

## PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, October 9, 2017, at 3:00 p.m.**, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order by the Vice Chair, Robert LaMarr, at 3:00 p.m.

Board members present were: Robert LaMarr, Vice Chair; Rochelle Lawandales; Ben Glover; Scott Langston; Ron McLellan; Bruce Moia; Jeff Holleran; Ron Bartcher; and Mark Wadsworth.

Staff members present were: Rebecca Ragain, Planning and Development Assistant Director; George Ritchie, Planner III; Diana Yuan, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator II.

Robert LaMarr, Vice Chair, announced that the Board of County Commissioners will have the final vote on the recommendations made by the Planning and Zoning Board on Thursday, November 2<sup>nd</sup>, at 5:00 p.m.

### APPROVAL OF SEPTEMBER 25, 2017, P&Z AND LPA MINUTES

Motion by Ron McLellan, seconded by Mark Wadsworth, to approve the minutes of September 25, 2017. The motion passed unanimously.

**IV.B.** Small Scale Comprehensive Plan Amendment, Re: Residential 15 to CC – Mark J. Flickinger, and Skidmore Trailer Park and Sales, Inc. The property is 0.71 acres, and located on the southwest corner of River Park Blvd., and U.S. Hwy 1., 7635 U.S. Hwy 1, Titusville. (17PZ00096) (District 1)  
**P&Z Recommendation: Moia/Lawandales – Approved. The vote was unanimous.**

**IV.C.** Change of Zoning Classification, Re: BU-1, BU-2, and RU-1-11 to all BU-2 – Mark J. Flickinger, and Skidmore Trailer Park and Sales, Inc. The property is 0.71 acres, and located on the southwest corner of River Park Blvd., and U.S. Hwy 1., 7635 U.S. Hwy 1, Titusville. (17PZ00096) (District 1)  
**P&Z Recommendation: Moia/Lawandales – Approved the RU-1-11 portion of the rezoning request as BU-1, and took no action on the remaining rezoning request of BU-1 to BU-2. The vote was unanimous.**

**Items IV.B. and IV.C. were discussed simultaneously.**

Jane Skidmore Panasis, 565 Eloney Drive, New Smyrna Beach, stated the subject property is 7655 S. U.S. 1, Titusville, and is currently zoned BU-1 and BU-2 with a small strip in the middle zoned residential. The application was combined with Mark Flickinger who owns the residential lot behind the commercial lot, to rezone that piece to BU-2. Currently, the property is rented by Secure Fence and Rail, who rents the residential property as well as the commercial property. She further stated Secure Fence and Rail has improved the commercial lot and have made it attractive from the road, and she feels the residential should be rezoned to BU-2 to accommodate the growing business.

Ron McLellan asked if the fence business is on the BU-1 portion, or the residential portion. Ms. Panasis replied it encompasses residential, BU-1 and BU-2, so there's mixed zoning.

Mr. McLellan asked staff if there is a Code Enforcement violation on the property. Ms. Ragain replied yes, there is a Code Enforcement action on the entire property because the business is operating on property that is RU-1-11. Mr. McLellan asked Ms. Panasis why she is requesting BU-2 on all of the parcels. Ms. Panasis replied in order to comply with Code Enforcement, the business owner needs to warehouse some fencing supplies and keep it out of sight from the residential properties. Ms. Ragain confirmed that outside storage requires BU-2.

Kenneth Jacobs, 7761 Windover Way, Titusville, stated he is the owner of Secure Fence and Rail, and it starts at 7635 U.S. 1, but they also use 7645 U.S. 1, which are both owned by Ms. Panasis and her family. There is

a residential piece between the 7635 and 7645 that is a 50-ft. section that is residentially zoned and somehow was never rezoned to commercial. It is against a building that used to be a bait shop that he renovated and cleaned up with landscaping, outdoor pavers, and other improvements. He noted the 7635 U.S. 1 address is BU-1, and he operates his whole business out of there. He said he has outdoor storage and would have to build a 200-ft. by 200-ft. building to put all outdoor storage inside. He noted there is a 6-ft. fence all the way around the property and attractive displays and landscaping all around it. From time to time there are pallets on River Park Boulevard that are donated to churches who pick them up, but he had all of the pallets brought inside the fence today.

