



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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G.16.

7/13/2023

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### **Subject:**

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 (23Z00007) (Tax Account 2800735) (District 5) *This item has been withdrawn at the request of the applicant.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.*

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

No action necessary. This item has been withdrawn at the request of the applicant. Letter received 06/30/23.

### **Summary Explanation and Background:**

### **Clerk to the Board Instructions:**

**From:** [Ken Ludwa](#)  
**To:** [Body, Paul](#)  
**Cc:** [Ball, Jeffrey](#); [Jones, Jennifer](#); [BSE-File](#); [Scott Glaubitz](#)  
**Subject:** RE: Ghaeenzadeh BU-1 to BU-2 (23Z00007) BSE #11673  
**Date:** Friday, June 30, 2023 12:02:53 PM

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**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Paul, Jeff, Jennifer:

On behalf of the applicant, we respectfully withdraw zoning application 23Z00007 from County Board consideration.

Thank you.

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**Ken Ludwa, P.E.**

Senior Project Engineer

B.S.E. Consultants, Inc.

Phone (321) 725-3674

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[kludwa@bseconsult.com](mailto:kludwa@bseconsult.com)

[www.bseconsult.com](http://www.bseconsult.com)

**From:** Body, Paul <Paul.Body@brevardfl.gov>

**Sent:** Tuesday, June 27, 2023 10:06 AM

**To:** Ken Ludwa <KLudwa@bseconsult.com>

**Cc:** Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>; Jones, Jennifer <jennifer.jones@brevardfl.gov>

**Subject:** RE: Ghaeenzadeh BU-1 to BU-2 (23Z00007) BSE #11673

Ken, attached is the P&Z meeting minutes for zone application 23Z00007. See attached page 2 of the minutes for the BDP recommendation highlighted in yellow.

Paul Body, Planner III  
Brevard County Planning & Development  
321-350-8261

This office can only provide zoning and comprehensive plan information. You may wish to contact other County agencies to fully determine the development potential of this property. This letter does not establish a right to develop or redevelop the property and does not constitute a waiver to any other applicable

land development regulations. At the time of development, this property will be subject to all such regulations. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**From:** Ken Ludwa <[KLudwa@bseconsult.com](mailto:KLudwa@bseconsult.com)>

**Sent:** Tuesday, June 27, 2023 9:13 AM

**To:** Body, Paul <[Paul.Body@brevardfl.gov](mailto:Paul.Body@brevardfl.gov)>

**Subject:** RE: Ghaeenzadeh BU-1 to BU-2 (23Z00007) BSE #11673

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Paul, could you kindly advise on the query below? We want to confirm that the BDP for the BU-2 rezoning will stipulate BU-1 uses only (not storage only).

If you're not the right person, could you please redirect me? Many thanks.

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**Ken Ludwa, P.E.**

Senior Project Engineer

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**From:** Ken Ludwa

**Sent:** Tuesday, June 13, 2023 9:51 AM

**To:** "'Jones, Jennifer'" <[jennifer.jones@brevardfl.gov](mailto:jennifer.jones@brevardfl.gov)>; 'Hart, Jane' <[Jane.Hart@brevardfl.gov](mailto:Jane.Hart@brevardfl.gov)>; 'Gilliam, Trina' <[Trina.Gilliam@brevardfl.gov](mailto:Trina.Gilliam@brevardfl.gov)>; 'Body, Paul' <[Paul.Body@brevardfl.gov](mailto:Paul.Body@brevardfl.gov)>; 'Ball, Jeffrey' <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>

**Cc:** Scott Glaubitz <[SGlaubitz@bseconsult.com](mailto:SGlaubitz@bseconsult.com)>; Alicia Mateo <[amateo@bseconsult.com](mailto:amateo@bseconsult.com)>; BSE-File <[BSE-File@bseconsult.com](mailto:BSE-File@bseconsult.com)>; Kasey Day <[kday@bseconsult.com](mailto:kday@bseconsult.com)>

**Subject:** RE: Ghaeenzadeh BU-1 to BU-2 (23Z00007) BSE #11673

Jennifer (and other staff): At yesterday's P&Z meeting, one of the last conditions that got added for BU-2 rezoning was either BU-1 uses only or storage only. The discussion went both ways and I didn't get the final version in my notes. We're hoping the version that goes to Council will be BU-1 uses only. Not trying to change the intent of the Board, but the applicant may want to divide the parcel. The only purpose for the BU-2 is to allow the height increase for the storage facility. Any other uses will conform to BU-1. Sorry I didn't catch this at the podium. Thank you.

