



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.4.

5/7/2026

Subject:

Domanique F. Culpepper, Ralph M. Williams, III, Ralph Williams, IV, Erikka Williams (Antonio Owen) request a zoning classification change from AU to RU-2-15. (26Z00004) (Tax Account 2455061) (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) to RU-2-15 (Medium-Density Multiple-Family Residential).

Summary Explanation and Background:

The applicant is requesting a change of zoning classification from AU (Agricultural Residential) to RU-2-15 (Medium-density Multiple-family Residential) on 2.43 acres to allow for the development of 36 apartment units for senior citizens. The subject parcel has access to Grove Boulevard, a county-maintained roadway. The property is currently undeveloped and is located on the north side of Grove Boulevard, approximately 0.24 miles west of North Courtenay Parkway.

RU-2-15 encompasses lands devoted to medium-density multifamily residential purposes, together with such accessory uses as may be necessary or are normally compatible with residential surroundings. RU-2-15 permits multiple-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square foot lots. Resort Dwellings are a permitted use within this zoning classification.

The subject parcel may contain aquifer recharge soil. 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.

The property is part of Lot 15 of Nevins Subdivision recorded in PB 2, PG 98 of the Brevard County Official Records on December 2, 1919. The subject property is one of four parcels created on July 25, 2000, as recorded in Official Records Book 4195, PG 2548, when Lot 15 was split without the benefit of a subdivision plan.

North of the subject property is an undeveloped 2.43-acre parcel zoned AU with RES 15 FLU. South of the

subject property and the right-of way of Grove Boulevard is an 8.6-acre parcel developed with an elementary school and zoned GML(I) with PUB FLU. East of the subject property are four (4) parcels developed with single family residences, zoned RU-1-9 with RES 6 FLU. The first lot is 0.19-acres, the next two lots are 0.18 acres, and the last lot is 0.22 acres. West of the subject property is an undeveloped 2.43-acre parcel zoned AU with RES 15 FLU.

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

On April 20, 2026, the Planning and Zoning Board heard the request and unanimously recommended approval, with a BDP limiting structures to one-story buildings and occupancy limited to only senior residents. The applicant expressed no that they are agreeable to such a BDP.

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

STAFF COMMENTS

26Z00004

**Domanique F. Culpepper, Ralph M. Williams III, Ralph M. Willimans IV, & Erikka Williams
(Antonio Owen)**

AU (Agricultural Residential) to RU-2-15 (Medium-density Multiple-family Residential)

Tax Account Number: 2455061
Parcel I.D.: 24-36-23-BX-*-15.03
Location: North side of Grove Boulevard, approximately 0.23 miles west of
North Courtenay Parkway (District 2)
Acreage: 2.43 acres

Planning and Zoning Board: 04/20/2026
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	AU	RU-2-15
Potential*	0 single-family residences	36 multi-family units
Can be Considered under the Future Land Use Map	Yes RES 15	Yes RES 15

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. Application of these regulations may reduce development potential.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from AU (Agricultural Residential) to RU-2-15 (Medium-density Multiple-family Residential) on 2.43 acres to allow for the development of 36 apartment units for senior citizens. The subject parcel has access to Grove Boulevard, a county-maintained roadway. The property is currently undeveloped and is located

on the north side of Grove Boulevard, approximately 0.24 miles west North Courtenay Parkway.

The property is part of Lot 15 of Nevins Subdivision recorded in PB 2, PG 98 of the Brevard County Official Records on December 2, 1919. The subject property is one of four parcels created on July 25, 2000, as recorded in Official Records Book 4195, PG 2548, when Lot 15 was split without the benefit of a subdivision plan.

AU was the original established zoning classification for the subject property upon adoption of the Brevard County Zoning Regulations on May 22, 1958. In the current configuration, each of the four parcels created in 2000 are inadequate and do not meet the minimum lot size of 2.5 acres required for AU zoned lots.

If rezoned to RU-2-15, the subject property will be in compliance with the minimum required lot width, depth, and size requirements.

RU-2-15 encompasses lands devoted to medium-density multifamily residential purposes, together with such accessory uses as may be necessary or are normally compatible with residential surroundings. RU-2-15 permits multiple-family residential uses or single-family residences at a density of up to 15 units per acre on 7,500 square foot lots.

Residential 15 (RES 15) was the original established Future Land Use (FLU) designation for the subject property as established by the Brevard County Comprehensive Plan on September 8, 1988.

The subject property is within the septic moratorium area. Any proposed development requiring a septic permit could be affected by this moratorium. For further information regarding the septic moratorium, the property owner would need to reach out to the Department of Environmental Health, which issues septic permits.

The subject parcel may contain aquifer recharge soil. 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.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Undeveloped	AU	RES 15
South	Elementary school	Road ROW, GML(I)	PUB

East	Single-family residences	RU-1-9	RES 6
West	Undeveloped	AU	RES 15

North of the subject property is an undeveloped 2.43-acre parcel zoned AU with RES 15 FLU.

South of the subject property and the right-of way of Grove Boulevard is an 8.6-acre parcel developed with an elementary school and zoned GML(I) with PUB FLU.

East of the subject property are four (4) parcels developed with single family residences, zoned RU-1-9 with RES 6 FLU. The first lot is 0.19-acres, the next two lots are 0.18 acres, and the last lot is 0.22 acres.

West of the subject property is an undeveloped 2.43-acre parcel zoned AU with RES 15 FLU.

AU 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 GML zoning classification encompasses government managed lands to recognize the presence of lands and facilities which are managed by federal, state and local government, special districts, nongovernmental organizations (NGOs) providing economic, environmental and/or quality of life benefits to the county, electric, natural gas, water and wastewater utilities that are either publicly owned or regulated by the Public Service Commission, and related entities. GML(I) zoning classification permits office and institutional uses.

RU-1-9 zoning classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on lots of 6,600 square feet (minimum). The minimum house size is 900 square feet.

Future Land Use

The subject property is currently designated Residential 15 (RES 15) Future Land Use as provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan.

The current AU zoning is consistent with the RES 15 FLUM designation. The applicants' request for RU-2-15 zoning classification can be considered consistent with the existing RES 15 FLUM.

Applicable Land Use Policies

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 development would need to meet performance standards set forth in code sections 62-2251 through 62-2272 which will be reviewed at the site plan review stage should the zoning action be approved.

Traffic from the proposed development will have an impact to the surrounding area. The corridor currently operates at 81.93% capacity, and the proposed development is anticipated to increase the traffic to a level of 82.23%. Specific concurrency issues will be addressed at the time of site plan review.

- 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.

Only a certified MAI (Member Appraisal 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;

Within the 0.5-mile radius of the subject property, there are nine (9) FLU designations: RES 15, RES 10, RES 6, RES 4, RES 1, PUB, REC, NC, and CC. CC (Community Commercial) is the predominant FLU in the area.

The existing land use pattern is a mixture of residential and commercial uses. Commercial development is located to the east of the subject property, along North Courtenay Parkway. There is also multi-family development combined with institutional uses on the west side of North Courtenay Parkway. West of the subject property, along North Tropical Trail, development is predominately single-family residences.

There have not been any FLUM amendments within the 0.5-mile radius of the subject property in the past three years.

There are properties zoned AU, EU, BU-1-A, BU-1, BU-2, RU-1-7, RU-1-9, RU-1-11, RU-1-13, IN(L), RU-2-10, RU-2-12, RU-2-15, RU-2-30, RU-2-10, RA-2-10(5), GML, GML(I), and RP within the 0.5-mile radius of the subject property, with the predominant zoning classification being BU-1.

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

No new development has occurred over the preceding three years.

