84%	902	744	84%	902	744	84%
Atlantis	Elementary	PK-6	100%	739	633	85%	739	660	89%	739	625	85%	739	624	84%	739	616	83%	739	610	83%
Audubon	Elementary	PK-6	100%	761	469	62%	761	475	62%	761	471	62%	761	476	63%	761	461	61%	761	464	61%
Cambridge	Elementary	PK-6	100%	765	519	68%	765	525	69%	765	503	66%	765	494	65%	765	469	61%	765	458	60%
Cape View	Elementary	PK-6	100%	570	302	53%	570	283	50%	570	277	49%	570	269	47%	570	253	44%	570	254	45%
Carroll	Elementary	PK-6	100%	751	593	79%	751	593	79%	751	530	71%	751	553	74%	751	559	74%	751	540	73%
Challenger 7	Elementary	PK-6	100%	573	477	83%	573	493	86%	573	443	77%	573	423	74%	573	406	71%	573	398	69%
Columbia	Elementary	PK-6	100%	751	405	54%	751	400	53%	751	455	61%	751	514	68%	751	533	71%	751	547	73%
Corquina	Elementary	PK-6	100%	711	499	70%	711	532	75%	711	475	67%	711	436	61%	711	376	53%	711	376	53%
Cred	Elementary	PK-6	100%	1,154	703	61%	1,154	746	65%	1,154	743	64%	1,154	737	64%	1,154	740	64%	1,154	741	64%
Croton	Elementary	PK-6	100%	795	480	60%	795	530	67%	795	615	77%	795	622	78%	795	627	79%	795	635	80%
Discovery	Elementary	PK-6	100%	980	560	57%	980	550	56%	980	494	50%	980	500	51%	980	507	52%	980	503	51%
Endeavour	Elementary	PK-6	100%	990	568	57%	990	568	57%	990	559	56%	990	551	55%	990	528	53%	990	527	53%
Enterprise	Elementary	PK-6	100%	729	536	74%	729	584	80%	729	525	72%	729	520	71%	729	512	70%	729	492	67%
Fairglen	Elementary	PK-6	100%	789	577	73%	789	590	75%	789	598	76%	789	630	80%	789	676	86%	789	700	89%
Gemini	Elementary	PK-6	100%	711	426	60%	711	457	64%	711	401	56%	711	384	54%	711	379	53%	711	363	51%
Goldview	Elementary	PK-6	100%	777	439	56%	777	458	59%	777	528	68%	777	522	67%	777	537	69%	777	545	70%
Harbor City	Elementary	PK-6	100%	629	345	55%	629	378	60%	629	379	60%	629	416	66%	629	412	66%	629	402	64%
Holland	Elementary	PK-6	100%	605	410	68%	605	485	80%	605	429	71%	605	430	71%	605	416	69%	605	417	69%
Imperial Estates	Elementary	PK-6	100%	729	605	83%	729	608	83%	729	615	84%	729	627	85%	729	644	88%	729	648	89%
Indianapolis	Elementary	PK-6	100%	798	662	83%	798	694	87%	798	685	86%	798	675	85%	798	668	84%	798	649	81%
Jupiter	Elementary	PK-6	100%	930	679	73%	930	655	71%	930	705	76%	930	806	87%	930	876	94%	930	926	100%
Locknar	Elementary	PK-6	100%	892	632	71%	892	609	68%	892	555	62%	892	555	62%	892	541	61%	892	518	58%
Longleaf	Elementary	PK-6	100%	790	568	72%	790	577	73%	790	585	74%	790	595	75%	790	603	76%	790	602	76%
Manatee	Elementary	PK-6	100%	998	868	87%	998	896	90%	998	808	81%	998	786	79%	998	748	75%	998	714	72%
McAuliffe	Elementary	PK-6	100%	918	669	73%	918	657	72%	918	591	64%	918	564	61%	918	561	61%	918	570	62%
Meadowlane Intermediate	Elementary	3-6	100%	1,114	772	69%	1,114	839	75%	1,114	853	77%	1,114	915	82%	1,114	968	87%	1,114	988	90%
Meadowlane Primary	Elementary	PK-6	100%	824	661	80%	824	724	88%	824	634	77%	824	687	83%	824	687	83%	824	699	85%
Mills	Elementary	PK-6	100%	707	428	61%	707	442	63%	707	432	61%	707	428	61%	707	408	58%	707	408	58%
Mims	Elementary	PK-6	100%	725	389	54%	725	422	58%	725	398	55%	725	428	59%	725	414	57%	725	414	57%
Oak Park	Elementary	PK-6	100%	968	603	62%	968	590	60%	968	542	56%	968	514	53%	968	484	50%	968	468	48%
Ocean Breeze	Elementary	PK-6	100%	654	508	78%	654	545	83%	654	465	71%	654	462	71%	654	455	70%	654	429	66%
Palm Bay Elem	Elementary	PK-6	100%	983	573	58%	983	596	61%	983	653	66%	983	736	75%	983	770	78%	983	773	79%
Pinewood	Elementary	PK-6	100%	569	470	83%	569	486	85%	569	493	87%	569	504	89%	569	510	90%	569	516	91%
Port Malabar	Elementary	PK-6	100%	852	648	76%	852	631	74%	852	616	72%	852	612	72%	852	617	72%	852	625	73%
Quest	Elementary	PK-6	100%	1,152	795	69%	1,152	882	76%	1,152	876	76%	1,152	951	82%	1,152	1,021	89%	1,152	1,096	95%
Rivera	Elementary	PK-6	100%	777	561	72%	777	578	74%	777	581	75%	777	612	79%	777	647	84%	777	675	87%
Roosevelt	Elementary	PK-6	100%	599	263	44%	599	247	41%	599	242	40%	599	230	38%	599	207	35%	599	193	32%
Sabal	Elementary	PK-6	100%	785	549	70%	785	564	72%	785	584	74%	785	594	76%	785	580	74%	785	581	74%
Saturn	Elementary	PK-6	100%	976	794	81%	976	841	86%	976	825	85%	976	1,042	107%	976	1,042	107%	976	1,042	107%
Sea Park	Elementary	PK-6	100%	461	272	59%	461	298	65%	461	287	62%	461	288	62%	461	294	64%	461	288	62%
Shenwood	Elementary	PK-6	100%	609	393	65%	609	416	68%	609	379	62%	609	381	63%	609	386	63%	609	379	62%
South Lake	Elementary	PK-6	100%	481	367	76%	481	397	83%	481	367	76%	481	367	76%	481	367	76%	481	367	76%
Sunrise	Elementary	PK-6	100%	913	700	77%	913	693	76%	913	791	87%	913	957	104%	913	1,023	111%	913	1,096	119%
Sunrise	Elementary	PK-6	100%	755	594	79%	755	616	82%	755	571	75%	755	579	77%	755	546	72%	755	535	71%
Surfside	Elementary	PK-6	100%	541	438	81%	541	457	84%	541	430	79%	541	412	76%	541	398	74%	541	400	74%
Tropical	Elementary	PK-6	100%	910	682	75%	910	725	80%	910	623	68%	910	603	66%	910	565	62%	910	547	60%
Turner	Elementary	PK-6	100%	874	529	61%	874	525	60%	874	602	69%	874	675	77%	874	720	82%	874	733	84%
University Park	Elementary	PK-6	100%	811	434	53%	811	471	58%	811	638	79%	811	738	91%	811	748	92%	811	747	92%
Viera Elem	Elementary	PK-6	100%	1,012	384	38%	1,012	613	61%	1,012	613	61%	1,012	697	69%	1,012	738	73%	1,012	741	73%
Westside	Elementary	PK-6	100%	857	671	78%	857	694	81%	857	617	72%	857	641	75%	857	663	77%	857	663	77%
Williams	Elementary	PK-6	100%	715	492	67%	715	484	68%	715	463	65%	715	444	62%	715	425	59%	715	396	55%
Elementary Totals				42,996	29,621		42,996	30,667		42,996	30,387		42,996	31,384		42,996	31,483		42,996	31,487	