Mr. McLellan asked if Mr. Jacobs has met with any of his neighbors. Mr. Jacobs said he knows a majority of the neighbors. He noted Mark Flickinger owns the house in the back, and his operations manager lives there now and has fixed up the property.

Kathi Pulver, 149 River Park Blvd., Titusville, stated the residential home Mr. Jacobs spoke about has become an extra storage area for the business. She stated the issues with the business have been ongoing. River Park Blvd. is a dead-end street that ends at the Indian River; and unfortunately, Mr. Jacob's business is the gateway to the community. She stated the employee parking encroaches in front of the residence; her and her neighbors' tires have been affected by the debris. The storage of materials outside the fence is ongoing, and the pallets were left unsecured during Hurricane Irma. She stated her concern is that the ongoing expansion of the business is going to degrade the appearance of the neighborhood. The business does manufacturing, and the neighbors have complained several times. She stated she is asking that the board not only deny the request, but impose additional requirements to maintain the overall appearance of the neighborhood. She added there is a wooden fence around the property currently, but the materials stored behind the fence are visible because the fence is not high enough to prevent seeing the materials leaned against it on the inside, and the gates are almost always open.

Jeff Holleran asked if there is a school bus stop in front of the subject property. Ms. Pulver stated there is a school bus stop, as well as a SCAT bus stop at the corner, and the concern with that is the commercial vehicles that block the road.

Bruce Moia stated most of the property is zoned BU-1, so they could legally have a business use, and a lot of the items Ms. Pulver is talking about could possibly happen as a permitted use. He asked if the real concern is the outdoor storage, because that's the only difference between what is being asked for and what they already have. Ms. Pulver said it is the outdoor storage, the parking, and the disruption of traffic flow. Mr. Moia noted any business in BU-1 could have those issues as a permitted condition, and the only advantage he sees to go from BU-1 to BU-2 is allowing the outdoor storage. He asked if Ms. Pulver is opposed to a commercial use altogether, or just this commercial use. Ms. Pulver replied the commercial aspect of the property is coming down River Park Blvd., which is residential property. Mr. Moia stated it is commercially zoned, but has a residential land use, so it's incompatible due to pre-dating the comp plan.

Robert LaMarr asked if Ms. Pulver is concerned about the aesthetics of how the business looks to the community. Ms. Pulver replied that is one of the concerns, as well as increased traffic, unsafe conditions with the employee parking, and the commercial vehicles that go down River Park Blvd. to turn around. She understands the corner is commercial, but the entire road is being used as an adjunct commercial entity by them using the residential street.

Bill Heffron, 100 River Park Blvd., Titusville, stated he visited the owner of Secure Fence and Rail in April to ask him to clean up a large mess that had accumulated outside the fence. He said after two weeks the mess was finally cleaned up, but a few days later there was a new mess. He stated the property is too small for the business; there are semi-trucks parking in the street many times during the day; and the employees park in the grass. He said he does not want to see the property rezoned.

Mr. McLellan asked if the semi-trucks are parking on the side of the street. Mr. Heffron replied they park directly in the street. Mr. McLellan asked if materials are being unloaded in the street. Mr. Heffron said sometimes they unload in the street, and sometimes they wait in the street until they can pull into the lot and unload. Ms. Lawandales asked how the trucks get out of the lot. Mr. Heffron replied he does not know, but he has seen some trucks at the end of River Park Blvd. and then they have no place to turn around.

