



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

2/3/2022

Subject:

Sunil Rajan, Sudhir Rajan, and Suresh Rajan (Kim Rezanka) request a Small Scale Comprehensive Plan Amendment (21S.09) to change the Future Land Use designation from NC to CC. (21PZ00082) (Tax Account 2412234) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

It is requested that the Board of County Commissioners table the public hearing to consider a Small Scale Comprehensive Plan Amendment (21S.09) to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial) to the March 3, 2022, meeting.

Summary Explanation and Background:

On January 10, 2022, the Local Planning Agency voted 7:2 to table the request to its February 14, 2022, meeting, in order to allow the MIRA board to hear the request and make a recommendation.

Clerk to the Board Instructions:

None

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, January 10, 2022**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

At the outset of the meeting, nine Board members were present and voted on all items on the agenda: Henry Minneboo (D1); Ron Bartcher (D1); Robert Sullivan (D2); Ben Glover (D3); William Capote (D3); Mark Wadsworth, Chair (D4); Liz Alward (D4); Peter Filiberto, Vice Chair (D5); and John Hoppengarten (BPS).

Bruce Moia (D5) was present for Items H.14 & H.15 only.

Lorraine Koss (D2 - Alt) was present, but did not participate from the dais.

Staff members present were: Tad Calkins, Planning & Development Director; Jeffrey Ball, Planning and Zoning Manager; George Ritchie, Planner III; Kyle Harris, Associate Planner; Virginia Barker, Natural Resources Management Director; Amanda Elmore, Natural Resources Management Deputy Director; Darcie McGee, Natural Resources Management Assistant Director; Alex Esseeese, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

Excerpt from Complete Minutes

Sunil Rjan, Sudhir Rajan, and Suresh Rajan (Kim Rezanka)

A Small Scale Comprehensive Plan Amendment (21S.09) to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial). The property is 0.92 acres, located on the east side of N. Courtenay Pkwy., approx. 0.11 mile south of Skyline Blvd. (No assigned address. In the Merritt Island area.) (Tax Account 2412234) (District 2)

Jeffrey Ball stated typically, a request in the MIRA area is heard first by the MIRA board and then the Local Planning Agency or the Planning and Zoning Board. Due to a scheduling conflict, this request has not yet been heard by MIRA for a recommendation, but it is up to the LPA if it should be tabled to allow the request to be heard by MIRA, or if it should be heard today.

Liz Alward asked if MIRA will meet before the February 3rd County Commission meeting, and if the LPA hears the item today, can MIRA hear it later, before the County Commission meeting.

Mr. Ball stated he believes MIRA would be able to hear it by the end of January, but typically, the LPA would know MIRA's recommendation before moving it on to the County Commission.

Ben Glover stated the LPA should respect MIRA and wait until they meet.

Motion by Ben Glover, seconded by Peter Filiberto, to table the item to the February 14, 2022, meeting.

Kim Rezanka, Lacey Lyons Rezanka, stated she understands that MIRA should have the opportunity, but that was due to no fault of her client. She asked that the LPA move forward today and hear the item and if MIRA has a problem they will come back to the LPA. She noted her client has already been to FDOT for pre-application and is ready to apply for a site plan.

Henry Minneboo asked if FDOT is going to allow the driveway. Ms. Rezanka replied the engineer of the project believes so. She asked the LPA to reconsider tabling, as it would push the project back by one month.

Ms. Alward state she would prefer hearing it today, then sending it to MIRA, and if there are any issues after the MIRA meeting it can always come back to LPA.

William Capote asked if they would be setting a precedent if they do that. Mr. Ball replied it is up to the board, but it is not a code requirement that this board's recommendation is based on MIRA's recommendation.

Mr. Glover stated he does not want to withdraw his motion and he would prefer to table it.

Mark Wadsworth called for a vote on the motion as stated, and it passed 7:2, with Henry Minneboo and John Hopengarten voting nay.