Middle School Concurrency Service Areas													
Central	Middle	7-8	90%	1,505	1,135	75%	1,505	1,076	71%	1,505	1,167	78%	1,505
DeLaura	Middle	7-8	90%	939	800	85%	939	846	90%	939	873	93%	939
Howser	Middle	7-8	90%	680	469	69%	680	480	71%	680	468	69%	680
Jackson	Middle	7-8	90%	654	566	87%	654	523	80%	654	558	85%	654
Jefferson	Middle	7-8	90%	854	647	76%	854	632	74%	854	609	71%	854
Johnson	Middle	7-8	90%	997	731	73%	997	710	71%	997	727	73%	997
Kennedy	Middle	7-8	90%	813	666	82%	813	618	76%	813	605	75%	813
Madison	Middle	7-8	90%	781	470	60%	781	445	57%	781	468	60%	781
McNair	Middle	7-8	90%	611	407	67%	611	438	72%	611	448	73%	611
Southwest	Middle	7-8	90%	1,177	904	77%	1,177	892	76%	1,177	879	75%	1,177
Stone	Middle	7-8	90%	1,024	775	76%	1,024	856	84%	1,024	927	91%	1,024
Middle Totals				10,935	7,570		10,935	7,500		10,935	7,730		10,955

Junior / Senior High School Concurrency Service Areas													
Cocoa	Jr / Sr High	PK, 7-12	90%	2,084	1,572	75%	2,084	1,578	80%	2,084	1,857	89%	2,084
Cocoa Beach	Jr / Sr High	7-12	90%	1,466	964	66%	1,466	1,000	68%	1,466	914	62%	1,466
Space Coast	Jr / Sr High	7-12	90%	1,857	1,501	81%	1,857	1,505	81%	1,857	1,455	78%	1,857
Jr / Sr High Totals				5,407	4,037		5,407	4,083		5,407	4,226		5,407

Senior High School Concurrency Service Areas															
Astronaut	High	9-12	95%	1,446	1,087	75%	1,446	1,081	75%	1,446	1,092	75%	1,446	1,052	73%
Bayside	High	9-12	95%	2,257	1,568	69%	2,257	1,869	83%	2,257	2,010	89%	2,257	2,034	90%
Eau Gallie	High	PK 9-12	95%	2,221	1,605	72%	2,221	1,642	74%	2,221	1,741	78%	2,221	1,783	80%
