



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.6.

5/7/2026

Subject:

Maricic Family Trust (Kim Rezanka) requests a zoning classification change from AU and GU to EU. (26Z00003)
(Tax Account 2511133) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from AU (Agricultural Residential) and GU (General Use) to EU (Estate Use).

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from GU (General Use) and AU (Agricultural Residential) to EU (Estate Use Residential) zoning to cure a nonconforming lot size issue. The applicant states that they do not intend to divide the property with the intention of developing a residential subdivision. The property's current zoning designations of AU and GU require a minimum lot size of 2.5 and 5 acres, respectively. The subject property is 1.87 acres, which does not meet the minimum size to develop. The proposed zoning classification, EU, has a minimum lot size of 15,000 square feet (approximately 1/3 of an acre).

AU and GU zoning were the original established zoning classifications for the subject property upon the adoption of the Brevard County Zoning Regulations on May 22, 1958.

Abutting the subject property to the north on the west side of South Highway 1 is a vacant 1-acre parcel with BU-2 zoning and CC FLU designation. On the east side of South Highway 1 and north of the subject property is a vacant 0.53-acre parcel with BU-1 zoning and CC FLU designation and a 1.3-acre parcel with EU zoning and NC FLU designation developed with a single-family residence. Abutting the subject property to the south on the west side of South Highway 1 is a vacant 1.28-acre parcel with GU zoning and an NC FLU designation. On the east side of South Highway 1 and south of the subject property is a 0.86-acre parcel developed as a retail store with BU-1 zoning and CC FLU designation and a 1.04-acre parcel with EU zoning and a RES 4 FLU designation developed with a single-family residence. East of the subject property is a 0.9-acre parcel with EU zoning and a RES 4 FLU designation developed with a single-family residence. West of the subject property and west of the East Coast Railroad right-of-way, is a 1.55-acre parcel developed as a retention pond with GU zoning and IND FLU designation.

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

On April 13, 2026, the Planning and Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

Upon receipt of resolution, please execute and return a copy to Planning and Development.

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

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

Administrative Policy 1

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

Administrative Policy 2

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

Criteria:

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

Administrative Policy 3

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

Criteria:

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

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

Administrative Policy 4

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

Criteria:

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

Administrative Policy 5

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

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

Criteria:

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

Administrative Policy 6

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

Administrative Policy 7

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

Administrative Policy 8

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

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

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

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

CONDITIONAL USE PERMITS (CUPs)

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

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

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

(c) General Standards of Review.

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

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

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

FACTORS TO CONSIDER FOR A REZONING REQUEST

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

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

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

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

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

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

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

DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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

STAFF COMMENTS

26Z00003

Maricic Family Trust (Kimberly Rezanka)

General Use (GU) and Agricultural Residential (AU) to Estate Use Residential (EU)

Tax Account Number: 2511133
Parcel I.D.: 25-36-23-00-515
Location: East and west side of South Highway 1, approximately 430 feet south of Barnes Boulevard (District 2)
Acreage: 1.87 acres

Planning and Zoning Board: 04/13/2026

Board of County Commissioners: 05/07/2026

Consistency with Land Use Regulations

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

	CURRENT	PROPOSED
Zoning	GU and AU	EU
Potential*	0 units	5 units
Can be Considered under the Future Land Use Map	YES NC and RES 4	YES NC and RES 4

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

Background and Purpose of Request

The applicant is requesting a change of zoning classification from GU (General Use) and AU (Agricultural Residential) to EU (Estate Use Residential) zoning to cure a nonconforming lot size issue. The applicant does not plan to divide the property with the intention of developing a residential subdivision. The property's current zoning designations of AU and GU require a minimum lot size of 2.5 and 5 acres, respectively. The subject property is 1.87 acres, which does not meet the minimum size to develop.

AU and GU zoning were the original established zoning classifications for the subject property upon the adoption of the Brevard County Zoning Regulations on May 22, 1958.

Neighborhood Commercial (NC) and Residential 4 (RES 4) were the original established Future Land Use designations for the subject property as established by the Brevard County Comprehensive Plan on September 8, 1988.

The subject property is part of Lot 3 as described in Deed Book 257, Page 412, excluding road and highway rights-of-way. Properties recorded in deed books predate both the Brevard County Zoning Code established May 22, 1958, and the Comprehensive Plan established September 8, 1988. The property was split into its current configuration on February 27, 2018 as recorded in the Official Records Book 8100, Page 1682, and lies on both the east and west sides of South Highway 1.

Brevard County Code Section 62-2116(2) states, "Where the land area on either side of the public or private right-of-way or road fails to meet the minimum requirements for lot size in the designated zoning classification, then the landowner shall be deemed the owner of one lot, plot, tract or parcel for the purposes of this chapter, and the principal structure or dwelling unit shall be located on the side or part having the greater land area."

The EU zoning classification encompasses lands devoted to single-family residential development of a spacious character, together with such accessory uses as may be necessary or are normally compatible with the surrounding residential. The minimum lot size is 15,000 square feet with a minimum lot width and depth of 100 feet. The minimum living area is 2,000 square feet.

The property meets the minimum lot width and depth requirements for the proposed EU zoning, and the minimum required lot area of 15,000 square feet.

The applicant is on notice that the North Indian River Lagoon Basin Management Action Plan Injunction prohibits septic tanks in this area. In the context of onsite sewage treatment and disposal systems, "Available" is defined in Section 381.0065 (2)(a), Florida Statutes, and the requirements to connect to an existing onsite sewage treatment and disposal system to a central sewerage system are defined in Section 381.00655 (1)(a), Florida Statutes. Brevard County has the exclusive right to furnish the sewer service per Section 110-181, Brevard County Code of Ordinances, because this is within the Brevard County Utility Services Department Service Area.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Vacant, Single-family residence	BU-2, BU-1 and EU	CC and NC
South	Commercial development, Single-family residence	GU, BU-1 and EU	CC, NC and RES 4
East	Single-family residence	EU	RES 4
West	Railroad ROW, Retention pond	GU	IND

Abutting the subject property to the north on the west side of South Highway 1 is a vacant 1-acre parcel with BU-2 zoning and CC FLU designation. On the east side of South Highway 1 and north of the subject property is a vacant 0.53-acre parcel with BU-1 zoning and CC FLU designation and a 1.3-acre parcel with EU zoning and NC FLU designation developed with a single-family residence.

Abutting the subject property to the south on the west side of South Highway 1 is a vacant 1.28-acre parcel with GU zoning and an NC FLU designation. On the east side of South Highway 1 and south of the subject property is a 0.86-acre parcel developed as a retail store with BU-1 zoning and CC FLU designation and a 1.04-acre parcel with EU zoning and a RES 4 FLU designation developed with a single-family residence.

East of the subject property is a 0.9-acre parcel with EU zoning and a RES 4 FLU designation developed with a single-family residence.

West of the subject property and west of the East Coast Railroad right-of-way, is a 1.55-acre parcel developed as a retention pond with GU zoning and IND FLU designation.

The BU-2 classification permits retail, wholesale and warehousing commercial land uses on minimum 7,500 square-foot lots. BU-2 zoning is the county's most intense commercial zoning classification due to the intensive nature of commercial activities permitted. Off-site impacts such as noise, light, traffic and other potential nuisance factors associated with BU-2 activities should be considered. The BU-2 zoning classification allows outside storage of retail items including, but not limited to, motor vehicles, utility sheds, nursery items such as plants and trees, boats and mobile homes.

The 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.

The EU zoning classification encompasses lands devoted to single-family residential development of a spacious character, together with such accessory uses as may be necessary or are normally compatible with the surrounding residential. The minimum lot size is 15,000 square feet with a minimum lot width and depth of 100 feet. The minimum living area is 2,000 square feet.