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

There have been four zoning actions approved and not yet constructed over the last three years:

- **23Z00027: A rezoning from IN(L) (Institutional Use, Low Intensity) to RU-1-7 (Single-Family Residential) was requested for 0.76 acres and approved on July 13, 2023. This rezoning was to allow the conversion of a church to a single-family residence. At this time, no permits have been issued for this project.**
- **23Z00070: A rezoning from AU (Agricultural Residential) to RU-2-15 (Medium Density Multiple-Family Residential) was requested for 7.66 acres. On December 7, 2023, RU-2-4 (Low Density Multiple-Density Residential) was approved for this property. At this time, no permits have been issued for this project.**
- **24Z00009: A rezoning from AU (Agricultural Residential) to RU-1-9 (Single-Family Residential) was requested for 0.31 acres to provide consistent zoning across the property. This rezoning was approved on December 12, 2024. A pre-application meeting has been held for a subdivision plan under 25SD00003, and a waiver was granted under 25WV00027 to allow the first formal submittal after the initial six month time limit set by Section 62-2807. No construction has been approved at this time.**
- **24Z000027: A rezoning from AU (Agricultural Residential) to RU-1-11 (Single-Family Residential) was requested for a 0.31-acre lot to legitimize the parcels configuration and build a single-family residence. This rezoning was approved on September 5, 2024. At this time, no permits have been issued for this property.**

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

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

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, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

Traffic from the proposed development will contribute to increased demand on the surrounding roadway network. Specifically, the development will result in a modest increase in traffic along North Courtenay Parkway between Lucas Road and Crockett Boulevard, raising utilization from approximately 81.93% to 82.23%. Although this segment of the roadway will remain within its adopted level of service, the increase contributes to cumulative demand on the transportation network. This is not an introduction of commercial activity within the identified boundaries of a 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.

The area is an established residential neighborhood with clearly established boundaries including roads and open spaces.

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.

The surrounding is a residential neighborhood. Commercial uses are located along North Courtenay Parkway and do not encroach into the neighborhood.

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.

This area is presumed to be predominantly residential. Commercial, industrial, or other non-residential uses have not been applied for during the previous 5 years.

FLUE 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 subject parcel may contain aquifer recharge soil. 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.

The property is not located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h) or mapped as a FEMA Special Flood Hazard Area (SFHA).

Federally and/or state protected species may be present on the property. Specifically, Gopher Turtles can be found in areas of aquifer recharge soils.

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is North Courtenay Parkway, between Lucas Road and Crockett 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 81.93% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.30%. The corridor is anticipated to operate at 82.23% of capacity daily. The maximum development potential of the proposal is not anticipated to create a deficiency in LOS. Specific concurrency issues will be addressed at the time of site plan review. This is only a preliminary review and is subject to change. Preliminary concurrency was conducted using traffic counts from North Courtenay Parkway, since Grove Boulevard currently has no traffic counts from SCTPO.

School concurrency indicates the property meets the requirements for an aged, restricted community with no permanent residents under the age of eighteen. As a result, a School Impact Analysis – Exemption Letter has been issued. If revised covenants releasing the age restriction are recorded in the future, a school concurrency review will be required.

The subject property is within access to centralized sanitary sewer from Brevard County Utilities and centralized water from the City of Cocoa.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees

- Protected Species

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

For Board Consideration

The Board should consider whether the proposed zoning request is consistent and compatible with the surrounding area.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 26Z00004

Applicant: Antonio Owen (Owners: Domanique F. Culpepper, Ralph M. Williams III, Ralph M. Williams IV, and Erikka Williams)

Zoning Request: AU to RU-2-15

Note: to develop 36 apartment units for seniors per AO 2/3/26

Zoning Hearing: 04/20/2026; **BCC Hearing:** 05/07/2026

Tax ID No.: 2455061

- 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:

- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Aquifer Recharge Soils

This property contains Tavares fine sand, 0 to 5 percent slopes, classified as an aquifer recharge soil. 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.

Indian River Lagoon Nitrogen Reduction Septic Overlay

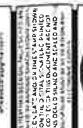
The property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen 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 may exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Federally and/or state protected species may be present on the property. Specifically, 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/or U.S. Fish and Wildlife Service (FW4FLESRegs@fws.gov) prior to any plan, permit submittal, or development activity, including land clearing.



REVISION	DATE	DESCRIPTION
1	01/15/2021	ISSUED FOR PERMIT

DATE	01/15/2021
PROJECT NO.	180000
SHEET NO.	180000

THE GROVES
280 Grove Blvd
Merritt Island, FL 32953

SITE PLAN

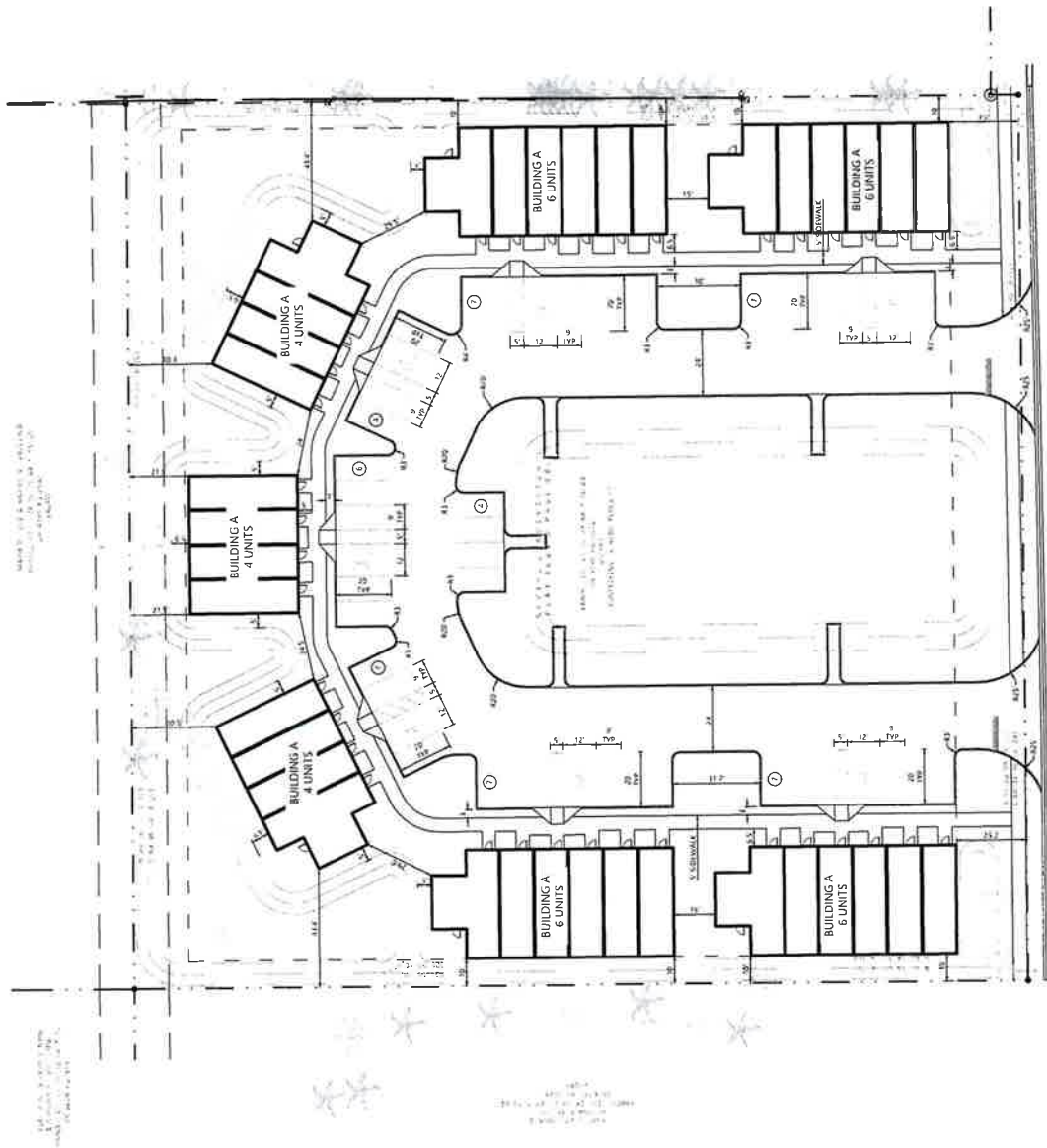
C200

SITE SUMMARY TABLE:

ZONING	
JURISDICTION: BREVARD COUNTY, FL	
ZONING DISTRICT: RS-10 (RESIDENTIAL SINGLE-FAMILY)	
ZONING MAP REF: RS-10 (RESIDENTIAL SINGLE-FAMILY)	
ZONING DISTRICT: RS-10 (RESIDENTIAL SINGLE-FAMILY)	
ZONING MAP REF: RS-10 (RESIDENTIAL SINGLE-FAMILY)	
LOT REQUIREMENTS	
MINIMUM LOT AREA =	7,500 SF
MINIMUM LOT WIDTH =	75 FEET
MINIMUM LOT DEPTH =	125 FEET
MINIMUM LOT COVERAGE =	40%
MINIMUM FLOOR AREA (1 Bld) =	300 SF
MINIMUM FLOOR AREA (2 Bld) =	350 SF
MINIMUM BUILDING SEPARATION =	15 FEET
MINIMUM YARD REQUIREMENTS:	
FRONT (ft) =	25 FEET
SIDE (ft) =	10 FEET
REAR (ft) =	20 FEET
MINIMUM PARKING SETBACK REQUIREMENTS:	
FRONT =	25 FEET
SIDE (EAST) =	5 FEET
SIDE (WEST) =	5 FEET
REAR =	10 FEET
PARKING	
INDEPENDENT LIVING =	1.1 SPACE PER UNIT = 11.1 (60 UNITS) = 40 SPACES
TOTAL REQUIRED =	40 SPACES
TOTAL PARKING PROVIDED = 40 SPACES (INCLUDES 2 HANDICAP)	

SITE NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS SHALL COMPLY WITH THE LATEST EDITIONS OF THE FOLLOWING STANDARDS:
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



GROVE BOULEVARD
APPROX.