Heritage	High	9-12	95%	2,314	1,699	82%	2,314	1,953	84%	2,314	2,081	90%	2,314	2,179	94%
Melbourne	High	9-12	95%	2,370	2,112	89%	2,370	2,148	91%	2,370	2,338	98%	2,370	2,392	100%
Merritt Island	High	PK 9-12	95%	1,891	1,489	79%	1,891	1,587	84%	1,891	1,517	80%	1,891	1,428	76%
Palm Bay	High	PK 9-12	95%	2,602	1,336	51%	2,602	1,288	50%	2,602	1,827	70%	2,602	2,041	78%
Rockledge	High	9-12	95%	1,701	1,518	89%	1,701	1,570	92%	1,701	1,664	98%	1,701	1,663	98%
Satellite	High	PK 9-12	95%	1,516	1,412	93%	1,516	1,411	93%	1,516	1,393	92%	1,516	1,334	88%
Titusville	High	9-12	95%	1,848	1,230	67%	1,848	1,230	67%	1,848	1,428	77%	1,848	1,490	81%
Viera	High	PK 9-12	95%	2,275	2,096	92%	2,275	2,266	99%	2,275	2,377	99%	2,275	2,495	95%
High Totals				22,441	17,352		22,441	18,809		22,701	19,809		22,701	19,891	

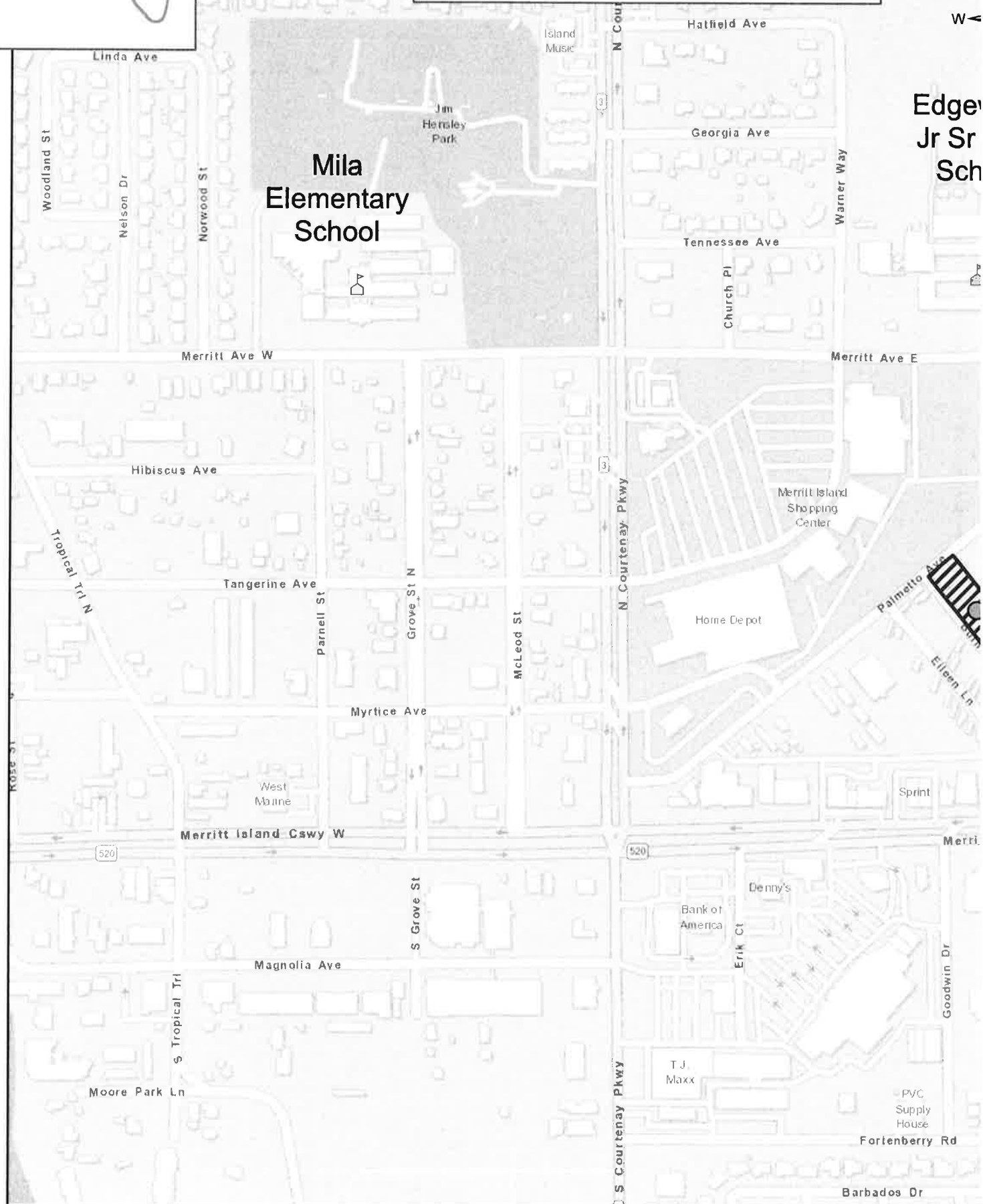
Schools of Choice (Not Concurrency Service Areas)													
	Elementary	K-6	100%	475	395	83%	475	395	83%	475	395	83%	475
Freedom 7	Elementary	K-6	100%	569	569	89%	475	569	86%	569	569	86%	569
Stevenson	Elementary	K-6	100%	618	531	86%	531	531	86%	618	531	86%	488
West Melbourne	Elementary	K-6	100%	618	552	89%	531	531	89%	618	531	89%	531
Edgewood	Jr / Sr High	7-12	90%	1,072	937	87%	1,072	942	88%	1,072	942	88%	937
Edgewood	Jr / Sr High	7-12	90%	1,072	950	88%	1,072	942	88%	1,072	942	88%	937
West Shore	Jr / Sr High	7-12	90%	1,264	967	77%	1,264	967	77%	1,264	967	77%	967
				3,998	3,377		3,998	3,323		3,998	3,323		3,998
Schools of Choice				3,998	3,377		3,998	3,323		3,998	3,323		3,998
				84,877	61,897		84,968	64,127		85,193	66,147		85,553
Brevard Totals				84,877	63,464		84,968	64,127		85,443	66,940		87,143