The AU agricultural residential zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

The GU zoning classification is a holding category, that encompasses rural single-family residential development or unimproved lands for which there is no definite current proposal for development or land in areas lacking specific development trends on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet.

Future Land Use

The proposed EU zoning classification can be considered consistent with the existing NC and RES 4 designations provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan.

Applicable Land Use Policies

FLUE Policy 2.10 - Residential Development in Neighborhood Commercial and Community Commercial Land Use Designations

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 CHHA, however, residential development is strictly limited to the density of the closest residentially designated area on the FLUM that is on the same side of the street. Such residential development, as described above, shall be allowed to utilize the following characteristics:

Criteria:

- A. Residential uses within Neighborhood Commercial and Community Commercial designations shall be encouraged to utilize neo-traditional neighborhood development techniques, such as narrower road rights-of-way, mid-block pedestrian pass-throughs, alleys, smaller lot sizes, on-street parking, reduced lot line setbacks and public transit facilities.

The property owner is requesting a rezoning of the property in order to allow the development of a single-family residence and does not plan to divide the property with the intention of developing a residential subdivision.

- B. Residential density bonuses as set forth in Policy 11.2 may be considered in addition to the bonus stated in the above policy within Neighborhood Commercial and Community Commercial designations as an incentive for redevelopment and regentrification if the proposed development will address serious incompatibility with existing land uses, is adequately buffered from other uses, is located along major transportation corridors, and meets the concurrency requirements of this Comprehensive Plan.

The property owners are not seeking a residential density bonus.

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:

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

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in

existing neighborhoods within the area which could foreseeably be affected by the proposed use;

The request is not anticipated to diminish the enjoyment of, safety, or quality of life in existing residential areas. The proposed rezoning will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.

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

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

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

The historical land use patterns of the surrounding development can be characterized as mixed uses with single-family residences located on properties to the east and south of the subject property and abutting Rockledge Drive. Commercial uses located along the east side of South Highway 1 near the subject property include retail, automotive repair, and indoor pet day care uses.

There are six (6) FLU designations (CC, NC, RES 4, IND, PUB-CONS, and PRIV-CONS) within a 0.5-mile radius of the subject property. CC is the prominent FLU in this area.

There are eighteen (18) zoning classifications (EA, BU-1, RU-2-10(7), IU, IU-1, RRMH-1, GU, RR-1, TR-1, BU-2, AU, EU, RU-1-13, RU-2-10, RP, EU-2, TU-1(16), and RU-2-6) within a 0.5-mile radius of the subject property. EU is the prominent zoning classification in this area.

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

Within 0.5 miles of the subject property, there has been one zoning action approved to rezone property from AU to EU within the past three years. This rezoning was to allow for a 6,726 square foot addition to a single-family residence. The addition is currently under construction.

Additionally, a site plan was approved within 0.5 miles of the subject property for a self-storage facility, which is currently under construction.

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

In the past three years, within 0.5 miles of the subject property, there has been one zoning action approved to rezone property from AU to EU to allow for the addition of a detached garage to a single-family residence. The detached garage has not been constructed.

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

No material violation of relevant policies has been identified.

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

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 or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

The requested rezoning from GU and AU to EU zoning classification is not anticipated to materially or adversely affect the surrounding development. This request is not anticipated to have a measurable impact on the area in terms of trip generation or parking. No commercial or industrial activity is proposed.

- 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.

The property is abutting existing residential areas to the east and south. Those areas can be characterized as single-family residential with spacious lot sizes, roadways, and an eastern boundary on the Indian River.

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.

Commercial uses are located along the east side of South Highway 1. The existing single-family residential neighborhood is located south and east of the subject property.

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.

The area is transitional with multiple commercial uses located within a 0.5 mile radius of the subject property. During the previous five (5) years, an 11.64-acre property in the area north of the subject property was rezoned from BU-1 and AU to BU-2 for the development of a self-storage facility which is currently under construction. Another, 1.01 acres north of the subject property, was rezoned from AU to RU-2-4 and RU-2-6 with a Binding Development Plan (BDP) limiting development to two new duplexes with a high nutrient reduction septic system. This project has not been constructed.

The current development pattern in this area is predominantly commercial when frontage is on South Highway 1. Residential areas are primarily located behind the commercial development to the east and south of the subject property, with frontage on Rockledge Drive. Both commercial and residential development are well established in this area, and this transitional pattern is likely to continue.

Analysis of 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 unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

The western portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Tomoka muck, undrained); indicators that wetlands may be present on the property. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal. The subject has also been identified as having Aquifer recharge soils, as well as being within the FEMA Special Flood Hazard Area (SFHA) A. Furthermore, protected species may be present on the property.

Please review all comments from the Natural Resources Management Department found at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is South Highway 1 located between Viera Boulevard and Barnes Boulevard, which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 72.03% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.00%. The corridor is anticipated to operate at 72.05% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

The parcel is within the City of Cocoa public potable water service area and septic service.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements
- Protected Species

For Board Consideration

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

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 26Z00003**

Applicant: Kimberly Rezanka (Owner: Maricic Family Trust)

Zoning Request: AU and GU to EU

Note: to cure non-conforming lot size issue

Zoning Hearing: 04/13/2026; **BCC Hearing:** 05/07/2026

Tax ID No.: 2511133

- 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:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Floodplain Protection
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

The western portion of the subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Tomoka muck, undrained); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 62-3694(c)(6). Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require no net loss mitigation in Brevard County in accordance with Section 62-3696. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.**

Aquifer Recharge Soils

The eastern portion of the property contains Paola fine sand, 0 to 8 percent slopes and Candler fine sand, classified as aquifer recharge soils. Additionally, the mapped topographic elevations show that the property falls within a Type 3 Aquifer Recharge area, which is subject to impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Floodplain Protection

The western portion of the property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) A, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties." **The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities.**

Indian River Lagoon Nitrogen Reduction Septic Overlay

The western portion of this property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the development 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. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Protected and Specimen Trees

Protected and Specimen Trees likely exist on the parcel. The applicant shall perform a tree survey prior to any site plan design. Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331, requires the preservation or relocation of Specimen Trees on site to the Greatest Extent Feasible. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on the property. Specifically, the western portion of the property contains mapped scrub jay occupancy, and gopher Tortoises can be found in areas of aquifer recharge soils. If applicable, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission (GTpermits@myfwc.com) and U.S. Fish and Wildlife Service (FW4FLESRegs@fws.gov) prior to any plan, permit submittal, or development activity, including land clearing.

LOCATION MAP

MARICIC FAMILY TRUST

26Z00003



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.