Donnie Panasis, co-owner of the commercial property and trailer park, stated he agrees with Mr. Heffron that it is not acceptable to have semi-trucks in the residential area of River Park Blvd. Mr. Jacobs stated the trucks are supposed to enter off of River Park Blvd. and go through a 30-ft. wide gate, then from there they leave out onto U.S. 1. Unfortunately, there are some drivers who don't know and try to drive down the street. He said he does not allow trucks to go down the road, and if he finds out that they do, he calls the supplier immediately.

Scott Langston asked how Mr. Jacobs handles the business's trash. Mr. Jacobs replied there is a dumpster onsite that goes directly to the landfill.

Ms. Lawandales stated there are two issues before the board today. The first is the land use issue, from Residential 15 to Community Commercial, and she has no problem with the land use modification because it is appropriate for the location. She is concerned about the uses allowed in BU-2 if the property is changed entirely to BU-2 without any restrictions or conditions. She needs to know if the owner is willing to consider a binding development plan. She listed the items she would like to see in a BDP.

- Limiting the use to only the current use in BU-2, or any other uses in BU-1.
- That the property be cleaned up within 30 – 60 days, and that the property be completely enclosed with an opaque wall as high as allowed by County Code.
- That all work is limited to Monday through Saturday, from 7:00 a.m. to 7:00 p.m.
- That any manufacturing be in an enclosed structure to minimize the sound; if it can't be done in an enclosed structure, then the property should be landscaped.
- No on-street parking, and space should be provided for the employees to park off-street.
- No parking of semi-trucks.
- That there be a buffer in the back, next to the residents.
- That a turnaround be created in the yard

Ms. Lawandales said she would support the rezoning request under those conditions.

Mr. Jacobs asked if the landscaping would be inside the fence. Ms. Lawandales stated she would prefer the landscaping on the outside of the fence, behind the business. Mr. Jacobs said behind the business is the house that is owned by the person that leases the property between the Skidmore property and the residence, and there's a small, 60-ft. x 80-ft. piece that he would like to rezone to BU-2 because it is being used for storage. Ms. Lawandales noted there is a BU-1 piece included in the rezoning request, and asked if Mr. Jacobs if he is going outside of that BU-1. Mr. Jacobs replied no, that is the other piece of property. He said there is already an 8-ft. fence on the back side of the business. Ms. Lawandales stated if there is room, he would need to have some landscaping either on the inside or outside. Mr. Jacobs noted there is a 6-ft. fence on the north side of the property, but he doesn't have a problem putting an 8-ft. fence where he needs to, and he will keep the gates closed during the day except when the trucks come in. Ms. Lawandales said she doesn't have an issue with that, she just wants to make sure things stay neat and clean; whatever Mr. Jacobs does on the inside of the property is up to him. She asked if Mr. Jacobs would be willing to stipulate to the conditions of a BDP, and pointed out the property owner would also have to agree. Mr. Jacobs stated he can put some plants on the north side, but not on the south side because it abuts the operations manager's house that he leases from Mark Flickinger. Ms. Lawandales stated she is also talking about the east side because

that's the side abutting a residence. Mr. Jacobs said he has 20 ft. of commercial property he is not using, so he doesn't have a problem with landscaping.

Mr. LaMarr said the neighbors would like Mr. Jacobs to be a better neighbor, also. Mr. Jacobs stated he told Mr. Heffrom that he was going to clean the place up, and they had a good conversation, but the next day Code Enforcement was at his property.

Ms. Lawandales asked staff how long the Code Enforcement case is suspended, and if it is suspended until the completion of the rezoning request through the Board of County Commissioners. Ms. Ragain said that is correct, until the requests have either been approved or denied.

Mr. Moia asked if Mr. Jacobs is going to be required to go through the site plan process. Ms. Ragain said not unless he is proposing to build a structure or an addition.

Mr. Holleran asked what Mr. Jacobs did to secure the outside items during the hurricane. Mr. Jacobs said he and his staff spent five days preparing everything before the storm, getting all the small stuff out of the yard. The pallets were left sitting out, but they were strapped together. He said all the fences held up and none of the neighbors were in danger of anything.

