



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.6.

9/5/2024

Subject:

Aaron Reninger (Kim Rezanka) requests a Small-Scale Comprehensive Plan Amendment (24S.02), to change the Future Land Use Designation from AGRIC to RES 6. (24SS00002) (Tax Accounts 2002219, 2002228, 2002229, 2002230, 2002231, & 2002232) (District 1)

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 Small-Scale Comprehensive Plan Amendment (24S.02), to change the Future Land Use Designation from AGRIC (Agricultural) to RES 6 (Residential 6).

Summary Explanation and Background:

The applicant is requesting an amendment to the Future Land Use Map designation from AGRIC to RES 6 on a 17.01 acre parcel to allow the development of this vacant property as a tiny home development.

A companion rezoning application has been submitted accompanying this request to change the zoning classification from RRMH-1 (Rural Residential Mobile Home-1) to TR-3 (Mobile Home Park) on the 17.01 acre subject property (24Z00005).

North of the subject property is vacant, zoned RRMH-1 and AGRIC FLU. To the east and west of the subject property are single-family, site-built homes, zoned GU/RRMH-1, both with AGRIC FLUM designations. To the south, the Hidden Lakes subdivision with one-half acre lots for mobile homes has a RES 2 FLUM designation. Several lots are owned by Brevard County and have a PUB-CONS FLUM designation due to the presence of wetlands. These lots have TR-2 zoning.

The applicant has submitted a Binding Development Plan (BDP) limiting the maximum density to two units per acre and the minimum lot size to one-quarter acre. In addition to mobile homes, the TR-3 zoning would allow construction of tiny homes and/or tiny homes on wheels.

Subsequent to this application being received, a complaint was filed regarding unpermitted land clearing and alteration activities, including in wetlands. There are Natural Resources Code enforcement cases pending on three of the six parcels included in this request.

The applicant has provided a concept plan, attached. The Board should be aware that this concept plan is non-binding and should be used for informational purposes only; it has not been reviewed for conformance to County regulations.

The Board should consider if the request is an introduction of RES 6 into the area. The Board may also consider if the request is consistent with the Comprehensive Plan and compatible with the surrounding area.

On August 12, 2024, the Local Planning Agency heard the request and unanimously recommended denial of the request based on concerns for the impact on Hog Valley Road with the density increase.

Please note: The Board's action on this application is independent to the rezoning and acceptance of the BDP, which limits the density.

Clerk to the Board Instructions:

Once filed with the State, please return a copy of the ordinance 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.

**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

STAFF COMMENTS

Small Scale Plan Amendment 24S.02 (24SS00002)
Township 20G, Range 34, Section 22

Property Information

Owner / Applicant: Aaron Reninger / Lacey, Lyons & Rezanka

Adopted Future Land Use Map Designation: Agriculture (AGRIC)

Requested Future Land Use Map Designation: Residential 6 (RES 6)

Acreage: 17.01 +/- acres

Tax Account #'s: 2002219, 2002228, 2002229, 2002230, 2002231 & 2002232

Site Location: South side of Gandy Road between Hog Valley Road and Interstate 95.

Commission District: 1

Current Zoning: RRMH-1 (Rural Residential Mobile Home-1)

Requested Zoning: TR-3 (Mobile Home Park) (24Z00005)

Background & Purpose

The applicant is requesting an amendment to the Future Land Use Map designation from AGRIC to RES 6 on a 17.01 acre parcel to allow the development of this vacant property as a tiny home development.

A companion rezoning application has been submitted accompanying this request to change the zoning classification from RRMH-1 (Rural Residential Mobile Home-1) to TR-3 (Mobile Home Park) on the 17.01 acre subject property (**24Z00005**). The applicant has submitted a Binding Development Plan (BDP) limiting the maximum density to two units per acre and the minimum lot size to one-quarter acre. In addition to mobile homes, the TR-3 zoning would allow construction of tiny homes and/or tiny homes on wheels.

October 2006, the Board of County Commissioners directed Planning and Zoning staff to prepare a **Small Area Study (SAS) for the Mims community** in northern Brevard County to assess the area's growth capabilities and develop tactics for managing growth. The concern was continued growth would likely exceed the County's ability to

supply potable water, due to aquifer limitations. The same aquifer supplies water to private well-users in Mims.

