



Zoning

Brevard County Board Of County Commissioners; Governing Board Of The Brevard Mosquito Control District; Governing Board Of The Barefoot Bay Water And Sewer District

2725 Judge Fran Jamieson Way
Viera, FL 32940

Agenda

Thursday, July 13, 2023

If you wish to speak to any item on the agenda, please fill out a speaker card. Persons addressing the Board shall have three minutes to complete his/her comments on each public hearing agenda item for which he/she has filled out a card.

The Board of County Commissioners requests that speakers appearing under the Public Comment section of the agenda limit their comments and/or presentations to matters under the Board's jurisdiction. It is the responsibility of the Chair to determine the time limit on comments under Public Comment and other agenda items that are not Quasi-Judicial Public Hearings. In Quasi-Judicial proceedings, fifteen (15) minutes shall be allowed for applicants and five (5) minutes for other speakers.

A. CALL TO ORDER 5:00 PM

B. INTENTIONALLY OMITTED

C. PLEDGE OF ALLEGIANCE- Commissioner John Tobia, District 3

D. MINUTES FOR APPROVAL:

E. RESOLUTIONS, AWARDS AND PRESENTATIONS

F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)

G. PUBLIC HEARINGS

G.1. Tracey C. and Teresa B. Higginbotham (Randy Rodriguez) request a change of zoning classification from GU to AU. (23Z00024) (Tax Accounts 2312731, 2319995, & 2319996) (District 1) This item is automatically to the 08/14/23 P&Z meeting, and the 09/07/23 BCC meeting at the request of the applicant. Letter received 06/01/23.

G.2. Sean and Danielle Gleason request a change of zoning classification from AU to RU-1-13 on 9.47 acres; and a BDP limited to 22 units on entire 22.21 acres. (23Z00022) (Tax Account 2316598) (District 2) This item has been withdrawn by the applicant. Letter received 07/12/23.

- G.3.** James H. and Kristine F. Sanford request a CUP for Alcoholic Beverage (beer & wine only) for On-Premises Consumption in Conjunction with a Bar, in a BU-1 zoning classification. (23Z00013) (Tax Accounts 2316090 & 2316106) (District 1)
- G.4.** CP Venture Five - AMC, LLC (Ron Robbins) requests a CUP for Alcoholic Beverages (full-liquor) for On-Premises Consumption in Conjunction with a Cigar Bar, in a PUD zoning classification. (23Z00018) (Tax Account 2627467) (District 4)
- G.5.** John Earl and Chelsea Dominique Bassford (David Bassford) request a change of zoning classification from BU-1-A to AU. (23Z00020) (Tax Account 2003014) (District 1)
- G.6.** Church of Deliverance, Inc. (Javier & Abigail Acosta) request a change of zoning classification from IN(L) to RU-1-7. (23Z00027) (Tax Account 2417019) (District 2)
- G.7.** Rebecca and Allen Potter request a change of zoning classification from RR-1 and AU to all AU. (23Z00011) (Tax Account 3006359) (District 3)
- G.8.** Robin Bland (Scott Jurgensen, Brevard County Fire Rescue) request a change of zoning classification from AU to GML(I). (23Z00030) (Tax Account 2318407) (District 2)
- G.9.** Terrence A. Cronin, Jr. and Kathleen M. Hubbard (Mike Burkhead/Gulfstream Towers) request a CUP for Wireless Telecommunication Facilities and Broadcast Towers in a GU zoning classification. (23Z00015) (Tax Account 2324077) (District 1)
- G.10.** Stephen J. and Pacharee Ellison request a change of zoning classification from RU-1-7 to SR. (23Z00017) (Tax Account 3008319) (District 3)
- G.11.** Afficap Cocoa, LLC (Javier Fernandez) requests a Small Scale Comprehensive Plan Amendment (23S.03), to change the Future Land Use designation from RES 4 and NC to RES 15. (23SS00003) (Tax Accounts 2424005 & 2441241) (District 1)
- G.12.** Afficap Cocoa, LLC (Javier Fernandez) requests a change of zoning classification from AU to RU-2-10. (23Z00028) (Tax Accounts 2424005 & 2441241) (District 1)
- G.13.** Alan B. MacIntyre Living Trust (John Schulte) requests a change of zoning classification from BU-1 to BU-2. (23Z00032) (Tax Account 2316311) (District 2)
- G.14.** Norfolk Parkway, LLC (Bruce Moia) requests an amendment to an existing BDP in a BU-2 zoning classification. (23Z00012) (Tax Account 2802676) (District 5)
- G.15.** Charles Steven Douglas and Debra Kay Douglas, Trustees; and Sandra J. Douglas (Brittany LeCun) request a change of zoning classification from IU-1 to BU-2. (23Z00023) (Tax Account 3010512) (District 3)