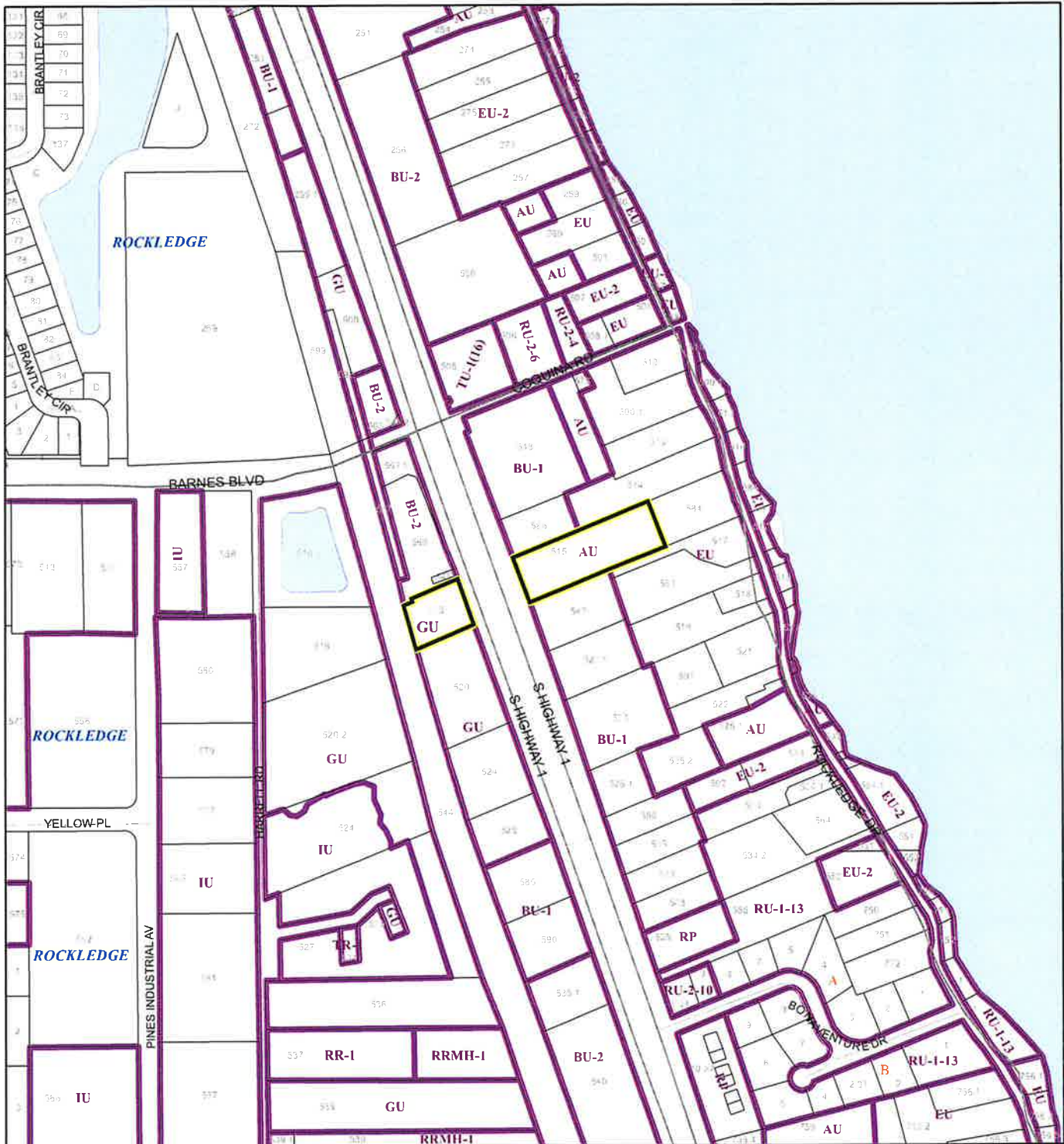
Produced by BoCC - GIS Date: 1/30/2026

- Buffer
- Subject Property

ZONING MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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— Subject Property

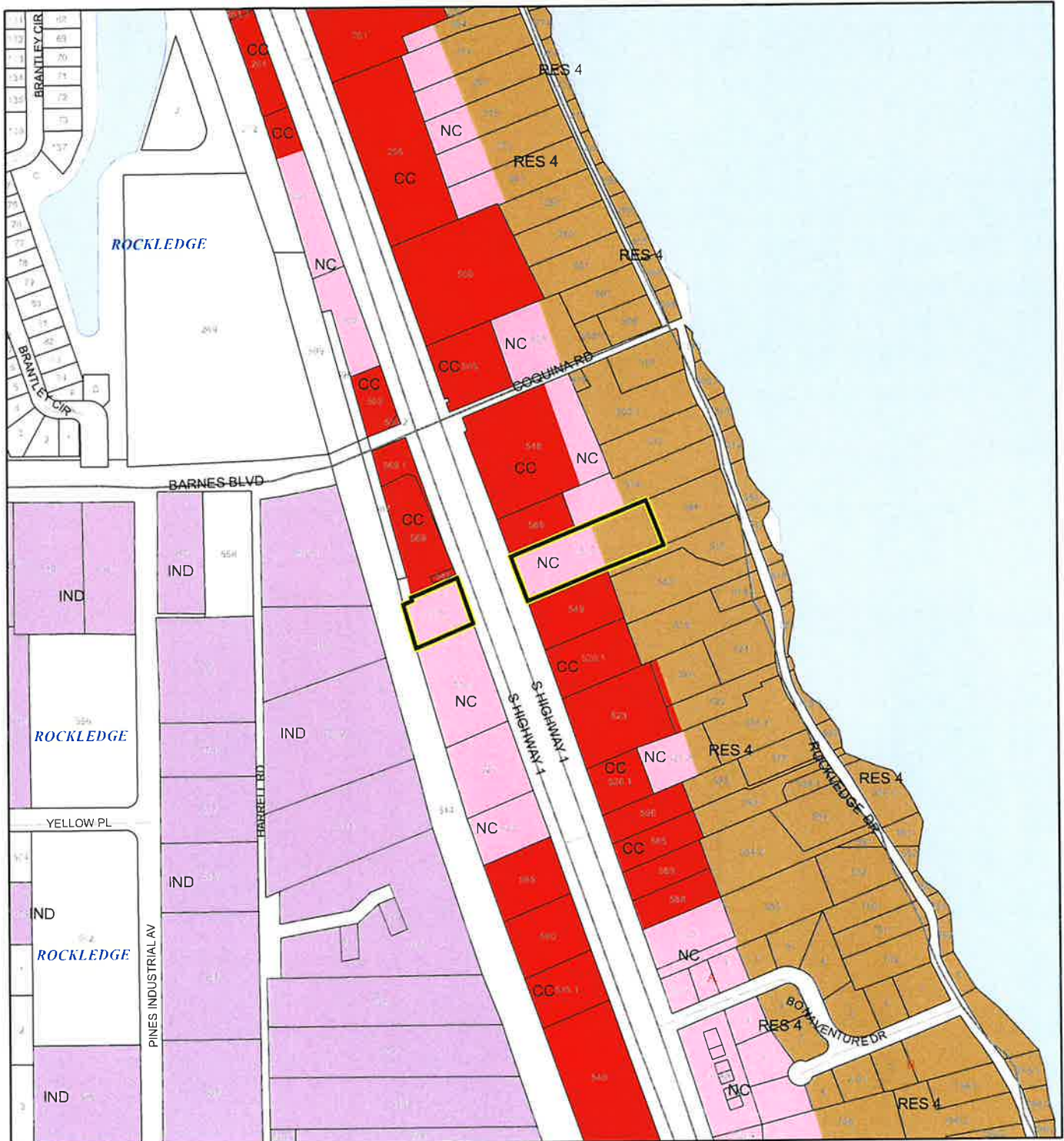
□ Parcels

□ Zoning

FUTURE LAND USE MAP

MARICIC FAMILY TRUST

26Z00003



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.