Analysis indicated that reducing FLUM densities in parts of Mims would also reduce potential buildout by 30%. The Mims Small Area Study was approved by the Board on April 10, 2007. As a result of the study, the SAS adopted a Future Land Use of AGRIC (Agricultural Future Land Use designation), which establishes one unit per 5 acres west of Meadow Green Road. Properties with approved RRMH-1, AU and AGR zoning classifications prior to the study were retained and adopted. The remaining lots were adopted with the GU zoning classification including the subject property.

Since this item was tabled at the June 10, 2024, LPA/P & Z meeting, complaints have been filed regarding unpermitted land clearing and alteration activities, including in wetlands. Code enforcement cases are pending on three of the six parcels covered by this application.

Surrounding Land Use Analysis

	Existing Use	Zoning	Future Land Use
North	Vacant on north side of Gandy Road	RRMH - 1	AGRIC
South	Mobile Homes	TR-2	RES 2
East	Vacant State-owned Land Single-Family Residence	GU/RRMH-1	AGRIC
West	Mobile Homes	RRMH-1	AGRIC

North of the subject property's is vacant with AGRIC FLU and RRMH-1 zoning.

To the east and west of the subject property's access strip are single-family, site-built homes, both with AGRIC FLUM designations and RRMH-1 zoning classifications.

To the south, the Hidden Lakes subdivision with one-half acre lots for mobile homes has a RES 2 FLUM designation. Several lots are owned by Brevard County and have a PUB-CONS FLUM designation due to the presence of wetlands. These lots have TR-2 zoning.

Agricultural (AGRIC)

Appropriate and adequate lands shall be designated Agricultural on the Future Land Use Map. Agricultural activities include, but are not limited to, row, vegetable and fruit crop production; dairy, poultry and livestock production; aquaculture, silviculture, horticulture, and apiariculture. Large lot residential development which does not

impede the use of lands for agricultural purposes shall be permitted in this land use designation. Residential densities shall not exceed one dwelling unit per five (5) acres.

Residential 2 (RES 2)

The Residential 2 land use designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within this element. Appropriate for areas adjacent to existing Residential 2 land use designation and areas which serve as a transition between existing land uses or land use designations with density greater than two (2) units per acre and areas with density of less than two (2) units per acre.

Residential 6 (RES 6)

The Residential 6 land use designation affords a transition in density between higher urbanized areas and lower intensity land uses. This land use designation permits a maximum density of up to six (6) units per acre, except as otherwise may be provided for within this element. The Residential 6 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan. These include: areas adjacent to existing RES 6 land use designations; areas that serve as a transition between higher density residential land use designations and lower density residential land use designations; and area that are adjacent to incorporated areas and may be considered a logical transition to RES 6.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in **bold**.

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Residential Land Use Designations

FLUE Policy 1.1

The residential land use designations adopted as part of the Future Land Use Map represent maximum density thresholds. Approved densities may be lower than the maximum allowed by a residential land use designation as a result of one or more of the following:

Criteria:

- A. Environmental constraints identified in applicable objectives and policies of the Conservation Element which impose more stringent density guidelines site;

The subject property contains National Wetlands Inventory (NWI), St. Johns River Water Management District (SJRWMD) wetlands and hydric soils; indicating that wetlands may be present on the property. A wetlands delineation will be required prior to any land clearing, site plan design, or building permit submittal. Per Section 62-3694(c)(1) residential land uses within wetlands shall be limited to one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988 which is less than five (5) acres as unbuildable.

The property also contains aquifer recharge soils and may contain protected and specimen trees and protected species.

- B. Land use compatibility pursuant to Administrative Policy 3;

See the analysis of this request pursuant to FLUE Administrative Policy 3 below.

- C. Unavailability or inadequacy of public facilities and services, including educational facilities, to accommodate adopted density allowances, as set forth in Policy 1.2 and the policies found in the 'Service Delivery, Concurrency and Growth' section of this Element as well as related objectives and policies in the Capital Improvements Element;

A school concurrency determination letter indicates that this project with the BDP in place would generate 13 new students and that there is sufficient capacity at the elementary, middle school and high school level to accommodate the total projected and potential students from this project.

- D. Character of the general area, pursuant to Administrative Policy 4;

See the analysis of this request pursuant to FLUE Administrative Policy 4 below.

- E. Hurricane evacuation capabilities; and;

The subject property is not located on a barrier island.

- F. Policies established in specialized plans as may be adopted by the Board of County Commissioners.