- G.16.** Mehran Ghaeenzadeh (Scott Glaubitz) requests a change of zoning classification from BU-1, with an existing BDP, to BU-2, and removal of the existing BDP. (23Z00007) (Tax Account 2800735) (District 5) *This item has been withdrawn at the request of the applicant. Letter received 06/30/23.*
- G.17.** Legacy West Melbourne, LLC (Bruce Moia) requests a change of zoning classification from AU to RU-2-15. The property is 2.76 acres, located on the west side of John Rodes Blvd., approx. 600 ft. south of Fortune Place (23Z00025) (Tax Account 2704610) (District 5)
- G.18.** Redfish Water Disposal, LLC (James Morris Smith) requests removal of an existing BDP in a PIP zoning classification. (23Z00019) (Tax Account 2311419) (District 1)
- G.19.** Mina St, LLC (W. Nathan Meloon) requests a change of zoning classification from RU-1-13 to RU-2-10. The property is 0.21 acres, located on the north side of South Court, approx. 600 ft. west of N. Highway A1A (23Z00026) (Tax Account 2716147) (District 5)
- G.20.** Samir and Ilham Itani Revocable Living Trust requests a change of zoning classification from AU to EU-2. (23Z00031) (Tax Account 2101052) (District 1)

H. UNFINISHED BUSINESS

I. NEW BUSINESS

Miscellaneous

I.1.

Amendment to Scope of Work of Bonnie C. Landry and Associates, PA (Continuing Services Contract - Urban Planning Consultant)

Add Ons

J. BOARD REPORTS

- J.1. Frank Abbate, County Manager
- J.2. Morris Richardson, County Attorney
- J.3. Tom Goodson, Commissioner District 2, Vice-Chair
- J.4. John Tobia, Commissioner District 3
- J.5. Rob Feltner, Commissioner District 4
- J.6. Jason Steele, Commissioner District 5
- J.7. Rita Pritchett, Commissioner District 1, Chair

K. PUBLIC COMMENTS

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>

In accordance with BCC-97 Section G.1 the agenda shall provide a section for public comment at the end of each regular County Commission meeting following Board Reports. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. Speakers will be heard in the order in which they turned in a pink card asking to be heard. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda or request a staff report.

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.



OLD

Zoning

Brevard County Board Of County Commissioners; Governing Board Of The Brevard Mosquito Control District; Governing Board Of The Barefoot Bay Water And Sewer District

2725 Judge Fran Jamieson Way

Viera, FL 32940

Agenda

Thursday, July 13, 2023

If you wish to speak to any item on the agenda, please fill out a speaker card. Persons addressing the Board shall have three minutes to complete his/her comments on each public hearing agenda item for which he/she has filled out a card.

The Board of County Commissioners requests that speakers appearing under the Public Comment section of the agenda limit their comments and/or presentations to matters under the Board's jurisdiction. It is the responsibility of the Chair to determine the time limit on comments under Public Comment and other agenda items that are not Quasi-Judicial Public Hearings. In Quasi-Judicial proceedings, fifteen (15) minutes shall be allowed for applicants and five (5) minutes for other speakers.

- A. CALL TO ORDER 5:00 PM**
- B. INTENTIONALLY OMITTED**
- C. PLEDGE OF ALLEGIANCE - Commissioner John Tobia, District 3**
- D. MINUTES FOR APPROVAL:**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
- F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**
- G. PUBLIC HEARINGS**
 - G.1.** Tracey C. and Teresa B. Higginbotham (Randy Rodriguez) request a change of zoning classification from GU to AU. (23Z00024) (Tax Accounts 2312731, 2319995, & 2319996) (District 1) This item is automatically to the 08/14/23 P&Z meeting, and the 09/07/23 BCC meeting at the request of the applicant. Letter received 06/01/23.
 - G.2.** Sean and Danielle Gleason (Kim Rezanka) request a change of zoning classification from AU to RU-1-13 on 9.47 acres; and a BDP limited to 22 units on entire 22.21 acres. (23Z00022) (Tax Account 2316598) (District 2) This item is automatically tabled to the 07/17/23 P&Z meeting, and the 08/03/23 BCC meeting at the request of the applicant. Letter received 06/05/23.