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AERIAL MAP

MARICIC FAMILY TRUST

26Z00003



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2025

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Produced by BoCC - GIS Date: 1/30/2026

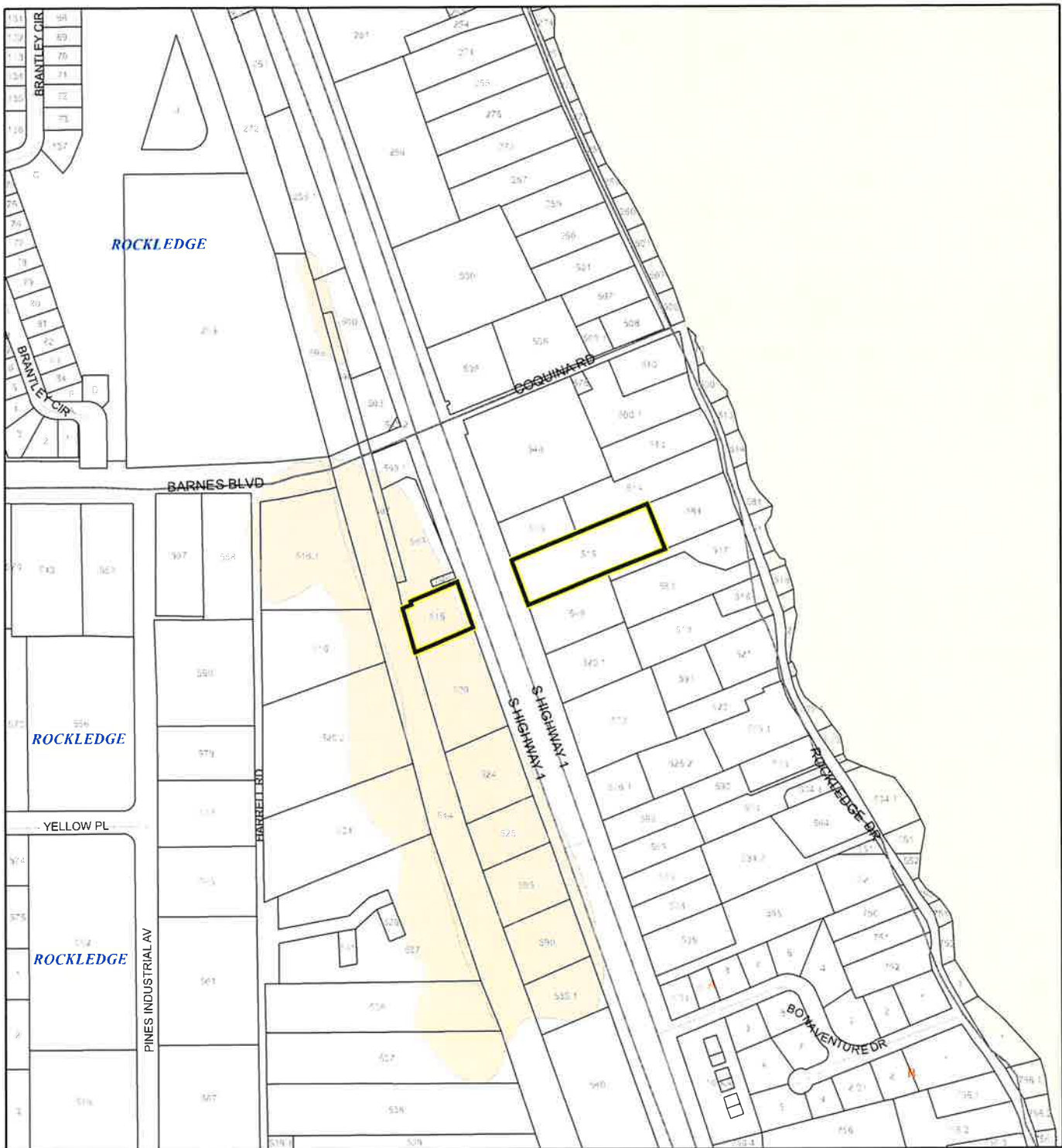
— Subject Property

□ Parcels

NWI WETLANDS MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/30/2026

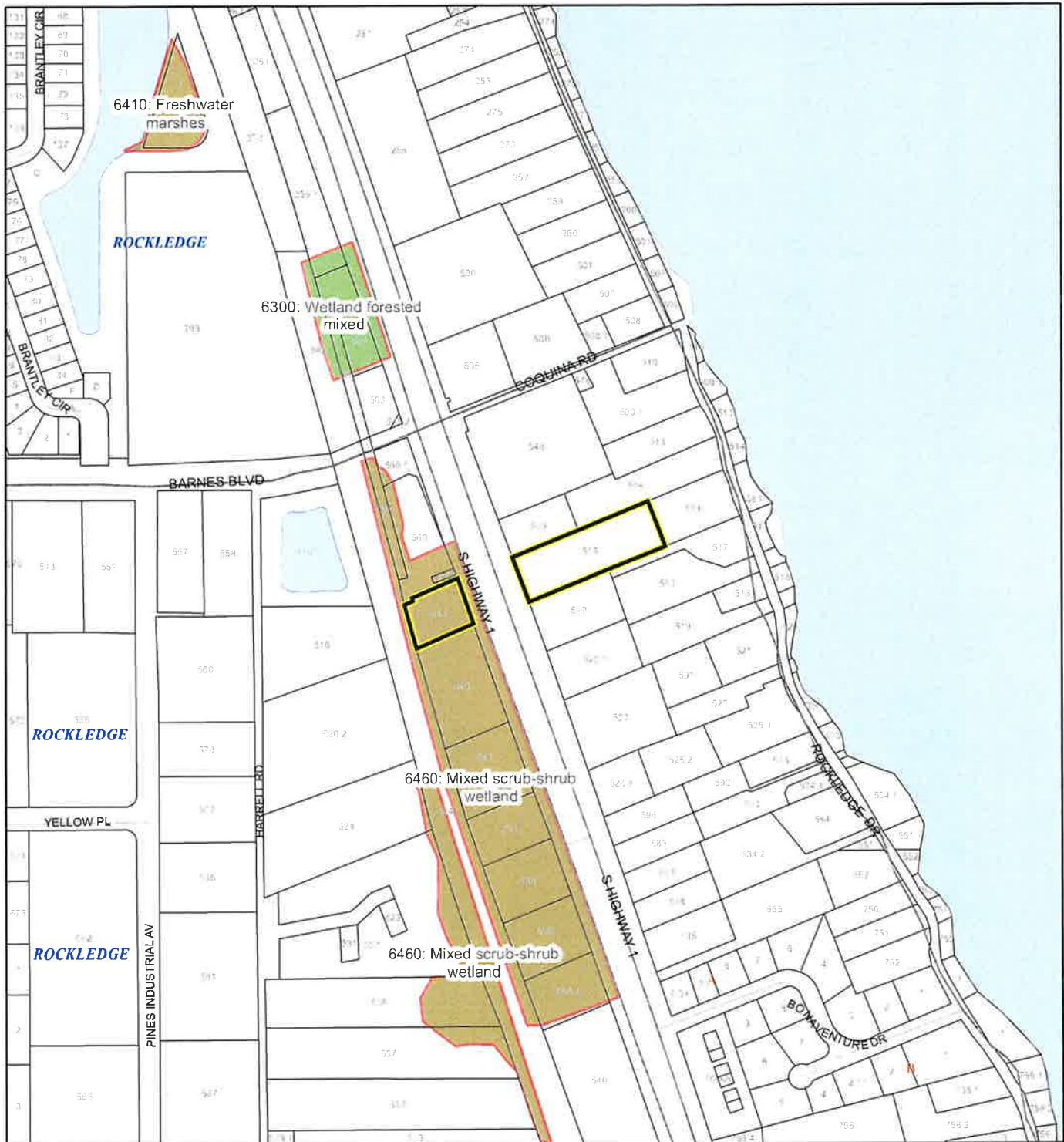
National Wetlands Inventory (NWI)