LOCATION MAP

Domanique Culpepper & Ralph Williams

26Z00004



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: 2/6/2026

Buffer

Subject Property

ZONING MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

Subject Property

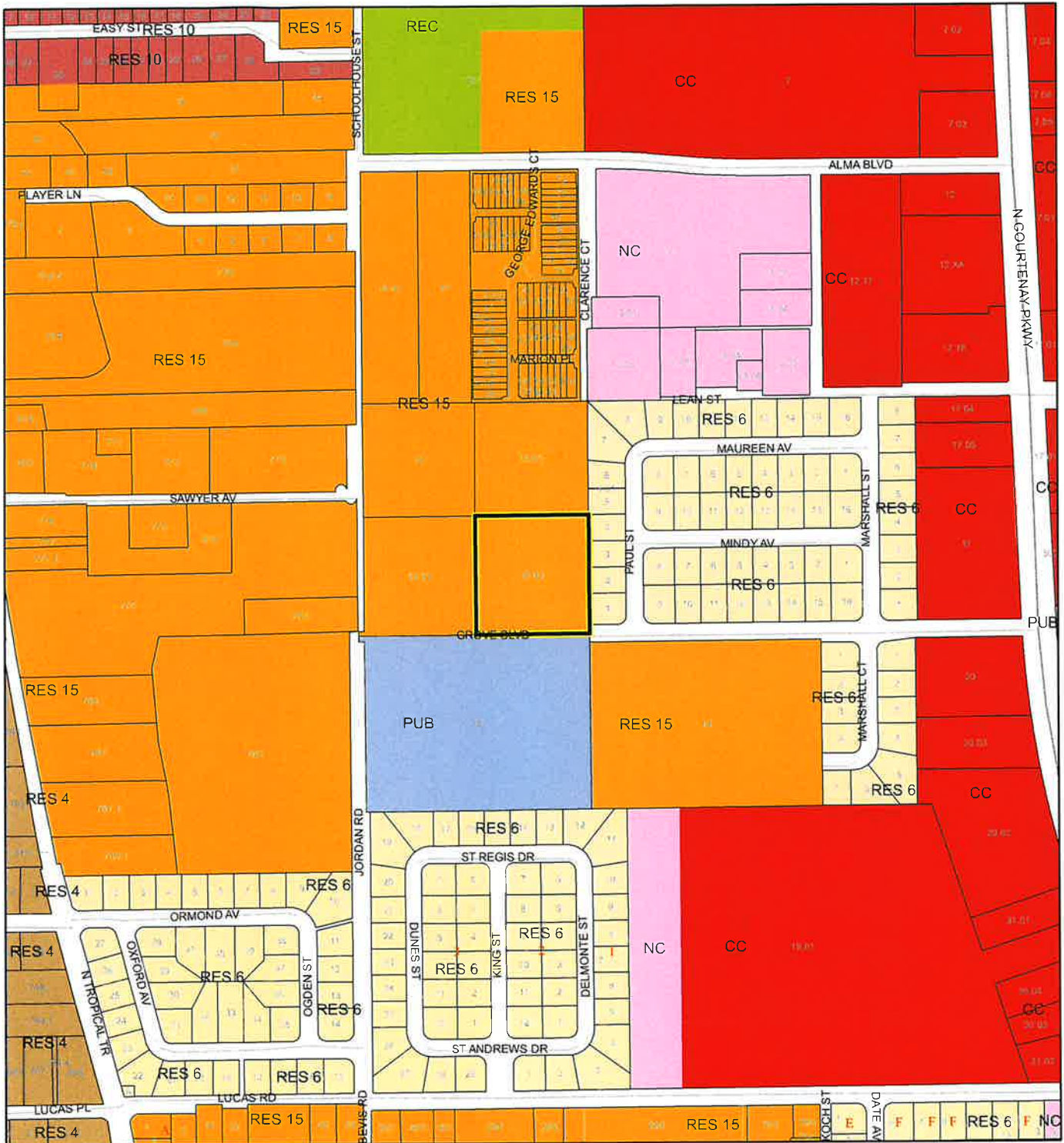
Parcels

Zoning

FUTURE LAND USE MAP

Domanique Culpepper & Ralph Williams

26Z00004



1:4,800 or 1 inch = 400 feet

— Subject Property
 □ Parcels

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Produced by BoCC - GIS Date: 2/6/2026

AERIAL MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2025

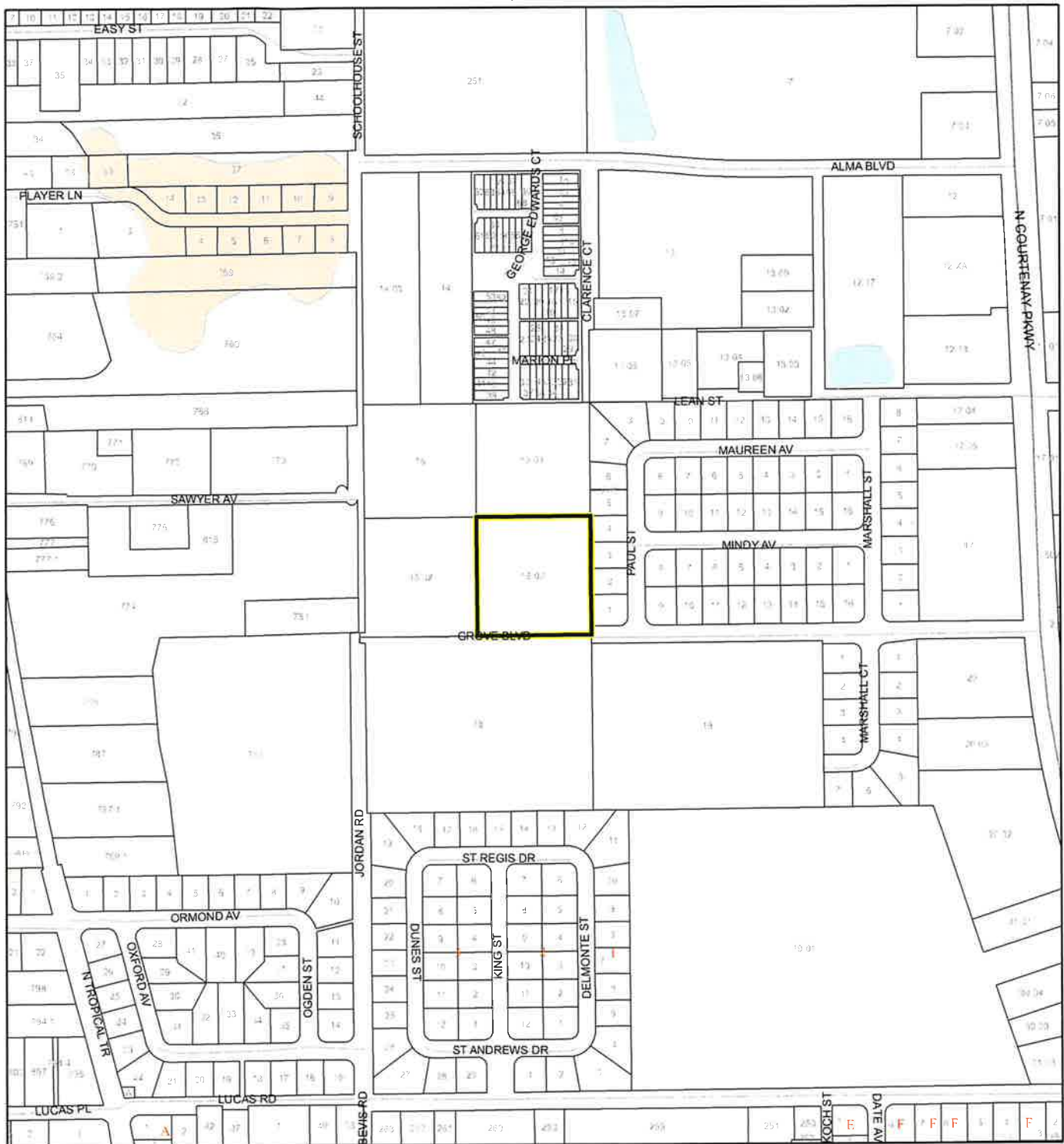
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/6/2026