Mr. Wadsworth asked how many employees Mr. Jacobs has. Mr. Jacobs replied he has approximately 60 employees, with 10 employees in the Melbourne office. At the Titusville location there are 30 – 35 employees, but they are not on the property all day, and there are approximately 15 – 20 vehicles there on a regular basis.

Ms. Pulver stated she has pictures that show the pallets outside and not secured, and they are stacked above the fence line. She said it is not only pallets, it is also used metal fencing that's rolled up and left outside, as well as cardboard. She asked for clarification on the home that abuts the fence and has commercial material and trailers there for weeks.

Mr. Langston said that is the rental property. Mr. Ritchie said the lot to the east is BU-1 and a single-family residence is a permitted use in BU-1, as well as BU-2, so all three lots could support an individual single-family home. Ms. Lawandales asked if the area being discussed is what is encompassed on the map by the black and yellow line, or does it include the house to the east. Mr. Ritchie said it only includes the area within the lines. The north half is BU-1, the northeast half is BU-2, and the residential zoning runs along the southern border of the property.

Ms. Ragain said if they are using any of the adjacent residential properties for outdoor storage of materials for the business, that would not be allowed and would be subject to Code Enforcement. Mr. Langston clarified that would be the materials outside the BU-2 zoning, such as fencing materials and pallets. Ms. Ragain said that's what the code violation is for right now because they don't have the correct zoning for outdoor storage.

Mr. Langston asked if the trailer is being stored at the house that is zoned BU-1, and if that would be permitted. Mr. Ritchie replied yes, there can be certain storage under Section 62-2117 in commercially zoned areas, but not in the residential area.

Ms. Lawandales said she is a little confused as to what the property includes, but her intention is that all of the properties that are being used by this business be enclosed and encompassed within a binding development plan. Mr. Langston said he doesn't know if that would be difficult because of the residential strip. Ms. Lawandales said the residential strip is part of the proposed change. She said if the BU-1 piece is the piece that has the residence on it, and it's part of this application, then it would be included in the BDP. Anything outside of that, the board can't do anything about it.

Mr. Moia said any business can run their business as long as it's in accordance with the code; the Planning and Zoning Board doesn't set those requirements, but the County Commission does. He stated it could be as simple as just changing the residentially zoned property to BU-1, and that way, any outdoor storage or any type of activity that may need to be outdoors will be done on the BU-1, as it's been done historically. He further stated the property has been used as commercial, so changing it to Community Commercial for the Future Land Use is appropriate.

Motion by Bruce Moia, seconded by Rochelle Lawandales, to approve the Small Scale Plan Amendment from Res 15 to Community Commercial. The motion passed unanimously.

Motion by Bruce Moia, seconded by Rochelle Lawandales, to approve the RU-1-11 portion of the rezoning request as BU-1, and took no action on the remaining rezoning request of BU-1 to BU-2. The motion passed unanimously.

**IV.D. Conditional Use Permit, Re: Alcoholic Beverages for On-Premises Consumption – Riverview Tower, LLC (Tuan Le).** The property is 1,812 sq. ft., and located at 6525 3<sup>rd</sup> St., Rockledge, Units 107 & ½ of 108. (17PZ00104) (District 4)

**P&Z Recommendation: Lawandales/Glover – Approved. The vote was unanimous.**

Tuan Le, owner, stated he would like to open a restaurant in Riverview Tower, at the corner of Suntree Blvd. and U.S. 1.

No public comment.

Motion by Rochelle Lawandales, seconded by Ben Glover, to approve the CUP for Alcoholic Beverages for On-Premises Consumption.