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

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/30/2026

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

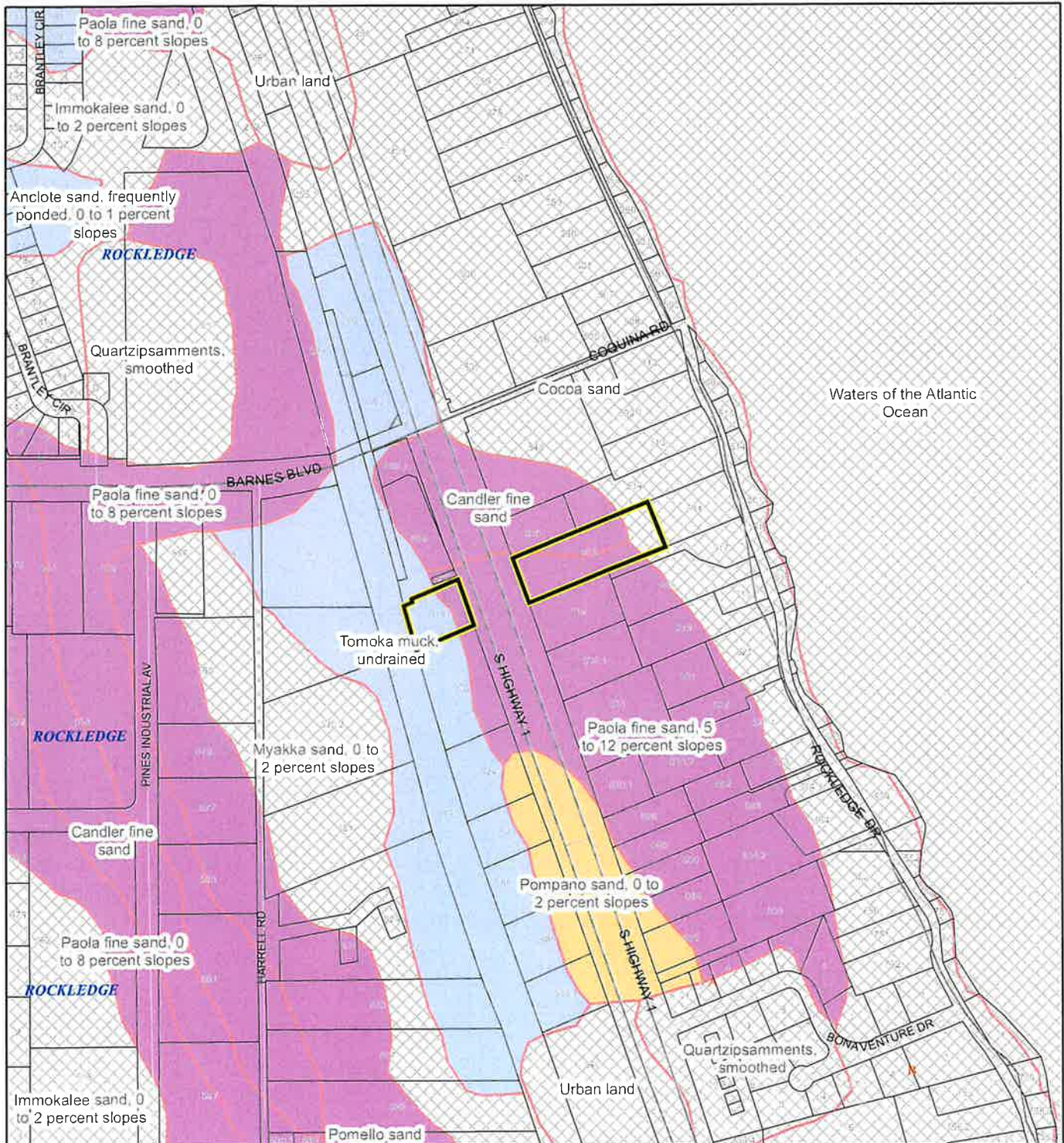
Subject Property

Parcels

USDA SCSSS SOILS MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/30/2026

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

COASTAL HIGH HAZARD AREA MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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— Subject Property

□ Parcels

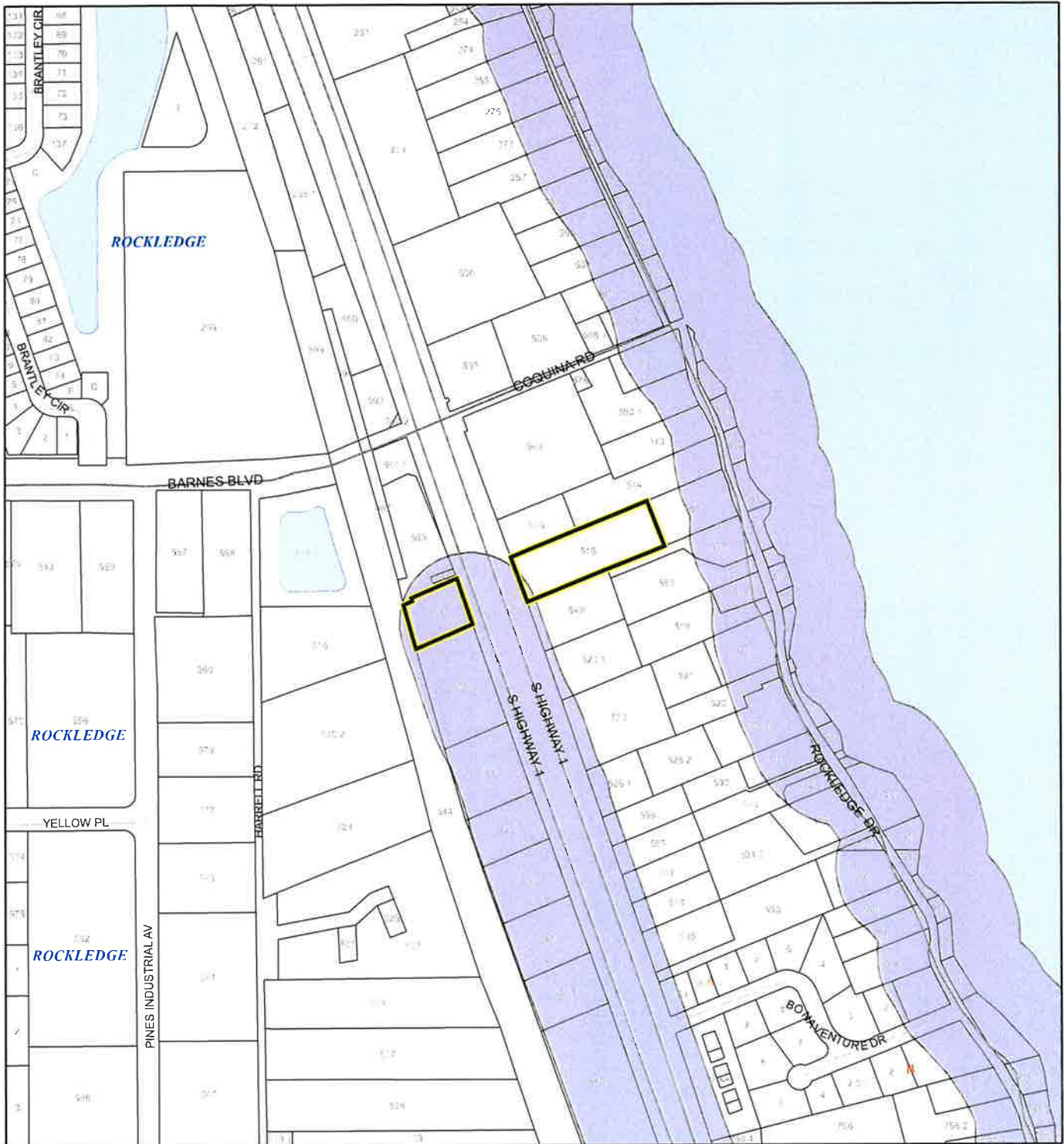
Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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 Subject Property