— Subject Property
□ Parcels

NWI WETLANDS MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 feet

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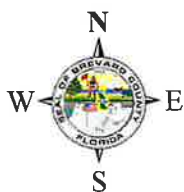
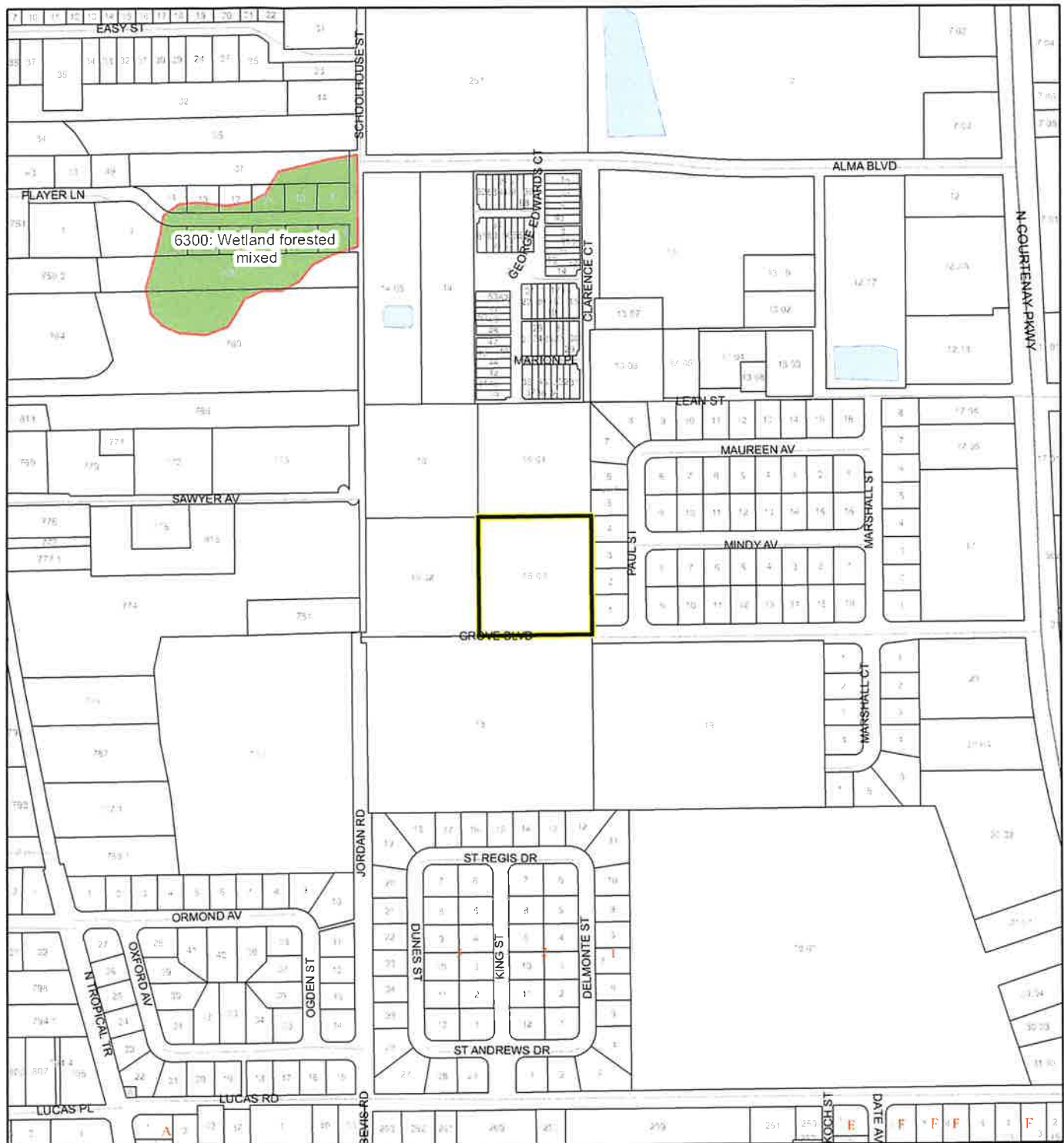
Produced by BoCC - GIS Date: 2/6/2026