**IV.E. Conditional Use Permit, Re: Bed and Breakfast (Michael K. and Maria P. Granatosky).** The property is 1.02 acres and is located at 3645 Rosehaven Place, Titusville. (17PZ00106) (District 1)

**P&Z Recommendation: Moia/Lawandales – Approved with the stipulation of only one (1) room for rent. The vote passed unanimously.**

Rochelle Lawandales asked staff if there are any bed and breakfast uses in EU zoning anywhere in the county. George Ritchie replied there is a bed and breakfast in an EU zoning on Indian River Drive, just south of S.R. 528.

Maria Granatosky, 3645 Rosehaven Place, Titusville, stated she has had an Airbnb, licensed through the State, at her house for two years, and is listed on the Airbnb website. Someone made an anonymous complaint to Code Enforcement in July, but she didn't know she was violating the code. She explained she has had approximately 150 – 200 guests in the past two years; there is only one guest at a time; she has one bedroom that she uses in her basement; and there is only one guest car parked in the driveway at one time. She noted she has a three-car driveway that slopes down into her land in the back that is not visible to anybody except the neighbor across the street and maybe the neighbor to the east. The guests enter through a private entrance in the garage, and they use a keypad to get in and out. She said her intent is not to have a commercial bed and breakfast, she just wants to stay on the Airbnb site for one guest at a time. She addressed the letters of objection concerning traffic, and said for two years no one has noticed her guests on the street, and there have not been any traffic issues. She said there was also a concern about her guests being vetted, and Airbnb does a background check for criminal activity, and she has never had a problem with any of her guests. She stated there are hundreds of Airbnb listings in Brevard County, but she happened to have an anonymous complaint to Code Enforcement.

Ms. Lawandales said one of the letters talks about the deed restrictions, and asked if Ms. Granatosky is familiar with those. Ms. Granatosky stated the deed restrictions say they are a single-family household and so her understanding of this proceeding is to change that, and the CUP is to change her zoning so we can be a bed and breakfast. Ms. Lawandales explained her zoning will stay the same, and she will still be a single-family residence, but it would allow her to use the residence in a different way. She said the board cannot enforce deed restrictions. Ms. Granatosky reiterated she is not running a commercial bed and breakfast. Ms. Lawandales pointed out that a bed and breakfast is a commercial use. Ms. Granatosky said she just wanted her intent to be known.

Mr. Ritchie stated the bed and breakfast section of the states, "for the purposes of this section, a bed and breakfast inn shall be defined as follows: A bed and breakfast inn is a structure originally built as a single-family residence or a new structure which is designed as, and appears externally, as a single-family residence." He said the definition of a single-family residence means all rooms have to have internal access to be part of the house. He asked Ms. Granatosky if her house has internal access. Ms. Granatosky replied there is internal access through her basement, which is accessed by a staircase to the rest of the house.

Bruce Moia stated it is almost like applying for a home occupational license, only this one requires a CUP. If it is a deed restricted community, even if the board approves it, the State may not allow it.

Public Comment:

Willie L. Laws, 3665 Audrey Dr., stated she was under the impression that the bed and breakfast didn't exist, and that it was just something Ms. Granatosky was requesting to be able to do. She said she is against any commercial business coming to the neighborhood.

Mr. Moia asked if Ms. Laws didn't realize the use was already there. Ms. Laws replied she didn't realize it was already in operation. Mr. Moia asked if she has had an issue with noise, traffic, or crime in the past two years. Ms. Laws replied she is not aware of anything.

Kurt Erlenbach, 3640 Rosehaven Place, Titusville, stated he lives across the street from the Granatosky's, and he also didn't know they were doing this for two years until he saw the sign in front of the house and talked to them about it, which speaks a lot for how it has been no problem whatsoever. He is in favor of allowing it because he can see no impact it has had on the neighborhood. He noted he's stayed in a lot of Airbnb's and he thinks it is a good use for extra space in a house. He said he's talked to a few neighbors who disagree, but he sees no problem with it whatsoever.