This area is a part of the Mims Small Area Study adopted by the Board of County Commissioners in 2007. The prospective Future Land Use Map contained in the study identifies the subject property as Agricultural with a residential density of one (1) dwelling unit per five (5) acres.

Public Facilities and Services Requirements

FLUE Policy 1.2

Minimum public facilities and services requirements should increase as residential density allowances become higher. The following criteria shall serve as guidelines for approving new residential land use designations:

Criteria:

- A. Adequate roadways, solid waste disposal, drainage and recreation facilities to serve the needs of associated development shall be available concurrent with development in all residential land use designations.

The applicant has requested that the subject property be limited to two (2) units per acre with one quarter acre minimum lot sizes and not more than 30 units in total by the Binding Development Plan submitted with the companion rezoning application.

- B. Fire and police protection and emergency medical services to serve the needs of associated development shall be available concurrent with development in all residential land use designations in accordance with policies set forth in the 'Service Delivery, Concurrency and Growth' section of this Future Land Use Element.

The preliminary concurrency evaluation system did not identify infrastructure services that would fall below acceptable levels of service as adopted in the Comprehensive Plan.

- C. In the Residential 30 Directive, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.

Centralized potable water and sanitary sewer are not available to the subject property but are required for RES 6 Future Land Use designations. The Mims Small Area Study recommended that County waterlines should not be extended beyond current and programmed services that are west of Interstate 95.

The applicant proposes to limit residential density to two (2) units per acre and quarter-acre lots with a BDP and to serve the development with private wells and septic systems.

- D. Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.

Public water service is not available to this property. The applicant proposes to limit density to two (2) units per acre with a BDP and to serve the development with private wells and septic systems.

- E. Where public water service is not available, residential development proposals with densities greater than two units per acre shall be required to connect to a centralized sewer system.

Centralized potable water and sanitary sewer are not available to the subject property. The overall density will be limited to two (2) units per acre by a Binding Development Plan.

- F. The County shall not extend public utilities and services outside of established service areas to accommodate new development in Residential 2, Residential 1 and Residential 1:2.5 land use designations, unless an overriding public benefit can be demonstrated. This criterion is not intended to preclude acceptance of dedicated facilities and services by the County through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.

The Mims Small Area Study recommended that County waterlines not be extended beyond current or programmed service areas. In remaining areas not served by current or projected waterlines, the study recommended reductions in density.

Residential 6 (maximum of 6 dwelling units per acre)

FLUE Policy 1.6

The Residential 6 land use designation affords a transition in density between higher urbanized areas and lower intensity land uses. This land use designation permits a maximum density of up to six (6) units per acre, except as otherwise may be provided for within this element. The Residential 6 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 6 land use designation; or

Section 62-1255 of the zoning regulations establishes where the various zoning classifications can be considered based upon the geographic delineation of future land uses on the future land use map and locational criteria defined in the policies of the future land use element of the 1988 county comprehensive plan.

Where an application for a change of residential zoning classification is not consistent with the residential future land use map designation as depicted in 62-1255, the rezoning may be considered if the applicant limits the project to a density equal to or less than the maximum density threshold for the subject property.

The requested TR-3 Mobile Home Park zoning requires the Residential 6 land use designation. The subject property does not meet the criteria established by FLUE Policy 1.6 for the RES 6 designation and therefore

would be an introduction in the area. Section 62-1255 of the zoning regulations requires RES 6 Future Land Use to achieve consistency with the TR-3 mobile home park zoning classification. The applicant has offered a Binding Development Plan which will limit residential density to two (2) units per acre.

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than six (6) units per acre and areas with density of less than six (6) units per acre; or

The subject property does not serve as a transition between areas with land use designations greater than six (6) units per acre and the existing land use designations that are lower in density. The BDP limiting the residential density to two (2) units per acre can be considered an encroachment from the Hidden Lakes subdivision to the south into the lower density development surrounding the subject property.

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 6.

The subject property is not adjacent to any incorporated areas.

- D. Up to a 25% density bonus to permit up to 7.5 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

The subject property has not requested PUD zoning and is not within the CHHA.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

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;

The proposed use of the subject property remains residential in character with a mix of mobile homes and site-built homes on a minimum half-acre lot. The majority of lots are 1 acre or more.

- 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 (Master Appraiser Institute) appraisal can determine if material reduction has or will occur due to the proposed use(s).

- 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;

The developed character of this portion of Mims is single-family mobile homes and single-family site-built homes on a minimum half-acre lot. The majority of lots are 1 acre or more.