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

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

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

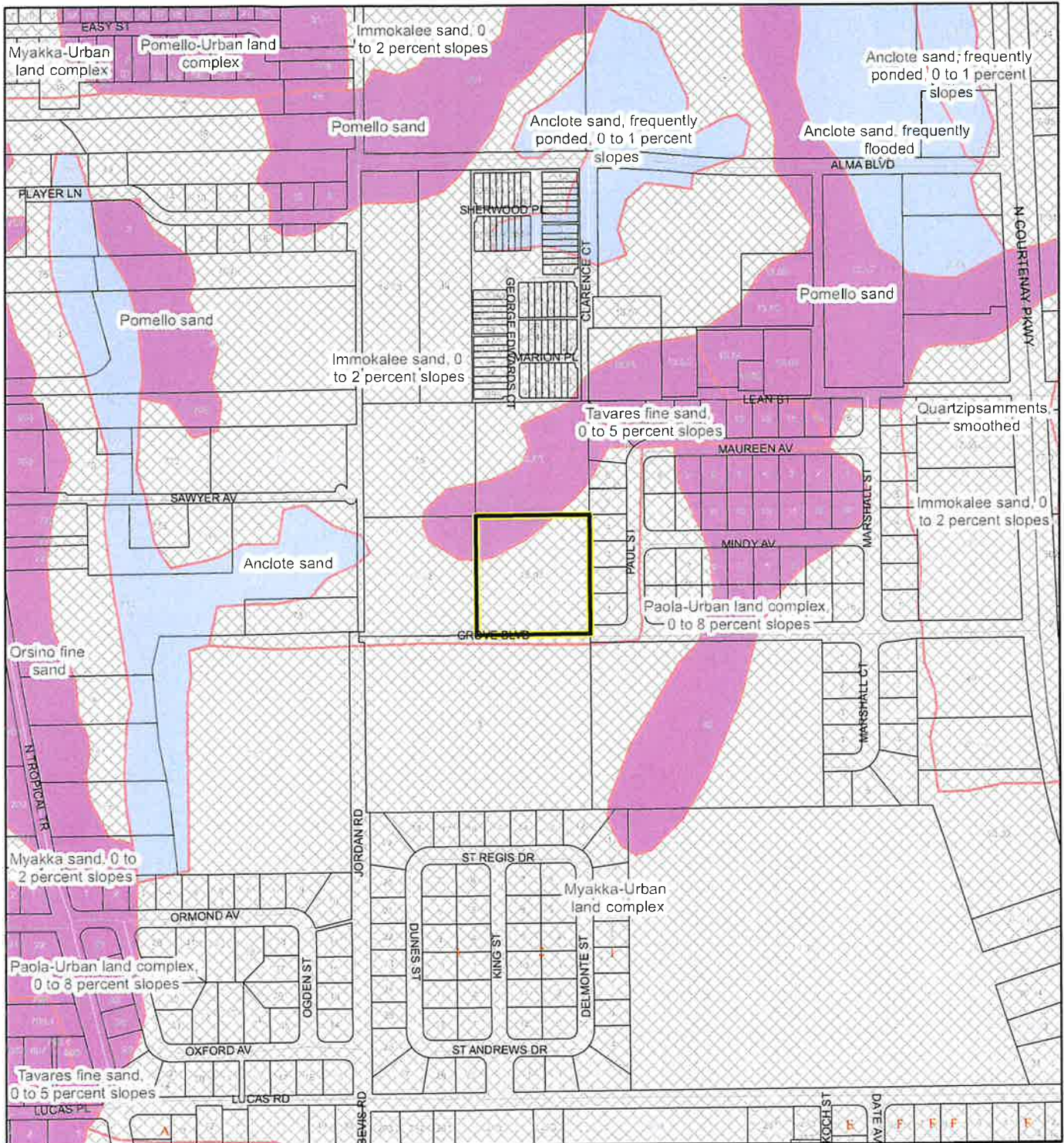
Subject Property

Parcels

USDA SCSSS SOILS MAP

Domanique Culpepper & Ralph Williams

26Z00004



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 feet

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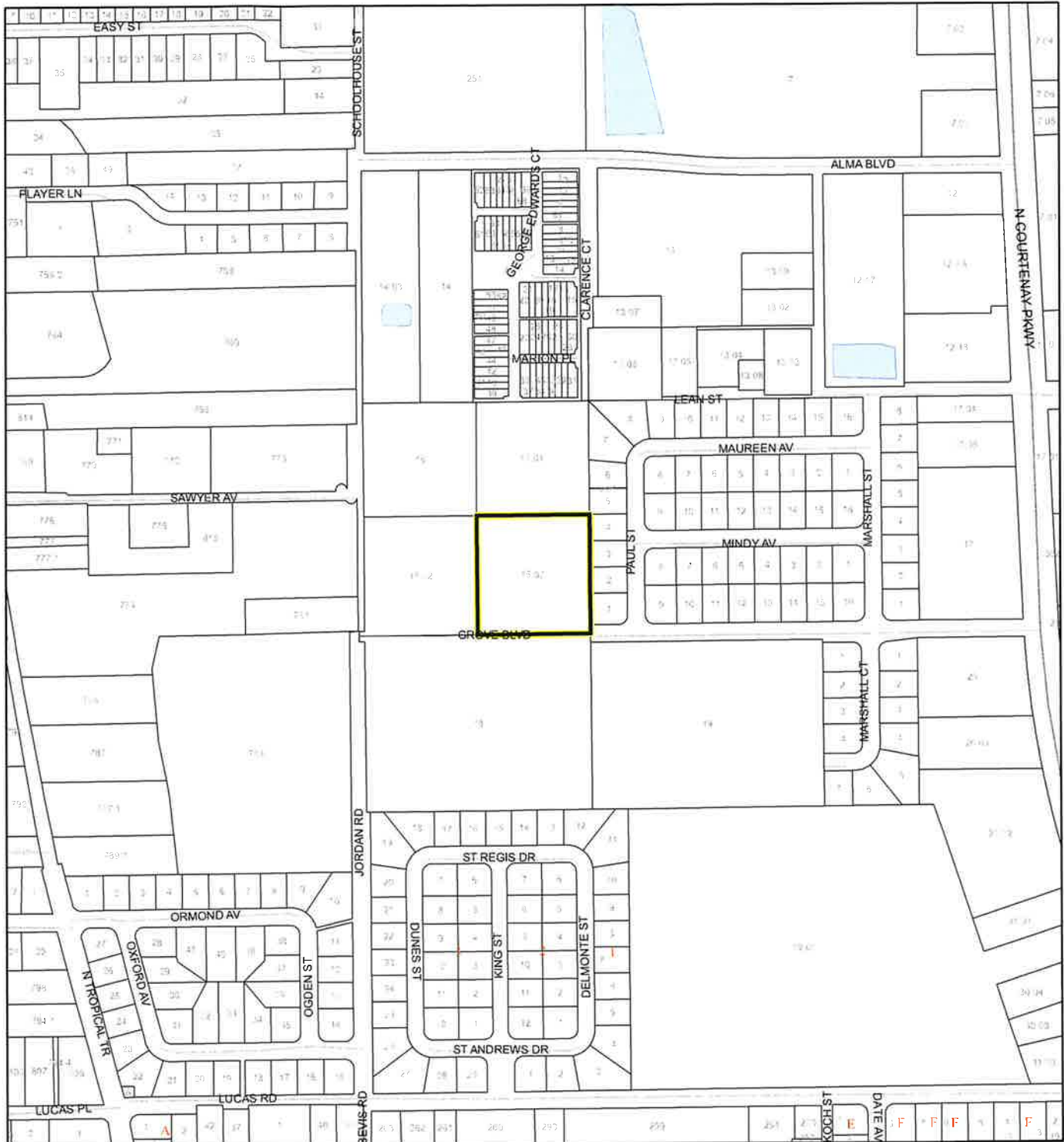
Produced by BoCC - GIS Date: 2/6/2026

FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property		Parcels

COASTAL HIGH HAZARD AREA MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

— Subject Property

□ Parcels

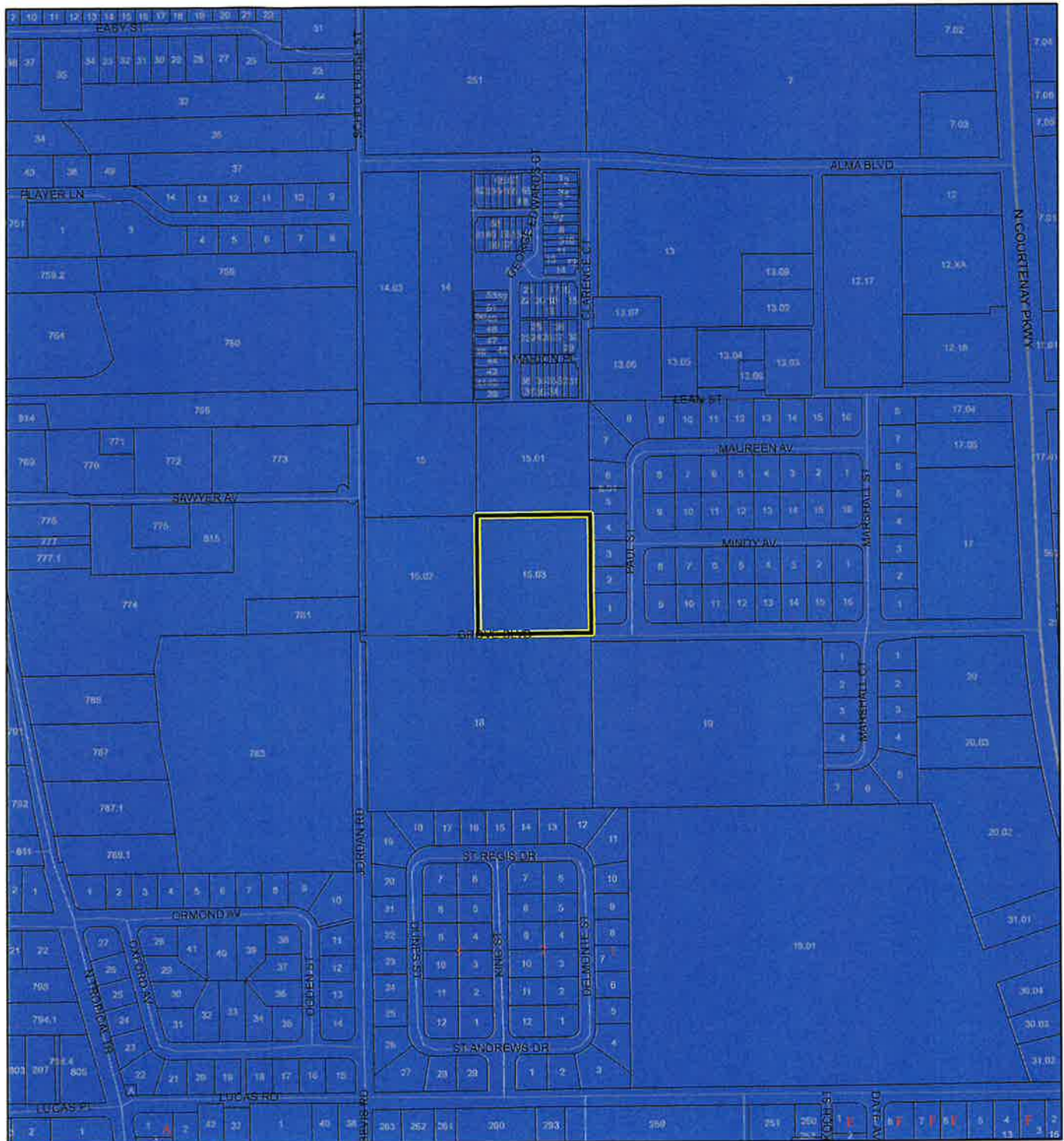
Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