Mr. Langston asked if there is a neighborhood association that enforces the deed restrictions. Mr. Erlenbach said he doesn't know that no one enforces them, but there is no homeowners association.

Jack Bergquist, 3635 Rosehaven Place, Titusville, stated he lives east of the subject property and did not know Ms. Granatosky was running a bed and breakfast, but she mentioned to him many months ago that she was thinking about it. He's noticed people there from time to time; they travel a lot and she's told him she has people watching her pets. He stated there are deed restrictions, and his biggest concern is that it will change the neighborhood forever, because once commercial property is introduced in a neighborhood it can't be undone. He said he likes his neighbors, but he doesn't want a commercial property next to him, as it brings strangers to the neighborhood.

Ann Bergquist, 3635 Rosehaven Place, Titusville, said she was shocked when she got the notice in the mail, because she had no idea they were running and Airbnb. She has been aware of a lot of people coming and going, but she's expected it over the years because of the amount of people they know and the activities they've been involved with. She said when she moved into her house 16 years ago she had to sign the deed

restrictions, and it was her understanding that the neighborhood was single-family. She noted she has a mother-in-law suite in her home, so she could do the same thing. She said the busiest time is because of Daytona with the car races and bike week, and those are the times when some people are drinking. Whether they are vetted or not, people are coming into a community to spend the night or several days, and it makes her very uncomfortable. She requested the board deny the request and consider the letters that have been received, as well as the deed restrictions.

Mr. Moia pointed out that the homeowners association was dissolved voluntarily on December 14, 2001, so there are no deed restrictions. Ms. Lawandales said the deed restrictions are no longer valid.

John Vansickle, 3670 Rosehaven Place, Titusville, said he lives across the street and to the west, and he was aware when he bought his house that there were deed restrictions. Shortly after he bought his house in 2015, he knew Ms. Granatosky had a business because a car left her house at a high rate of speed, and that happens. He said his concern is that Mrs. Granatosky doesn't have the control over her guests and how fast they drive down the street; and it is not just her guests, it's other neighbors on the street. He was aware of her Airbnb because it showed up on Realtor.com that she charged \$49/night. He didn't say anything; they know they run a business and there are things they should do; and he's never said anything because they're great neighbors. Now, somebody decided they were upset about it, and she's been asked to make it formal. Had this been proposed at the corner of Rosehaven and Carpenter and not coming into the cul de sac, it would be different, but it's further down the street. He stated he has read the documents, and one of the uses of an estate property is to come in front of the board and ask for a conditional use permit for a bed and breakfast, so Ms. Granatosky is in her right, but one of the neighbors is within their right that if things are not done properly, to blow the whistle. He said he is a neighbor caught in the middle, but it's not really the right fit for the neighborhood.

Ms. Lawandales asked staff about the policy on transient lodging and rental of homes. Mr. Ritchie replied the bed and breakfast inn would allow for nightly rentals of approved units within the house; it is an accessory use to residential property and the property owner has to live in the house; and it may be a partial business, but it is still considered a residence. If the property were multi-family zoning, resort dwellings would be permitted on short-term rental periods of less than 90 days. Unfortunately, the bed and breakfast provision is so old, staff didn't put in how many days guests can stay, so that is not defined. There are other things defined by Code that talk about vacation rentals, which are rental periods less than 6 months, and then there are regular rental contracts that are month-to-month, or annual, or longer term. He noted the audience talked about a guesthouse or a second kitchen facility, but those are prohibited from being rented out, so if they have those approvals they can use them for their family members, but they can't turn them out as a bed and breakfast; if they want to become a bed and breakfast they would have to come in and request the CUP, just like this applicant.

Mr. Langston asked if a business license is required, with a Tax ID number. Mr. Ritchie replied it is written that way for resort dwellings, but that exact language is not in the code for bed and breakfasts; the use is an accessory use to the principal use as a single-family residence of the operator who shall live on the premises. He said the code doesn't directly talk about having a business tax receipt through the Tax Collector's Office, but when those licenses come in, zoning would do a review on the property, and if the zoning was approved for it, would also allow the activity on the site.