The Hidden Lakes subdivision abuts the subject property to the south and has 67 lots with an average size of 0.9 acres for mobile homes and a FLUM designation of RES 2.

The proposed RES 6 FLUM designation would be an introduction in this area.

No FLUM amendments have been approved within the past three (3) years within one-half mile.

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

There have been two single-family, site-built residences constructed within the last three years. They are both adjacent to the subject property.

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

There has not been any development approved in the past three years that has not been constructed.

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

No material violation of relevant policies has been identified.

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 or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

The proposed use, limited by the BDP to a residential density of two (2) units per acre with a minimum lot size of one quarter acres and thirty (30) units in total, should not materially or adversely impact the surrounding area by introducing any of the factors in Criteria A.

- 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 subject property and surrounding area are included in Indian River Park which was platted in May 1914. The boundaries are not clearly established but include large, extensive areas of open space designated as AGRIC land use with AGR zoning to the north and west, PUB-CONS with GU and AU zoning to the south and Interstate 95 to the east.

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.

There is no commercial development in the vicinity.

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.

There have not been multiple commercial, industrial, or other non-residential uses approved in this area during the previous five (5) years. This area should not be considered transitional.

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.

The subject property contains mapped National Wetlands Inventory (NWI), St. Johns River Water Management District (SJRWMD) wetlands and hydric soils; indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 65-3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require mitigation in accordance with Section 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Preliminary Concurrency

The closest concurrency management segment to the subject property is SR46 from Interstate 95 to US 1, which has a Maximum Acceptable Volume (MAV) of 14,160 trips per day, an Acceptable Level of Service (ALOS) of D, and currently operates at 78% of capacity daily. The addition of thirty-three single-family dwelling units will have a minimal impact on level of service. Specific concurrency issues will be addressed at the time of building permit review. This is only a preliminary review and is subject to change.

A school concurrency determination letter indicates that this project with the BDP in place would generate 13 new students and that there is sufficient capacity at the elementary, middle school and high school level to accommodate the total projected and potential students from this project.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils

- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species

The subject property contains mapped National Wetlands Inventory (NWI), St. Johns River Water Management District (SJRWMD) wetlands and hydric soils; indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 65-3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require mitigation in accordance with Section 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Historic Resources

There are no recorded historic or archaeological sites on the project site according to the Master Site File from the Florida Division of Historic Resources.

For Board Consideration

The Board may consider if the request is an introduction of RES 6 into the area. The Board may also consider if the request is consistent with the Comprehensive Plan and compatible with the surrounding area.

Please note: The Board's action on this application is independent to the rezoning and acceptance of the BDP which limits the density.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Land Use Review & Summary
Item No. 24SS00002**

Applicant: Kimberly Rezanka (Owner: Aaron Reninger)

Zoning Request: AGRIC to RES 6

Note: to allow the use of mobile home and tiny home dwellings

LPA Hearing: 08/12/2024; **BCC Hearing:** 09/05/2024

Tax ID No.: 2002219, 2002232, 2002229, 2002231, 2002230, 2002228

- 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:

- Wetlands and Hydric Soils
- Aquifer Recharge Soils
- Protected and Specimen Trees
- Protected Species
- Potential Code Enforcement

The subject property contains mapped National Wetlands Inventory (NWI), St. Johns River Water Management District (SJRWMD) wetlands and hydric soils; indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 62-3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require mitigation in accordance with Section 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Since this item was tabled at the June 10, 2024, LPA/P & Z meeting, a complaint was filed regarding unpermitted land clearing and alteration activities, including in wetlands.

The active case numbers are 24CE-00943, 24CE-00944 and 24CE-00945. Code enforcement is pending.

Land Use Comments:

Wetlands and Hydric Soils

The subject property contains mapped NWI, SJRWMD wetlands and hydric soils (Samsula muck, frequently ponded, 0 to 1 percent slopes; and St. Johns sand, 0 to 2 percent slopes); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 62-3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require mitigation in accordance with Section 62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Aquifer Recharge Soils

This property contains Orsino fine sand; Pomello sand; and Paola fine sand, 0 to 8 percent slopes, classified as aquifer recharge soils. St. Johns sand, 0 to 2 percent slopes may also function as aquifer recharge soils. Mapped topographic elevations indicate the soils may consist of Type 3 Aquifer Recharge soils that have 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.**

Protected and Specimen Trees

Protected and Specimen Trees may exist on the parcel. Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), encourages the protection of Specimen Trees. 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.