Domanique Culpepper & Ralph Williams

26Z00004



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

— Subject Property

□ Parcels

Septic Overlay

■ 40 Meters

■ 60 Meters

■ All Distances

EAGLE NESTS MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

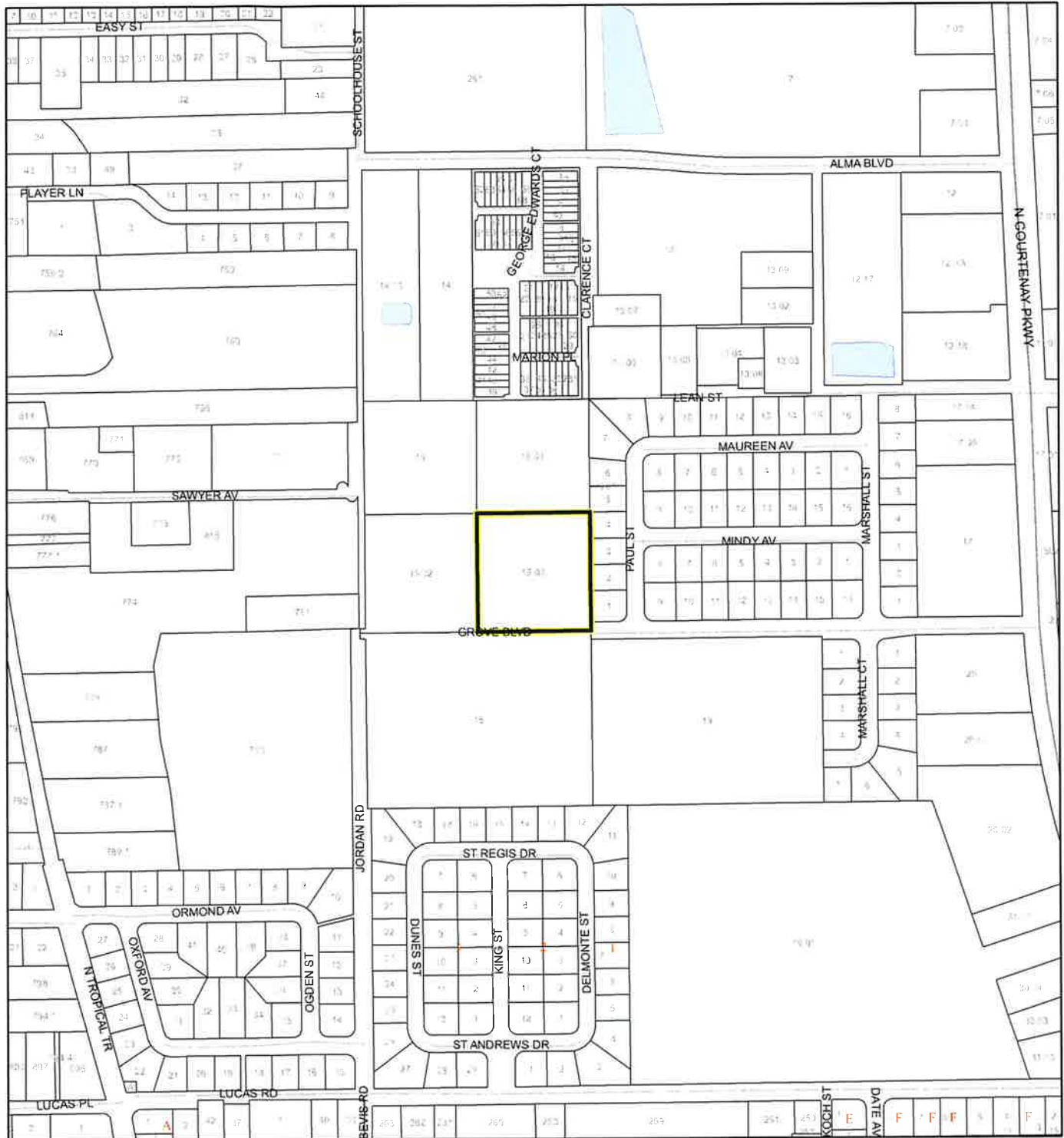
 Subject Property

 Parcels

 Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

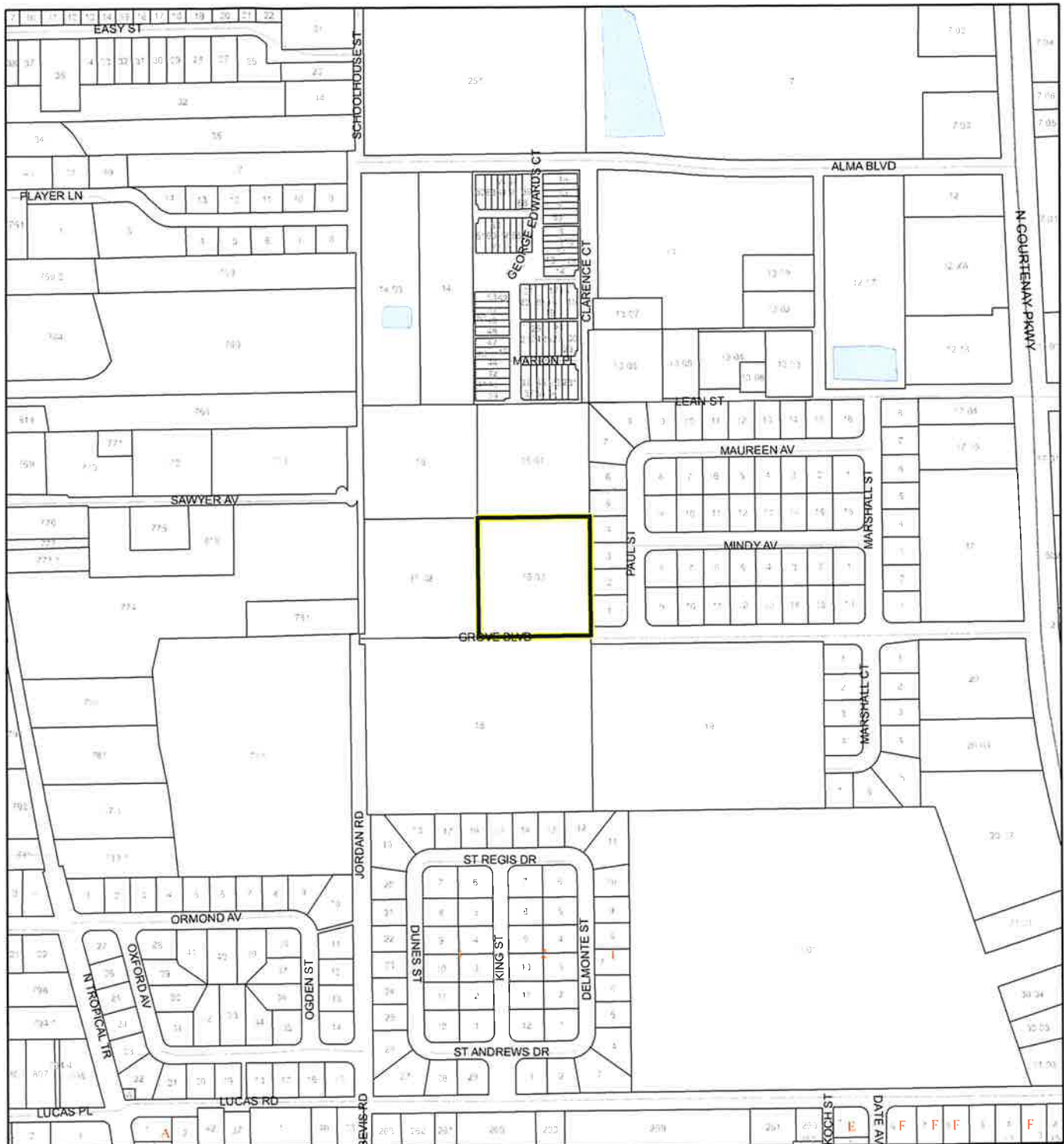
 Subject Property

 Parcels

 Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 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: 2/6/2026