 Parcels

Septic Overlay

 40 Meters

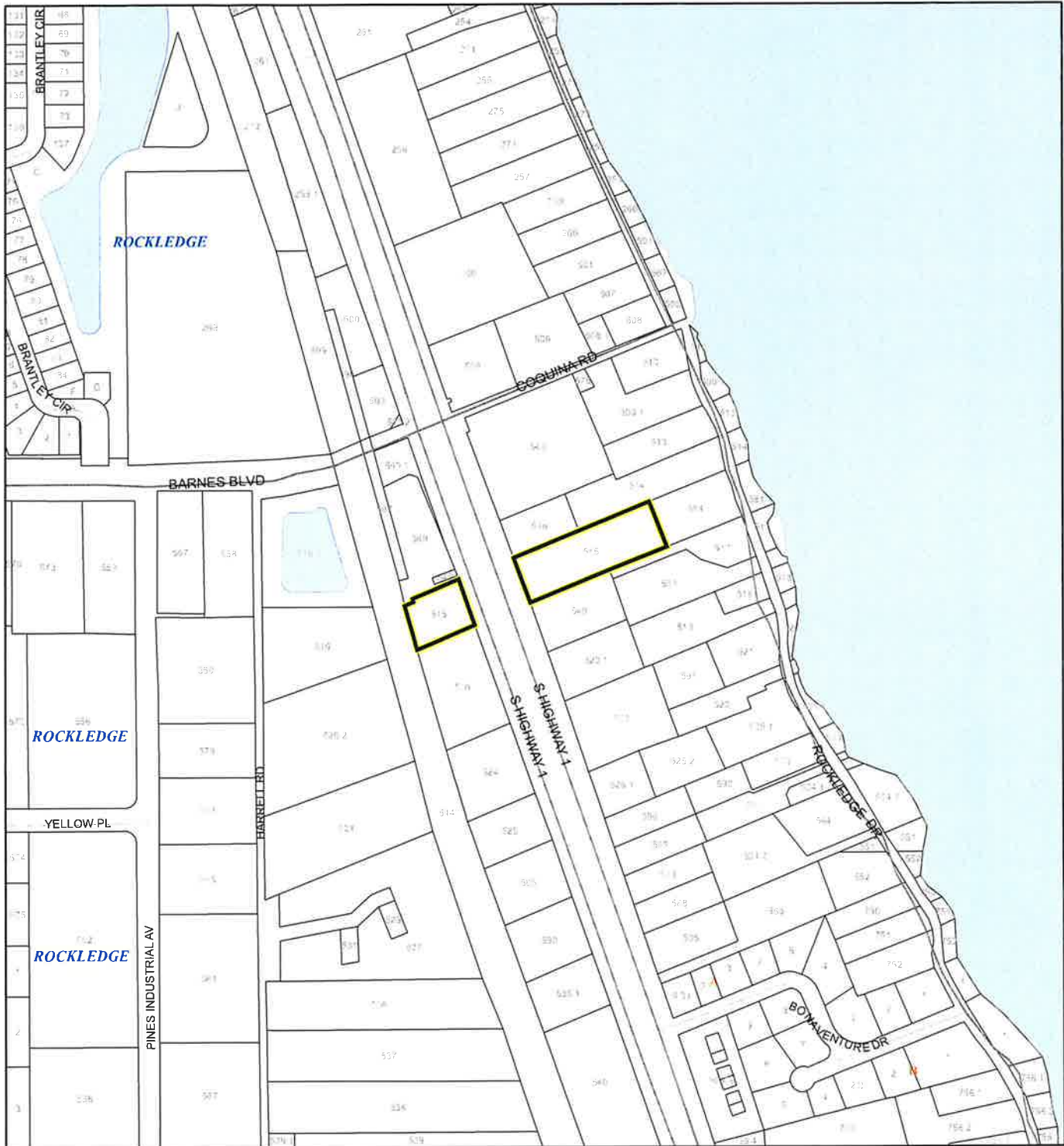
 60 Meters

 All Distances

EAGLE NESTS MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/30/2026

 Subject Property

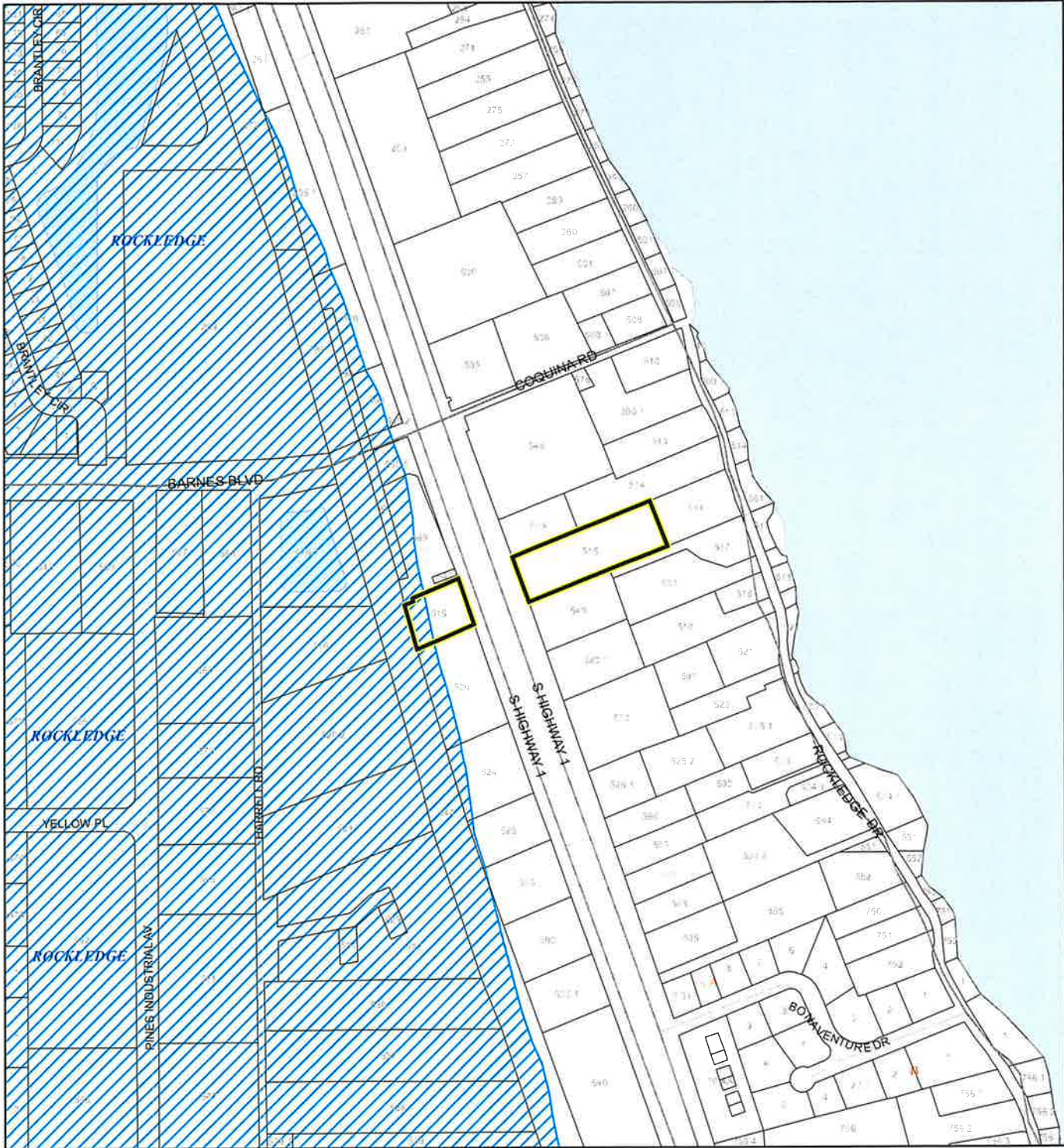
 Parcels

 Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP

MARICIC FAMILY TRUST

26Z00003



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— Subject Property

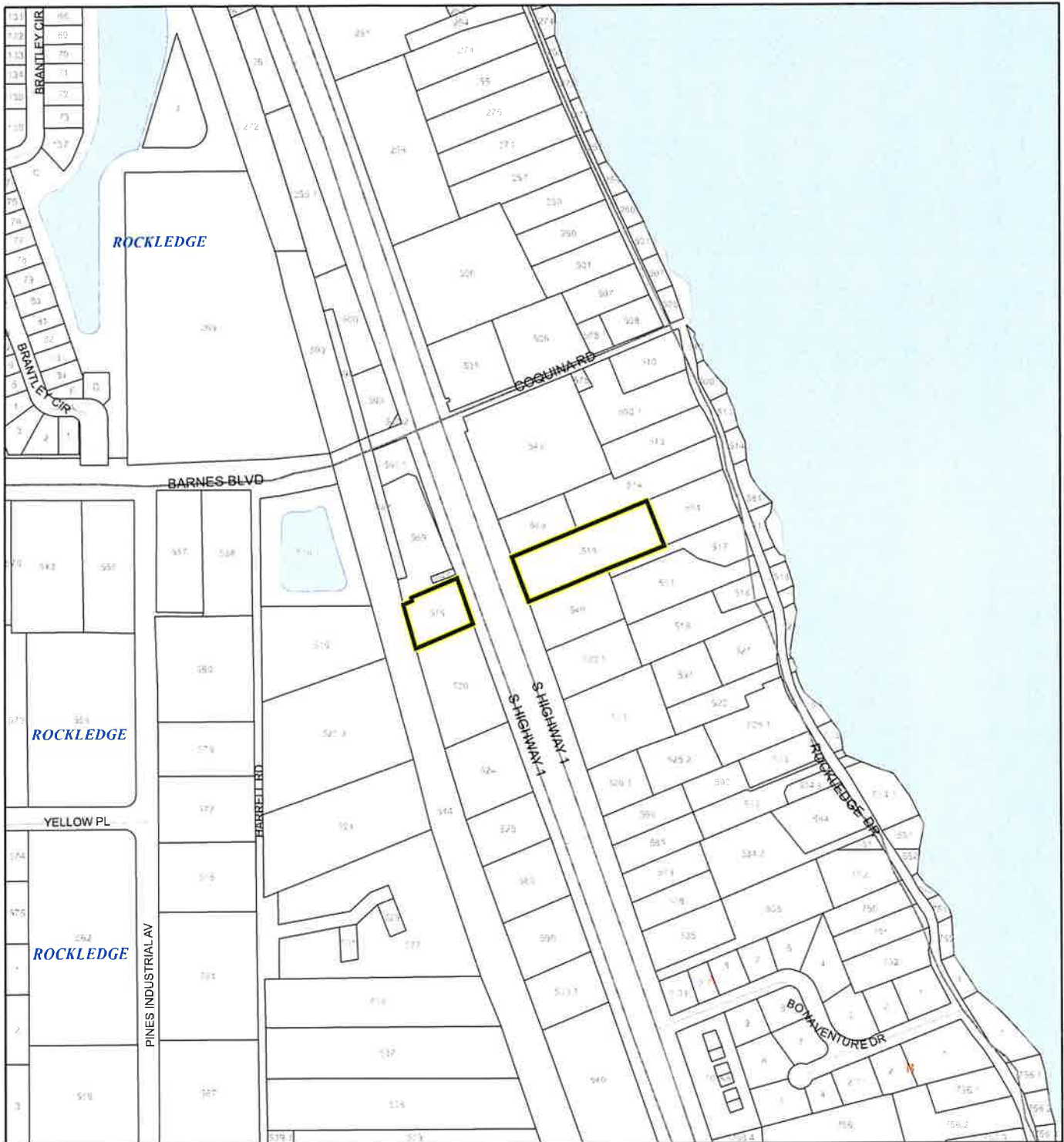