Protected Species

Federally and/or state protected species may be present on properties with aquifer recharge soils and/or wetlands. Gopher tortoises have been observed in this area. If applicable, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service prior to any plan, permit submittal, or development activity, including land clearing, as applicable.

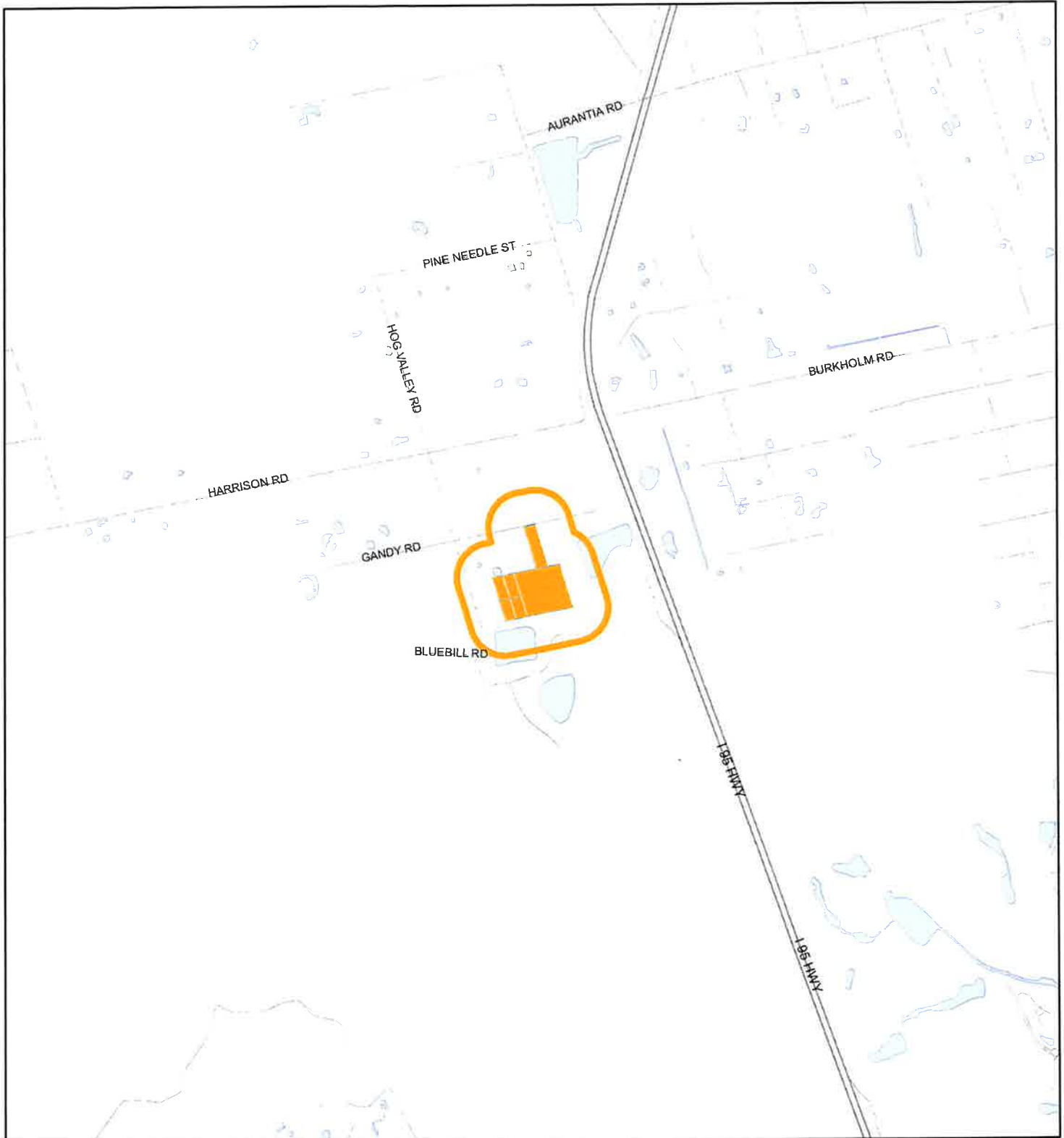
Potential Code Enforcement

Since this item was tabled at the June 10, 2024, LPA/Zoning meeting, a complaint was filed regarding unpermitted land clearing and alteration activities, including in wetlands. Code enforcement is pending.