SJRWMD FLUCCS Upland Forests

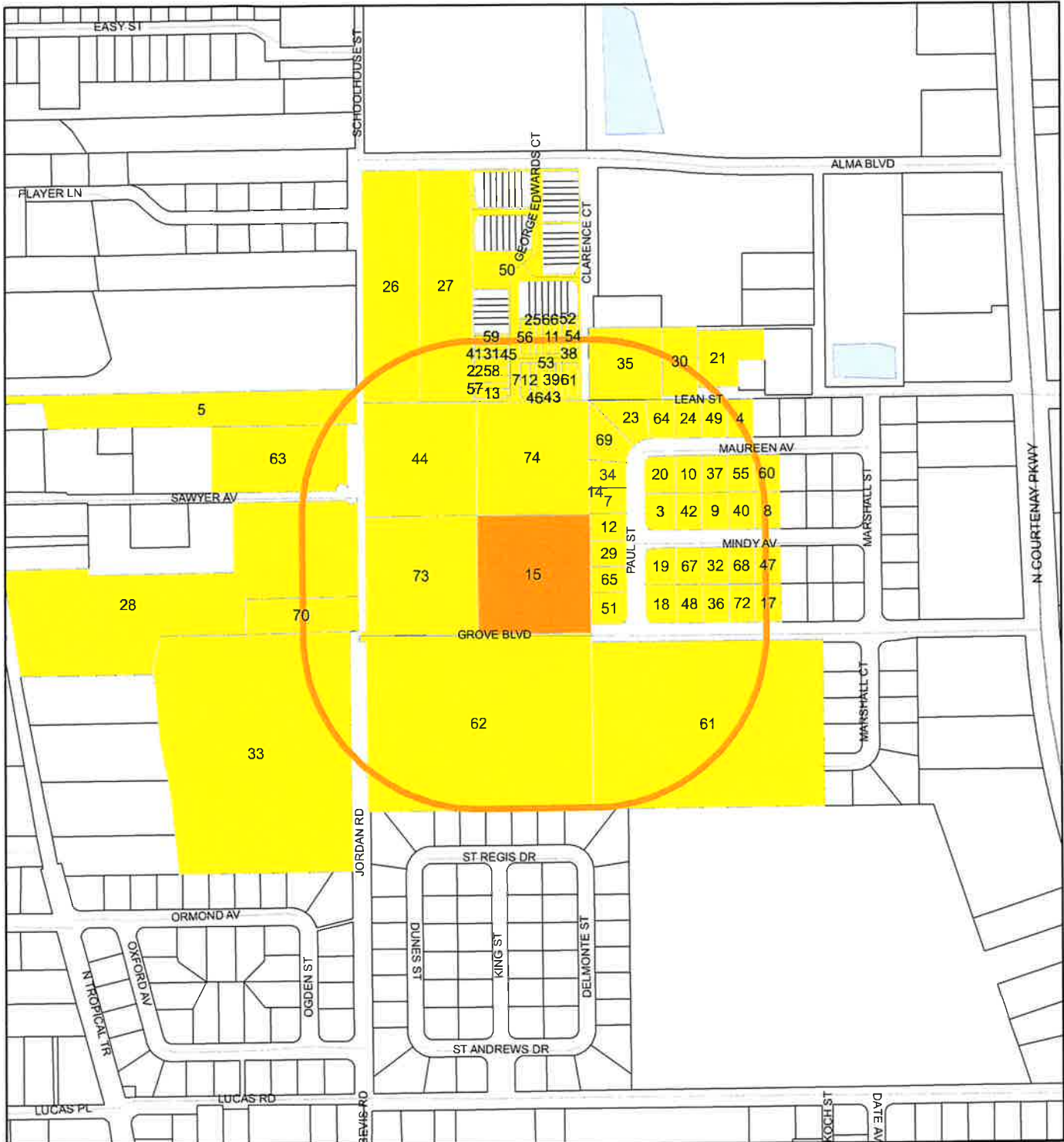
- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels

RADIUS MAP

Domanique Culpepper & Ralph Williams
26Z00004



1:4,800 or 1 inch = 400 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: 2/6/2026

- Buffer
- Subject Property
- Notify Property
- Parcels

ID # 26Z00004

To the Planning Commission,

I'm writing because I'm honestly concerned about the proposal to rezone for a multi-family apartment complex on the land behind my house. Nearby is already an apartment complex that already constantly has issues with crime, adding another one would just add to the problem.

I've lived here a long time, and that space—even if it isn't a working orchard anymore—is a huge part of why our neighborhood green space. Right now, it's quiet, and it offers a buffer and privacy to our back yards. Cramming a high-density complex into that spot just doesn't make sense for this area.

My biggest worries are pretty simple:

- **Traffic:** Our roads weren't built for a hundred extra cars coming and going every day. Grove Blvd already is a cut through that a lot of people take, This would add a substantial amount of extra cars. This would also add traffic to N. Tropical Trail north of Lucas.
- **The Environment:** That lot handles a lot of rainwater. If you cover it in pavement and buildings, that water has to go somewhere, and I'm concerned about runoff hitting the neighboring yards. Plus, losing the trees and the "buffer" between properties is going to make the whole area feel cramped. Hawks and Owls patrol the area already and it is nice to have that small bit of isolated area.
- **Privacy:** Going from an open field to a multi-story building looking down into our backyards is a massive change. We bought our homes here specifically for the privacy and the quiet, and this project would basically end that.

I'm not against growth, but it has to be the right kind of growth. This feels like a developer is just adding more housing and people that's going to change the feel of our community forever.

Please, take a look at the actual impact this will have on those of us who live right next to it and deny this rezoning request.

Thanks for listening,

Mark Holmquist

1355 Paul St., Merritt Island, FL 32953

Brevard County Board of County Commissioners
Planning & Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940



TO

FROM

MC CRARY, ALAN T
MC CRARY, DELORES C
230 MAURITEN AVE
MERRITT ISLAND FL 32953-

032245001106000

032245001106000

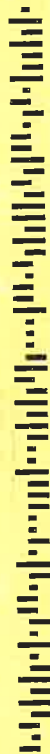
FWD

FWD

04/16/26

-R-T-S- 329534004-1N

RETURN TO SENDER
UNABLE TO FORWARD
UNABLE TO FORWARD
RETURN TO SENDER



Dear Property Owner:

ID# 26Z000004

This COURTESY NOTICE is being sent to inform you that your property is within 500 ft. of property owned by **Domanique F. Culpepper, Ralph M. Williams, III, Ralph Williams, IV, Erikka Williams** (Antonio Owen), who are requesting a change of zoning classification on 2.43 acres. The property is located on the north side of Grove Blvd., approximately 115' west of Paul St. (280 Grove Blvd, Merritt Island)

Current Zoning: AU (Agricultural Residential)

Request: RU-2-15 (Medium-Density Multiple-Family Residential)

A public hearing will be held by the Planning and Zoning Board at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Building C, Viera, Florida, on **Monday, April 20, 2026**, beginning at **3:30 p.m.** The final public hearing will be held by the Board of County Commissioners on **Thursday, May 07, 2026**, beginning at **5:00 p.m.**, at the same location.

You are invited to attend these public hearings to voice any comments you may have, or you may also write to the address shown on the front of this card, or email administrativeservices@brevardfl.gov. Your correspondence or inquiry should refer to the ID# located in the upper right-hand corner of the card. For the complete agenda, you may visit the County's internet site at <http://www.brevardfl.gov/> -> Board Meetings, approximately one week prior to the first meeting, or call the Planning & Development Department at 321-633-2070. The needs of hearing or visually impaired persons shall be met if the Planning and Development Department is contacted at least five (5) days prior to the public hearing.

WE VOTE NO TO ZONE CHANGE

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 20, 2026**, at **3:30 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 3:30 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (D5); Erika Orriss (D3); Robert Brothers (D5); and Melissa Jackson (D5).

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

Mark Wadsworth stated that if any Board Member has had any ex-parte communication regarding any application, please disclose now.

John Hopengarten disclosed that he'd had conversations with the engineer on Items H.1. and H.2.

Robert Brothers disclosed that he'd had conversation with some of the neighbors to Item H.1.

