



## **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, September 2, 2021**

**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 Kristine Zonka, Vice Chair, District 5**
- D. MINUTES FOR APPROVAL: March 9, 2021, Regular Meeting Minutes**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
- F. CONSENT AGENDA (The entire Consent Agenda will be passed in one motion to include everything under Section F.)**

## **Development and Environmental Services Group**

### **Planning and Development**

- F.1. Approval Re: Request #21 for Disbursement of Educational Facilities Impact Fees (Districts 1 - 5).**

- G. PUBLIC COMMENTS**
- H. PUBLIC HEARINGS**

- H.1. William D. and Elizabeth Anne Elliott, Trustees (Joe Mayer) request a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from PI to RES 1. (21PZ00033) (Tax Accounts 2316601 & 2323951) (District 2)
- H.2. William D. and Elizabeth Anne Elliott, Trustees (Joe Mayer) request a change of zoning classification from PIP to RR-1. (21Z00020) (Tax Accounts 2316601 & 2323951) (District 2)
- H.3. Joseph A. Calderone requests change of zoning classification from TR-3 (21Z00021) (Tax Account 2315419) (District 2)
- H.4. Comprehensive Plan text amendment to include a Property Rights Element as required by House Bill 59, requiring all local governments to create a Property Rights Element.

**I. UNFINISHED BUSINESS**

**J. NEW BUSINESS**

**K. PUBLIC COMMENTS**

**L. BOARD REPORTS**

- L.1. Frank Abbate, County Manager
- L.2. Eden Bentley, County Attorney
- L.3. Rita Pritchett, Commissioner District 1, Chair
- L.4. Bryan Lober, Commissioner District 2
- L.5. John Tobia, Commissioner District 3
- L.6. Curt Smith, Commissioner District 4
- L.7. Kristine Zonka, Commissioner District 5, Vice Chair

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 Resolution 2014-219 Section VIII (8.1) the agenda shall provide a section for public comment limited to thirty (30) minutes following approval of the consent agenda during each regular County Commission meeting. 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. During this thirty (30) minute segment of public comment, speakers will be heard in the order in which they turned in a speaker card asking to be heard. Any speaker not heard during the first thirty (30) minute segment will be heard during a second public comment segment held at the conclusion of business specified on the regular Commission agenda. 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.

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.

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**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS ON 2021-09-02 5:00 PM -  
ZONING**

2725 Judge Fran Jamieson Way  
Viera, FL, 32940  
Regular Agenda  
Thursday, September 2, 2021

**IF YOU WISH TO SPEAK TO ANY ITEM ON THE AGENDA, PLEASE FILL OUT A SPEAKER CARD. PERSONS ADDRESSING THE BOARD SHALL HAVE FIVE 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 PUBLIC HEARINGS.**

- A. CALL TO ORDER 5:00 PM**
- B. INTENTIONALLY OMITTED**
- C. PLEDGE OF ALLEGIANCE - Commissioner Kristine Zonka, Vice Chair, District 5**
- D. MINUTES FOR APPROVAL: March 9, 2021, Regular**
- E. RESOLUTIONS, AWARDS AND PRESENTATIONS**
- F. CONSENT AGENDA**

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

**Development and Environmental Services Group**

**Planning and Development**

- F.1. 3286 Approval Re: Request #21 for Disbursement of Educational Facilities Impact Fees (Districts 1 - 5).**

It is requested that the Board of County Commissioners authorize the disbursement of educational facilities impact fees in the amount of \$5,458,005.86 to the School Board of

Brevard County in accordance with the terms of the interlocal agreement and authorize the County Manager and Budget Office to execute any budget changes required to implement this disbursement.

Legislation Text

Request #21 for Transfer of Educational Facilities Impact Fees.pdf

**G. PUBLIC COMMENTS**

**H. PUBLIC HEARINGS**

- H.1. 3276 William D. and Elizabeth Anne Elliott, Trustees (Joe Mayer) request a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from PI to RES 1. (21PZ00033) (Tax Accounts 2316601 & 2323951) (District 2)

It is requested that the Board of County Commissioners conduct a public hearing to consider a Small Scale Comprehensive Plan Amendment (21S.05) to change the Future Land Use designation from PI (Planned Industrial) to RES 1 (Residential 1).

Legislation Text

Administrative Policies of the Future Land Use Element.pdf

Staff Comments

GIS Maps

Application Pages

Reason for Request

Notice to Applicants

Survey

FYI Submitted by Applicant

NMI Minutes

LPA-PZ Minutes

- H.2. 3277 William D. and Elizabeth Anne Elliott, Trustees (Joe Mayer) request a change of zoning classification from PIP to RR-1. (21Z00020) (Tax Accounts 2316601 & 2323951) (District 2)

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from PIP (Planned Industrial Park) to RR-1 (Rural Residential).

Legislation Text

[Administrative Policies of the Future Land Use Element.pdf](#)[Staff Comments](#)[GIS Maps](#)[Application Pages](#)[Notice to Applicants](#)[Survey](#)[FYI Submitted by Applicant](#)[NMI Minutes](#)[LPA-PZ Minutes](#)

H.3. 3278 Joseph A. Calderone requests change of zoning classification from TR-3 (21Z00021) (Tax Account 2315419) (District 2)

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-Family Mobile Home).

[Legislation Text](#)[Administrative Policies of the Future Land Use Element.pdf](#)[Staff Comments](#)[GIS Maps](#)[Application Pages](#)[Notice to Applicants](#)[NMI Minutes](#)[P&Z Minutes](#)

H.4. 3279 Comprehensive Plan text amendment to include a Property Rights Element as required by House Bill 59, requiring all local governments to create a Property Rights Element.

It is requested that the Board of County Commissioners consider a text amendment to the Comprehensive Plan to add a Property Rights Element, and to change the Table of Contents to include this Element.

[Legislation Text](#)[Staff Comments](#)[Property Rights Element](#)

Revised Table of ContentsDraft OrdinanceHouse Bill 59LPA Minutes**I. UNFINISHED BUSINESS****J. NEW BUSINESS****K. PUBLIC COMMENTS****L. BOARD REPORTS****L.1. Frank Abbate, County Manager****L.2. Eden Bentley, County Attorney****L.3. Rita Pritchett, Commissioner District 1, Chair****L.4. Bryan Lober, Commissioner District 2****L.5. John Tobia, Commissioner District 3****L.6. Curt Smith, Commissioner District 4****L.7. Kristine Zonka, Commissioner District 5, Vice Chair**

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