LOCATION MAP

RENINGER, AARON

24SS00002



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: 2/8/2024

Buffer
Subject Property

ZONING MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/8/2024

 Subject Property

 Parcels

 Zoning

FUTURE LAND USE MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

— Subject Property
 □ Parcels

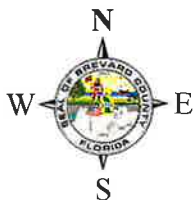
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/8/2024

PROPOSED FUTURE LAND USE MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

Subject Property

Parcels

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AERIAL MAP

RENINGER, AARON
24SS00002



1:3,600 or 1 inch = 300 feet

PHOTO YEAR: 2023

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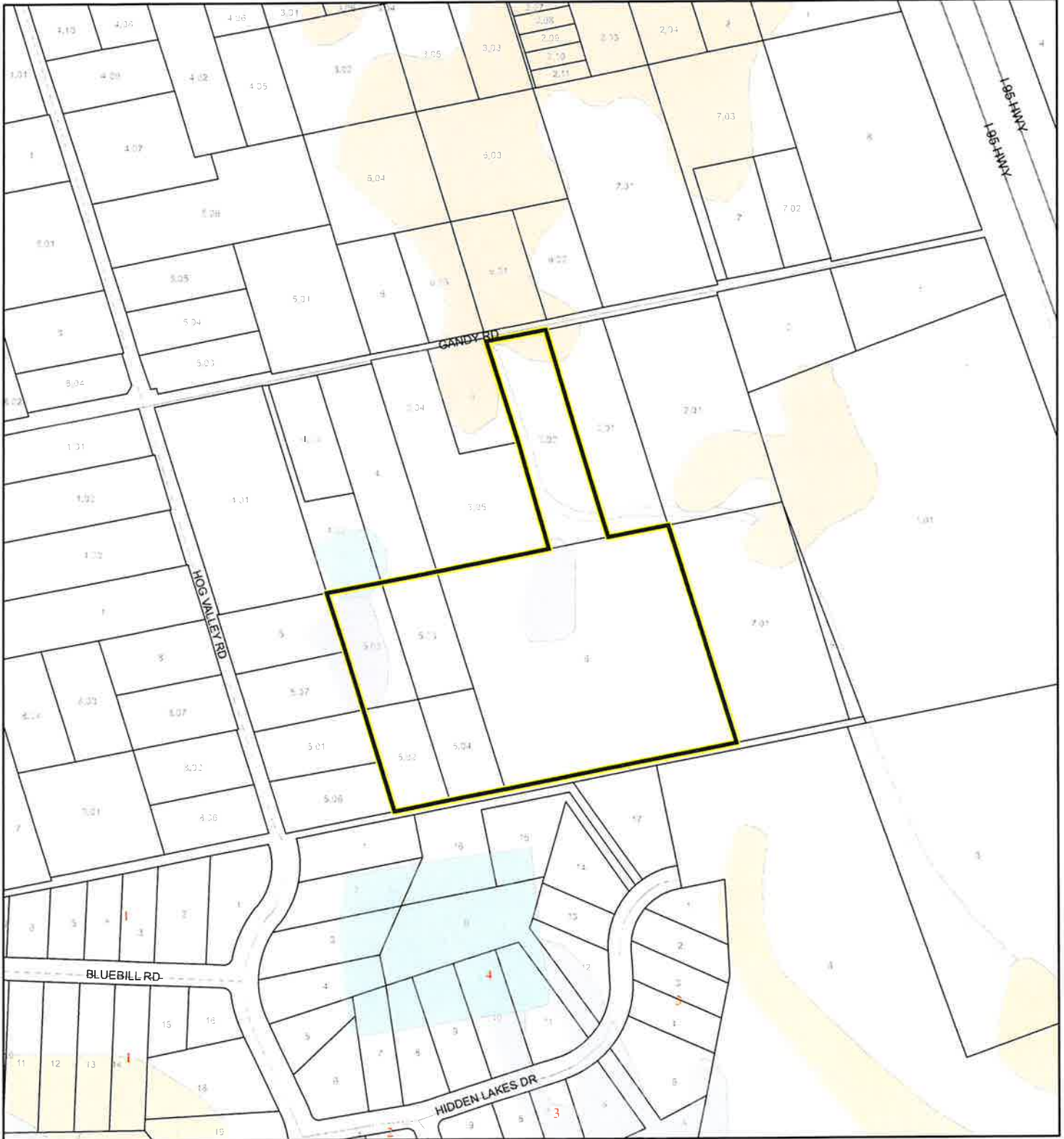
Produced by BoCC - GIS Date: 2/8/2024