□ Parcels

▨ Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 1/30/2026

SJRWMD FLUCCS Upland Forests

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

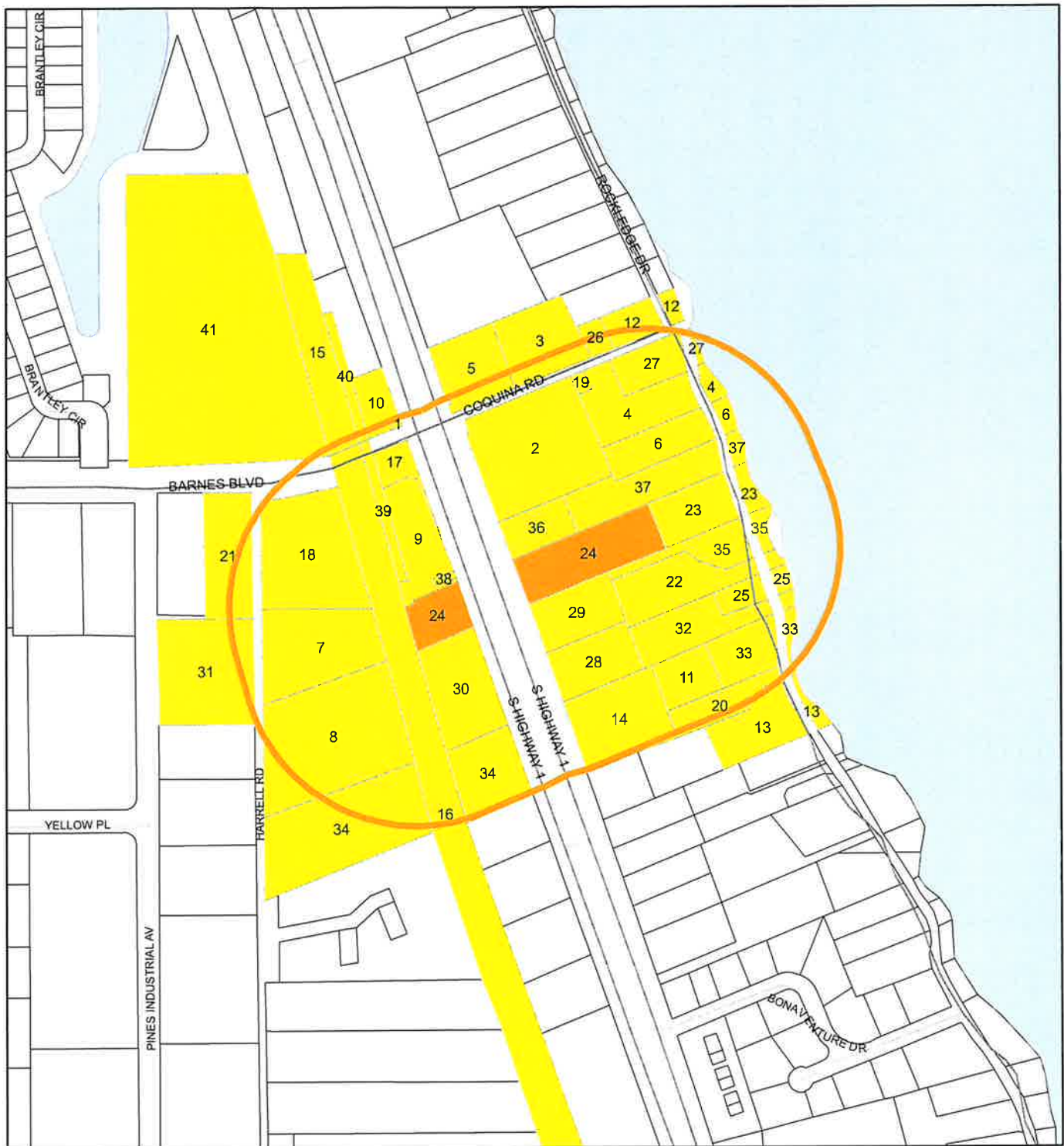
Subject Property

Parcels

RADIUS MAP

MARICIC FAMILY TRUST

26Z00003



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

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Produced by BoCC - GIS Date: 1/30/2026