EXCERPT OF COMPLETE AGENDA

H.2. Domanique F. Culpepper, Ralph M. Williams, III, Ralph Williams, IV, Erikka Williams (Antonio Owen) request a zoning classification change from AU (Agricultural Residential) to RU-2-15 (Medium-Density Multiple-Family Residential). (26Z00004) (Tax Account 2455061) (District 2)

Trina Gilliam read item H.2. into the record.

Antonio Owen spoke to the application. We're proposing a rezoning of an AU parcel in Merritt Island. We're asking for RU215. The current zoning is AU. The future land use RES 15. So, it's in line with the future land use of the property. There's RU215 north of the parcel, south of the parcel, to the west of the parcel, and then there's RU212 that's just west of the parcel as well. So, to us it's in line with the future land use and what the intention of the area which you want to do. Our plan is to do 36 apartment units for senior living affordable housing.

PUBLIC COMMENT

Beverly Neurock stated she is north of the proposed area. My concern is unfortunately we have a flooding problem there already. I have pictures from October of 2024 and October 2025, but I didn't know that they had to be submitted. My concern is that I want to make sure that as we start working on that property, if this rezoning is approved they will take the appropriate actions to ensure that the current flooding problem isn't any worse than it already is. In addition to that I noticed that just looking at where the county is on infrastructure at this point, Merritt Island, I read an article on how they're preparing for the FDEP's camera scoping requirements for piping and stuff like that. Merritt Island's not even in the picture on that. There's already a funding problem in the county for fixing flooding issues and Merritt Island took a hit. So, I'm just asking for your consideration. I appreciate that you want to improve the property and I'm just saying that the flooding needs to be addressed prior to....

END PUBLIC COMMENT

Mr. Johnson stated you mentioned affordable housing and senior living. Is it senior?

Mr. Owen responded it's a senior living community and we're going to be targeting affordable housing for seniors.

Mr. Minneboo asked what that meant. 55 plus?

Mr. Owen responded we're planning to work with the Brevard Housing Authority to supply choice vouchers and choice vouchers are the HUD program. So, they could use that to have a place to live.

Mr. Minneboo asked for an explanation about the runoff. You're not going to make her problem worse.

Mr. Owen responded I know St. John's has new rules. So, we can't make the problem worse. We must retain all our water. If you look at the pictures, there's a lot of little lines around there. That's retention. So, most of the site is going to be retention. If it's not parking or building, it's retention. So, we must by state code requirements take care of all the storm water overflow.

Mr. Bartcher inquired if the large area in the center the retention area. How big is that?

Mr. Owen responded it's another area retention. I don't know. We haven't done the calculations. This is just conceptual right now. We're still working on that. We're planning to do a preapp in the next couple of weeks. I was trying to get this going first, the rezoning, before I get too much ahead of myself.

Mr. Bartcher continued with you said it's going to be for seniors. Are you going to have anything other than just apartments? And are those multiple stories?

Mr. Owen responded no; after talking to Mike Bean over at the housing authority, their need right now is just living quarters really. Single story. Our conceptual plan is just single story.

Mr. Bartcher said you stated it's for seniors. How are you going to restrict it to seniors?

Mr. Owen responded I don't know what kind of law bylaws we'll have, but our plan is just to set up an operating management company that's going to use the choice vouchers system in coordination with the housing authority.

Mr. Bartcher asked if the choice vouchers are only for seniors.

Mr. Owen responded no; anyone can get them. When we talked to Mike Bean, he said we could just have it where only seniors can apply for it there. They have a veteran community and only the veterans can apply to it. So, you can set it up in different ways with the choice vouchers.

Mr. Bartcher then asked if these are rental apartments and not a condominium.

Mr. Owen responded it is not a condominium. It's single ownership that owns all the apartments and then the choice vouchers to be able to rent.

Ana Saunders asked the applicant if they saw that the staff report mentioned you're in a type three aquifer and there's a restriction for the impervious. You're aware of that?

Mr. Owen responded yes, I have another engineer that's working on it, so he's probably aware of it. I'll get in touch with him.

Ms. Saunders continued with the site plan you submitted now exceeds that impervious percentage, so I just want to make sure you know that. And then from the stormwater perspective, I realize it's a zoning component, but you're right, the storm water rules for St. John's have changed significantly. Where is the point of outfall going to be for this project?

Mr. Owen responded that he'd have to talk with the engineer he's working with. This is just conceptual, more like putting something together on paper. Like I said, we haven't gone too deep with it yet. Talk to us in a week if we get past this board meeting.

Ms. Amato asked staff what the max density could be after the rezoning. I know what he's asking for, but often what they ask for might not be the maximum density that would be allowed on the property once you change the zoning. What would that be?

Ms. Gilliam responded 36.

Ms. Amato then asked if they could go two stories if they decided to change their mind after the zoning.

Ms. Gilliam responded they can go to two stories.

Ms. Saunders asked if there are additional buffering requirements that'll be between this property and the single family to the east required?

Ms. Gilliam responded no, they're both residential. So, there'd be no change. It's not commercial or industrial.

Mr. Hopengarten asked if the units can be made as two story. Usually, your units are single stories.

Mr. Owen responded with if we have to. We can do two story; we can do three story. But our intention is to do single.

Mr. Hopengarten replied, "I mean structurally."

Mr. Owen responded structurally you can do five, whatever the limits are for the county. But our intent for cost savings is to go one story. If you go two story, it costs a lot more. So, to be affordable, you start losing the affordability.

Mr. Hopengarten asked if they're going for any tax incentives.

Mr. Owen responded possibly, I don't know. I'm sure we'll try. I'm not really part of that. There are other partners that are dealing with that stuff.

Mr. Bartcher asked what size the apartments are going to be.

Mr. Owen responded that they're 511 square feet for one bedroom, the real need right now is one bedroom, one bath. So, we're doing mostly those. And then they said that there's a couple times that some of the seniors have a son or daughter that's living with them. So, there are six that will be two-bedroom, one bath with 760 square feet somewhere around there.

Mr. Bartcher stated that most of them are going to be single.

Mr. Owen responded that's what their needs are. We're just trying to target what their needs are and satisfy that.

Mr. Bartcher asked if he'd be willing to have a binding development plan that says you're only going to have single story.

Mr. Owen responded saying yeah, I have no problem with that.

Ms. Orriss stated you mentioned that it's only going to be seniors. But you said they can have children that live with them too. If the senior passes on and their child wants to stay living there, then you have the younger generation living there too. Is that part of this? I mean suddenly it opens to just affordable living.

Mr. Owen responded unless that child has a voucher, they can't live there. It's all based on the choice vouchers.

Ms. Orriss stated so, it's based on the voucher. It's not based on senior living.

Mr. Owen responded it's senior living with vouchered senior living. A choice voucher. They're probably in their 70s and 80s. So, their children are probably 45, 50. They're not kids. They're probably going to be seniors themselves. And it's not an often thing. I don't really know that part of it. He just said to do the one bedroom, one bath and just throw a couple two bedrooms in there because sometimes there might be a caretaker too that's living with them or something. That's what their request was so, we're just trying to satisfy their request.

Ms. Orriss asked if they'd be open to a binding development plan or something that said there has to be a senior living there? Since that's how it was advertised to us.

Mr. Owen responded yes.

Motion to recommend approval of Item H.2. with a BDP limiting to one-story building and seniors only, by Ron Bartcher, seconded by Erika Orriss. Motion passed unanimously.

Meeting adjourned at 5:10 p.m.

Resolution 26Z00004

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

WHEREAS, Domanique F. Culpepper, Ralph M. Williams, III, Ralph Williams, IV, Erikka Williams (Antonio Owen) request a zoning classification change from AU (Agricultural Residential) to RU-2-15 (Medium-Density Multiple-Family Residential), on property described as Tax Parcel 15.03, as recorded in OR Book 9032, Page 1162, of the Public Records of Brevard County, Florida. Section 23, Township 24, Range 36. (2.43 acres) Located on the north side of Grove Blvd., approximately 115' west of Paul St. (280 Grove Blvd, Merritt Island); and

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

WHEREAS, the Board, after considering said application and 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 to RU-2-15, with a BDP limiting structures to one-story buildings and occupancy limited to only senior residents, and allowing all permitted uses of RU-1-9 that is compatible with the surrounding areas, and that it has to come back to staff for review of the BDP. 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 20, 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.