Mr. Moia stated someone could buy the house and rent it to somebody, and the owner of the property doesn't have to live there. If someone bought a house as an investment property and rented it out, they could do that? Mr. Ritchie replied they could rent it out for periods of not less than 90 days. Mr. Moia said someone could rent out a house for a year and that would be allowed. Mr. Ritchie said that is correct.

Jeff Holleran asked if the board is going to be here every time somebody calls in a complaint on a neighbor running and Airbnb. He pointed out that there are Airbnb's right now all over the county. This seems to be a bigger issue than just putting one person through this. He asked what the County is looking at more holistically. Mr. Ritchie said if the zoning were multi-family they would be permitted with conditions, so applicants would not be coming before the board. It would only be single-family zoned property that would come to the board to get a CUP. Mr. Holleran stated there is a bigger issue, and on the Airbnb website there are plenty of houses that have rooms available to rent in Brevard County. Ms. Lawandales noted it sounds like a code change opportunity.

Mr. Moia stated the application says the request is for a CUP with one single-family residence with two rooms to rent. Ms. Granatosky said she only has one room. Mr. Moia said her intent might be for one room, but the staff comments say the request is for two rooms, and asked if two rooms is allowed. Mr. Ritchie replied based on the comprehensive plan and the density of the zoning classification, the code would allow up to two rooms. Mr. Moia asked if the board could approve the request limited to one room. Mr. Ritchie replied yes.

Maria Granatosky stated just like Uber allows the use of a private car, Airbnb is a platform for the same thing, but it's a private home. She said the County only handles Airbnb's when there is a complaint by someone, and there may need to be a policy for that. She said she's never had one person drink in my house, because it's against her rules, which are no drinking, drugs, or firearms. Most people come for the nature of Titusville, and for the Kennedy Space Center.

Mr. Moia asked if Ms. Granatosky would be agreeable to limit the use to only one room. Mrs. Granatosky replied yes, she only wants one room.

Motion by Bruce Moia, seconded by Rochelle Lawandales, to approve the Conditional Use Permit for a Bed and Breakfast with the condition that it be limited to one room for rent. The motion passed unanimously.

**IV.F. Conditional Use Permit, Re: Alcoholic Beverages for On-Premises Consumption – TAC Merritt Island, LLC (John Campbell).** The property is 2,457 sq. ft. and is located approx. 470 ft. south of E. Merritt Ave., and approx. 655 ft. east of N. Courtenay Pkwy (Home Depot Plaza), Unit A-10B. (17PZ00107) (District 2)  
**P&Z Recommendation: Lawandales/McLellan – Approved. The vote was unanimous.**

John Campbell, Land Surveyor, Merritt Island, stated he represents Tag Healey, who is from Ireland and would like to request a CUP for operating an Irish Pub in the Home Depot Plaza on Merritt Island.

Tag Healey, 134 Starboard Lane, Merritt Island, said he wants to start a small Irish tavern in the Home Depot Plaza. Mr. Campbell said it is going to be a tavern, but Tag would like it to be something people would be proud to bring their kids to, and maybe an older clientele as well. He noted MIRA gave the project 100% approval.

Robert LaMarr asked if it will be tied in with a restaurant. Mr. Healey replied yes, he intends to have a commercial kitchen. Scott Langston asked the square footage of the unit. Mr. Healey replied it is 2,457 square feet, which is on the smaller side, but he doesn't expect the seating capacity to exceed 50 seats.

No Public Comment

Motion by Rochelle Lawandales, seconded by Ron McLellan, to approve the Conditional Use Permit for Alcoholic Beverages for On-Premises Consumption. The motion passed unanimously.

Upon consensus, the meeting adjourned at 4:38 p.m.