Notes

1. FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2020-21 are reported from the FISH database as of August 6, 2020.
2. Student Membership is reported from the Fall Final Membership Count (10/09/20).
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 Concurrency Student Generation Multipliers (SGM)
 - Fall Membership student addresses and corresponding concurrency service areas
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
4. Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nongraded 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 30 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 = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations
 - Immediate relocatable classrooms are proposed to be added at Roy Allen Elementary, Riviera Elementary, Sunrise Elementary, and Stone Middle School (Total 19 Classrooms)
 - High school relocatable classrooms are proposed to be added at Melbourne High and Viera High (Total of 11 Classrooms)
7. Redistricting was approved for the 2021-22 school year and the projected enrollment for 2021-22 is adjusted for those areas.



Clover Townhomes Location Map



PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 12, 2021**, 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: Ron Bartcher (D1); Brian Hodgers (D2); Mark Wadsworth, Chair (D4); Joe Buchanan (D4 Alt); Peter Filiberto (D5); and David Bassford (D5 Alt).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; George Ritchie, Planner III; Paul Body, Planner II; Kyle Harris, Planner I; Abigail Jorandby, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

At the outset of the meeting, David Bassford announced he had a conflict of interest on Items H.1., H.7., and H.8., and would need to abstain from voting.

Excerpt of Complete Minutes

Schwab Construction Group, Inc. (Daniel Lee Schwab)

A change of zoning classification from BU-1 (General Retail Commercial) to RU-2-15 (Medium Density Multi-Family Residential). The property is 0.94 acres, located on the southeast corner of Palmetto Ave. and Burnwood Dr. (141 Burnwood Dr. and 165 Palmetto Ave., Merritt Island) (21Z00015) (Tax Account 2426535) (District 2)

Daniel Schwab, 801 Del Rio Way, Merritt Island, stated he would like to rezone in order to develop residential attached townhomes. He said he spoke with the Merritt Island Redevelopment Agency, who said they would like to see townhomes on the property that are affordable.

No public comment.

Peter Filiberto asked if Mr. Schwab will you be hooking up to County sewer and water. Mr. Schwab replied yes, he will.

Motion by Ron Bartcher, seconded by Joe Buchanan, to approve the requested change of zoning classification from BU-1 to RU-2-15. The motion passed unanimously.