- Buffer
- Subject Property
- Notify Property
- Parcels

Kimberly Rezanka
6013 Farcenda Pl
Melbourne, FL 32940

BARNES & US1 LLC
933 LEE RD, STE 400
C/O SOUTHEASTERN REALTY GROUP INC
ORLANDO FL 32810-5537

BEDARD, ANDREA
BOARDMAN, NICHOLAS
23 COQUINA RD
ROCKLEDGE FL 32955-4901

BIRD FAMILY MAY 14 2024 TRUST
1983 ROCKLEDGE DR
ROCKLEDGE FL 32955-4916

BONSAI LODGINGS LLC
3880 US HIGHWAY 1
ROCKLEDGE FL 32955-4924

BOWEN, BARRY C
BOWEN, ELISE C
1991 ROCKLEDGE DR
ROCKLEDGE FL 32955-4916

DIANE ROWLAND REVOCABLE TRUST
1356 INDIAN OAKS BLVD
ROCKLEDGE FL 32955-4643

DIXON, WILLIAM R
DIXON, PATRICIA I
2027 ROCKLEDGE DR
ROCKLEDGE FL 32955-

EHLEITER, GERALD JR
1977 ROCKLEDGE DR
ROCKLEDGE FL 32955-4910

EILEEN R SZUCHY TRUST
2035 ROCKLEDGE DR
ROCKLEDGE FL 32955-5303

ESCANDELL FAMILY HOLDINGS LLC
4001 US HIGHWAY 1
ROCKLEDGE FL 32955-5308

FLORIDA EAST COAST RAILWAY LLC
7150 PHILIPS HWY
JACKSONVILLE FL 32256-6802

FLORIDA, STATE OF (DOT)
719 S WOODLAND BLVD
DELAND FL 32720-

FRITZ, ALLEN
FRITZ, JOYCE
720 NORTH DR
MELBOURNE FL 32934-9286

HURTUBISE, DANIEL H
HURTUBISE, SHIRLEY M
3810 MURRELL RD, #101
ROCKLEDGE FL 32955-4756

KG ESTATE HOLDINGS LLC
255 BARNES BLVD
ROCKLEDGE FL 32955-

KING GREGORY FAMILY TRUST
2015 ROCKLEDGE DR
ROCKLEDGE FL 32955-5303

MARICIC FAMILY TRUST
2005 ROCKLEDGE DR
ROCKLEDGE FL 32955-5303

MASTROLONARDO, ANDREA T
2017 ROCKLEDGE DR
ROCKLEDGE FL 32955-5303

MILLS, SUSAN T
21 COQUINA RD
ROCKLEDGE FL 32955-4901

MYERS, CURTIS L
1981 ROCKLEDGE DR
ROCKLEDGE FL 32955-4916

PALM CASUAL FURNITURE
PRODUCTS OF COCOA INC
1065 E STORY RD
WINTER GARDEN FL 32787-

PARKER, MICHAEL M
PARKER, CARMINA M
410 CHESTNUT LANE
WESTON FL 33326-

PINES INDUSTRIAL LLC
4824 AMASA CIR
MELBOURNE FL 32904-1204

PITTMAN, MARK B
PITTMAN, CHRISTINE B
2019 ROCKLEDGE DR
ROCKLEDGE FL 32955-5303

RIVERFRONT INVESTMENT PROPERTIES
LLC
2520 PALM LAKE RD
MERRITT ISLAND FL 32952-

SCARINGE, ROBERT P
200 YELLOW PLACE
ROCKLEDGE FL 32955-

SCHUMANN, ROBIN S
16875 S OCOTILLO VIEW RD
VAIL AZ 85641-2496

SEIICHI NODA & KIMBERLY A
NODA JOINT REVOCABLE TRUST
2001 ROCKLEDGE DR
ROCKLEDGE FL 32955-5303

26Z00003
Page2

TLC PROPERTIES INC
1140 N WILLIAMSON BLVD STE 100
DAYTONA BCH FL 32114-

U21 HOLDINGS LLC
8600 NW 36TH AVE
MIAMI FL 33147-3932

V2 ROCKLEDGE BARNES BLVD LLC
67 MOUNTAIN BLVD, STE 201
WARREN NJ 07059-

AERIAL MAP

MARICIC FAMILY TRUST

26Z00003



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2025

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Produced by BoCC - GIS Date: 1/30/2026

Subject Property

Parcels

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 13, 2026**, 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 Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); Jerrad Atkins (D1); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; Alex Esseeesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

EXCERPT OF COMPLETE MINUTES

H.3. Maricic Family Trust (Kim Rezanka) requests a zoning classification change from AU (Agricultural Residential) and GU (General Use) to EU (Estate Use). (26Z00003) (Tax Account 2511133) (District 2)

Trina Gilliam read item H.3. into the record.

Kim Rezanka spoke to the application. This is a rezoning of a split parcel of 1.87 acres. Again, I gave you a map just to put it into perspective. The yellow highlighted area is the parcel that has split zoning. Both lots are non-conforming in size for the zoning and we're looking to fix that. The Maricic Trust also owns the homestead to the east of the 0.97 acres that crosses over Indian River Drive. The AU parcel is 1.44 acres. The GU parcel is 0.53. And just for perspective, to the north is the Bonsai Motel. I also placed on here to the south of this property; there are many single-family homes. Not exactly adjacent on US1, but close to it. This is somewhat of a mixed-use area. The future land to the west of US1 is NC and the future land use is somewhat split for the parcel on the east side and that is RES 4 and NC. The zoning of EU for all of it. Yes, it's NC and RES 4 and the rezoning from AU to EU will make this consistent with the future land use and allow it to be a conforming lot. The history of this is that William and Michelle Maricic purchased the house, the homestead in 1995 and then they purchased the other property to be rezoned in 2001. William wishes to build a workshop and the land that they have isn't sufficient. So, we must rezone the EU so we can add just a little bit of land to the homestead so we can build a workshop. And that's really the impetus for it. They didn't really want to rezone it. They wanted to keep it AU. They don't intend to build. They're not they didn't go BU1 or anything like that. They're just trying to make it all consistent and conforming so they can add a little bit of property to configure it, so they can have a workshop. The parcel to be rezoned is non-conforming in size for both zonings. This will create land that can be used for residential purposes and for William's workshop. It's a simpler rezoning than most with a very altruistic purpose. They're only trying to make land conforming so they can add a small little workshop for William.

NO PUBLIC COMMENT

Ms. Rezanka stated it was a little confusing to figure out how to get where they wanted to get. Whether we needed a variance and this was just the simplest and fastest way to do it.

Motion to recommend approval of Item H.3. by Henry Minneboo, seconded by Jerrad Atkins. Motion passed unanimously.

Meeting adjourned at 4:35 p.m.

Resolution 26Z00003

On motion by Commissioner Goodson, seconded by Commissioner Adkinson, the following resolution was adopted by a unanimous vote:

WHEREAS, Maricic Family Trust requests a zoning classification change from AU (Agricultural Residential) and GU (General Use) to EU (Estate Use), on property described as Tax Parcel 515, as recorded in OR Book 8100, Page(s) 1682, of the Public Records of Brevard County, Florida. **Section 23, Township 25, Range 36.** (1.87 acres) Located on the east side of US Highway 1, 440' south of Coquina Rd. (No Address, Rockledge); and

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

WHEREAS, the Board, after considering said application and the Planning and Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved 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 AU and GU to EU. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of May 07, 2026.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida


Thad Altman, Chair
Brevard County Commission
As approved by the Board on May 07, 2026.

ATTEST:


RACHEL M. SADOFF, CLERK

(SEAL)

P&Z Board Hearing – April 13, 2026

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.**