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**Ken Ludwa, P.E.**

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**From:** Ken Ludwa

**Sent:** Wednesday, June 7, 2023 3:03 PM

**To:** "Jones, Jennifer" <[jennifer.jones@brevardfl.gov](mailto:jennifer.jones@brevardfl.gov)>; Hart, Jane <[Jane.Hart@brevardfl.gov](mailto:Jane.Hart@brevardfl.gov)>; Gilliam, Trina <[Trina.Gilliam@brevardfl.gov](mailto:Trina.Gilliam@brevardfl.gov)>; Body, Paul <[Paul.Body@brevardfl.gov](mailto:Paul.Body@brevardfl.gov)>; Ball, Jeffrey <[Jeffrey.Ball@brevardfl.gov](mailto:Jeffrey.Ball@brevardfl.gov)>

**Cc:** Scott Glaubitz <[SGlaubitz@bseconsult.com](mailto:SGlaubitz@bseconsult.com)>; Alicia Mateo <[amateo@bseconsult.com](mailto:amateo@bseconsult.com)>; BSE-File <[BSE-File@bseconsult.com](mailto:BSE-File@bseconsult.com)>; Kasey Day <[kday@bseconsult.com](mailto:kday@bseconsult.com)>

**Subject:** Ghaeenzadeh BU-1 to BU-2 (23Z00007) BSE #11673

Hello Jennifer,

Attached is a DRAFT Binding Development Plan for the proposed rezoning under Case 23Z00007.

When I attended the last P&Z Board meeting, I was unable to present the request due to an oversight on the authorization to act. However, there were several similar requests presented (BU-2 rezoning adjacent to residential). A common concern was buffering/mitigation between the commercial and residential uses. Although we were unable to present our request, the Board did advise us to present a BDP at the next meeting to address this concern. As advised by the Board, we are submitting the attached draft BDP in advance of the meeting. The BDP also addresses drainage along the interface with the residential properties, based on concerns raised by a resident I met after the last meeting.

This BDP would replace the previous BDP.

Please let me know if you have any comments or questions.

Thank you for your consideration.

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**Ken Ludwa, P.E.**

Senior Project Engineer

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**From:** Scott Glaubitz <[SGlaubitz@bseconsult.com](mailto:SGlaubitz@bseconsult.com)>  
**Sent:** Thursday, June 1, 2023 9:24 AM  
**To:** Ken Ludwa <[KLudwa@bseconsult.com](mailto:KLudwa@bseconsult.com)>  
**Subject:** Fwd: Staff Comments

Sent from my iPhone  
Scott Glaubitz PE; PLS  
312 So. Harbor City Blvd  
Melbourne, FL 32901  
Cell 321-403-1436  
Office 321-725-3674  
[sglaubitz@bseconsult.com](mailto:sglaubitz@bseconsult.com)

Begin forwarded message:

**From:** "Jones, Jennifer" <[jennifer.jones@brevardfl.gov](mailto:jennifer.jones@brevardfl.gov)>  
**Date:** June 1, 2023 at 8:55:38 AM EDT  
**To:** Scott Glaubitz <[SGlaubitz@bseconsult.com](mailto:SGlaubitz@bseconsult.com)>  
**Subject:** Staff Comments

Good morning,

Attached are the staff comments and GIS maps for your rezoning request to be heard by the Planning and Zoning Board on June 12, 2023.

Thank you,  
Jennifer

Jennifer Jones  
Special Projects Coordinator  
Brevard County  
Planning and Development Department  
Phone: 321-350-8300  
Extension: 58300  
[jennifer.jones@brevardfl.gov](mailto:jennifer.jones@brevardfl.gov)

Brevard County is currently in the process of implementing changes to increase the accessibility of information and documents on its website. If you require assistance to better access this document or information contained therein, please contact Brevard County's A.D.A Coordinator by phone at 321-637-5347, or by email at

[ADACompliance@brevardfl.gov](mailto:ADACompliance@brevardfl.gov)

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