-
- G.3.** James H. and Kristine F. Sanford request a CUP for Alcoholic Beverage (beer & wine only) for On-Premises Consumption in Conjunction with a Bar, in a BU-1 zoning classification. (23Z00013) (Tax Accounts 2316090 & 2316106) (District 1)
- G.4.** CP Venture Five - AMC, LLC (Ron Robbins) requests a CUP for Alcoholic Beverages (full-liquor) for On-Premises Consumption in Conjunction with a Cigar Bar, in a PUD zoning classification. (23Z00018) (Tax Account 2627467) (District 4)
- G.5.** John Earl and Chelsea Dominique Bassford (David Bassford) request a change of zoning classification from BU-1-A to AU. (23Z00020) (Tax Account 2003014) (District 1)
- G.6.** Church of Deliverance, Inc. (Javier & Abigail Acosta) request a change of zoning classification from IN(L) to RU-1-7. (23Z00027) (Tax Account 2417019) (District 2)
- G.7.** Rebecca and Allen Potter request a change of zoning classification from RR-1 and AU to all AU. (23Z00011) (Tax Account 3006359) (District 3)
- G.8.** Robin Bland (Scott Gold, Brevard County Fire Rescue) request a change of zoning classification from AU to GML(I). (23Z00030) (Tax Account 2318407) (District 2)
- G.9.** Terrence A. Cronin, Jr. and Kathleen M. Hubbard (Mike Burkhead/Gulfstream Towers) request a CUP for Wireless Telecommunication Facilities and Broadcast Towers in a GU zoning classification. (23Z00015) (Tax Account 2324077) (District 1)
- G.10.** Stephen J. and Pacharee Ellison request a change of zoning classification from RU-1-7 to SR. (23Z00017) (Tax Account 3008319) (District 3)
- G.11.** Afficap Cocoa, LLC (Javier Fernandez) requests a Small Scale Comprehensive Plan Amendment (23S.03), to change the Future Land Use designation from RES 4 and NC to RES 15. (23SS00003) (Tax Accounts 2424005 & 2441241) (District 1)
- G.12.** Afficap Cocoa, LLC (Javier Fernandez) requests a change of zoning classification from AU to RU-2-10. (23Z00028) (Tax Accounts 2424005 & 2441241) (District 1)
- G.13.** Alan B. MacIntyre Living Trust (John Schulte) requests a change of zoning classification from BU-1 to BU-2. (23Z00032) (Tax Account 2316311) (District 2)
- G.14.** Norfolk Parkway, LLC (Bruce Moia) requests an amendment to an existing BDP in a BU-2 zoning classification. (23Z00012) (Tax Account 2802676) (District 5)
- G.15.** Charles Steven Douglas and Debra Kay Douglas, Trustees; and Sandra J. Douglas (Brittany LeCun) request a change of zoning classification from IU-1 to BU-2. (23Z00023) (Tax Account 3010512) (District 3)

- G.16.** Mehran Ghaeenzadeh (Scott Glaubitz) requests a change of zoning classification from BU-1, with an existing BDP, to BU-2, and removal of the existing BDP. (23Z00007) (Tax Account 2800735) (District 5) *This item has been withdrawn at the request of the applicant. Letter received 06/30/23.*
- G.17.** Legacy West Melbourne, LLC (Bruce Moia) requests a change of zoning classification from AU to RU-2-15. The property is 2.76 acres, located on the west side of John Rodes Blvd., approx. 600 ft. south of Fortune Place (23Z00025) (Tax Account 2704610) (District 5)
- G.18.** Redfish Water Disposal, LLC (James Morris Smith) requests removal of an existing BDP in a PIP zoning classification. (23Z00019) (Tax Account 2311419) (District 1)
- G.19.** Mina St, LLC (W. Nathan Meloon) requests a change of zoning classification from RU-1-13 to RU-2-10. The property is 0.21 acres, located on the north side of South Court, approx. 600 ft. west of N. Highway A1A (23Z00026) (Tax Account 2716147) (District 5)
- G.20.** Samir and Ilham Itani Revocable Living Trust requests a change of zoning classification from AU to EU-2. (23Z00031) (Tax Account 2101052) (District 1)

H. UNFINISHED BUSINESS

I. NEW BUSINESS

Miscellaneous

I.1.

Amendment to Scope of Work of Bonnie C. Landry and Associates, PA (Continuing Services Contract - Urban Planning Consultant)

Add Ons

J. BOARD REPORTS

- J.1. Frank Abbate, County Manager
- J.2. Morris Richardson, County Attorney
- J.3. Tom Goodson, Commissioner District 2, Vice-Chair
- J.4. John Tobia, Commissioner District 3
- J.5. Rob Feltner, Commissioner District 4
- J.6. Jason Steele, Commissioner District 5
- J.7. Rita Pritchett, Commissioner District 1, Chair

K. PUBLIC COMMENTS

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the County Manager's Office no later than 48 hours prior to the meeting at (321) 633-2010.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONE REMAIN OFF while the County Commission is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>

In accordance with BCC-97 Section G.1 the agenda shall provide a section for public comment at the end of each regular County Commission meeting following Board Reports. The purpose of public comment is to allow individuals to comment on any topic relating to County business which is not on the meeting agenda. Individuals delivering public comment shall be restricted to a three-minute time limit on their presentation. Speakers will be heard in the order in which they turned in a pink card asking to be heard. With the exception of emergency items, the Board will take no action under the Public Comment section, but can refer the matter to another meeting agenda or request a staff report.

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.