

## PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, May 9, 2016, 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 Chair, Henry Minneboo, at 3:00 p.m.

Board members present were: Henry Minneboo, Chair; Bill Cannon; Robert LaMarr; Loretta Goggin; Andy Barber; Clyde Thodey; and Harry Smith.

Staff members present were: Cristina Berrios, Assistant County Attorney; Cindy Fox, Planning and Zoning Manager; George Ritchie, Planner II; and Jennifer Jones, Special Projects Coordinator II.

The seven members present voted throughout the meeting.

Henry Minneboo – This is the Planning and Zoning Board meeting, which is an advisory board to the Board of County Commissioners, and all items today will be heard on Thursday, May 26<sup>th</sup>, back in this room here, at 5:00 p.m. Has everybody had an opportunity to see the P&Z minutes of April 11<sup>th</sup>, 2016?

Andy Barber – Motion to approve.

Rob LaMarr – Second.

Henry Minneboo called for a vote on the motion as stated, and it passed unanimously.

Cindy Fox – I don't believe our first applicant is here for IV.B.1., so if you want to go ahead and take IV.B.2. first.

**IV.B.2. (16PZ00029) A.N.A. REAL PROPERTY DEVELOPMENT, LLC** – (John Haley) – request a change of classification from BU-1 and RU-2-15 to RU-1-7 on 0.93 acres +/-, located on the east side of N. U.S. Hwy 1, approx. 188 ft. north of Elm Dr. (4225 N. U.S. Hwy 1, Melbourne)

P&Z Recommendation: Thodey/Barber – Approved with Binding Development Plan limited to two (2) lots. Vote was unanimous.

John Haley – My name is John Haley, 1249 Tipperary, Melbourne, Florida. This is a parcel of land approximately 1 acre on the Indian River between U.S. 1 and the Indian River. Currently, it has commercial and residential zoning, and it is our desire to get rid of the commercial and make it all residential, RU-1-7. In doing so, that zoning allows for multiple single-family units, so we would like to accompany the application with a binding development plan that stipulates that we are only asking for two residential building sites. The residential building sites will then be in conformance with that zoning as far as size, shape, minimum lot size, et cetera. We have recently done something similar to this about 500 feet to the south of it; it did require a more complex binding development plan because of shared amenities; this will be a simple lot split with a binding development plan limiting us to the two lots.

Henry Minneboo – Mr. Haley, did you already submit that to staff?

John Haley – We have not submitted the binding development plan to staff. We wanted to work out the wording for them, but we stipulate that that's what we're requesting.

Cindy Fox – You're amending an existing one?

John Haley – No, we did an existing one that's already been permitted, planned, and built about six doors south, so the language that we'll track basically says that it will limit us to two lots.

Henry Minneboo – Is there anybody out in the audience that would like to speak for or against this? Seeing none, I bring it back to the board. Does the board have any questions for Mr. Haley? What's the pleasure?

Clyde Thodey – I make a motion that we approve it as submitted.

Henry Minneboo – With his binding development plan?

Clyde Thodey – Yes.

Andy Barber – Second.

Henry Minneboo called for a vote on the motion as stated, and it passed unanimously.

**IV.B.1. (16PZ00028) – IAN BAUMGARDNER** – requests a Small Scale Plan Amendment (16S.03) to change the Future Land Use from Agricultural to Residential 1, and a change of classification from GU to RR-1, on 1.23 acres, located on the south side of Harrison Rd., approx. 0.31 mile east of N. Johnson Ave. (No assigned address. In the Mims area.)

**P&Z Recommendation: Barber/Cannon – Approved. Vote was unanimous.**

**LPA Recommendation: Barber/Cannon – Approved. Vote was unanimous.**

Cindy Fox – I'd like to point out to the board that although this appears to be, at least from a future land use perspective, Residential 1 in the middle of a lot of agricultural, which is one unit per five acres, but what I'd like to point out is he has a substandard lot for GU, and prior to the comp plan in '88 he could have come in and rezoned it, so that's why we would go ahead and allow him to rezone it, because he's nonconforming to the comp plan.

Henry Minneboo – How long have they owned this?

Cindy Fox – I'm not sure. It appears that this property was subdivided around the late '70s and this lot in particular in 1980.

Henry Minneboo – Is there many of these left up there?

Cindy Fox – There are. The last North Mims Area Study that we did recommended to leave this area one per five, and probably when we go back and revisit it again there might be some areas we start taking to Residential 1 and 2.

Henry Minneboo – Would it make sense at some point to clean all that up?

Cindy Fox – At some point, yes, we will have to do it.

Ian Baumgardner – Ian Baumgardner, 16145 Commonwealth Avenue North, Polk City, Florida. We want to build a house and a small workshop in order to move myself and my mother back over here to be closer to my siblings.

Henry Minneboo – Does anybody have any questions for Mr. Baumgardner? Anybody out in the audience that would like to speak for or against this. Seeing none, I bring it back to the board.

Cindy Fox – Mr. Chair, may we ask Mr. Baumgardner if he's interested in having any animals? This does allow horses.

Henry Minneboo – Did you understand that question?

Ian Baumgardner – Yes, nothing that large, maybe a pet or two.

Henry Minneboo – What's the pleasure of the board?

Andy Barber – Motion to approve.

Bill Cannon – Second.

Henry Minneboo called for a vote on the motion as stated, and it passed unanimously.

Cindy Fox – Mr. Chair, we need two motions.

Henry Minneboo – On the LPA side I need a motion and second.

Andy Barber – Motion to approve.

Bill Cannon – Second.

Henry Minneboo called for a vote on the motion as stated, and it passed unanimously.

Cindy Fox – If anyone is interested, we do have a North Merritt Island meeting coming up Thursday night.

Henry Minneboo – Is that North Merritt Island issue going to come to us?

Cindy Fox – As the LPA you will. They are going to hear the zoning change.

Henry Minneboo – Isn't there a lot going on up there now?

Cindy Fox – If anyone is interested in attending that meeting knowing what's going on up there, particularly with the small area study, or some of the pending zoning requests, you can give me a call or stop by on Thursday night.

Henry Minneboo – Are you allowed to share with us where that is?

Cindy Fox – We have an application submitted for 41 acres coming in for a rezoning on North Merritt Island.

Henry Minneboo – Okay, and that's Thursday?

Cindy Fox – Thursday at 6:00 p.m.

Upon consensus, the meeting was adjourned at 3:09 p.m.