 Subject Property
 Parcels

NWI WETLANDS MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/8/2024

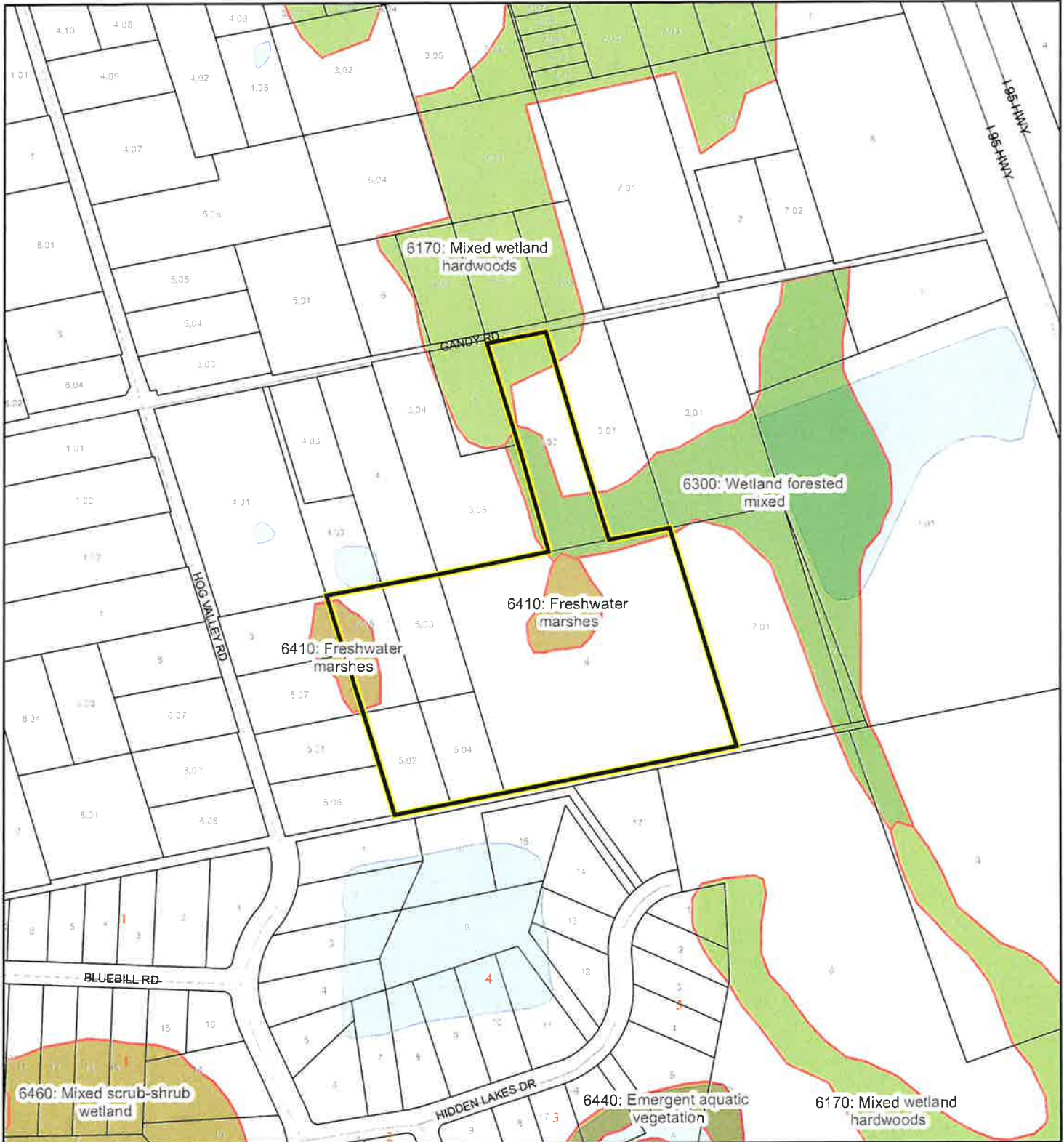
National Wetlands Inventory (NWI)

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

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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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

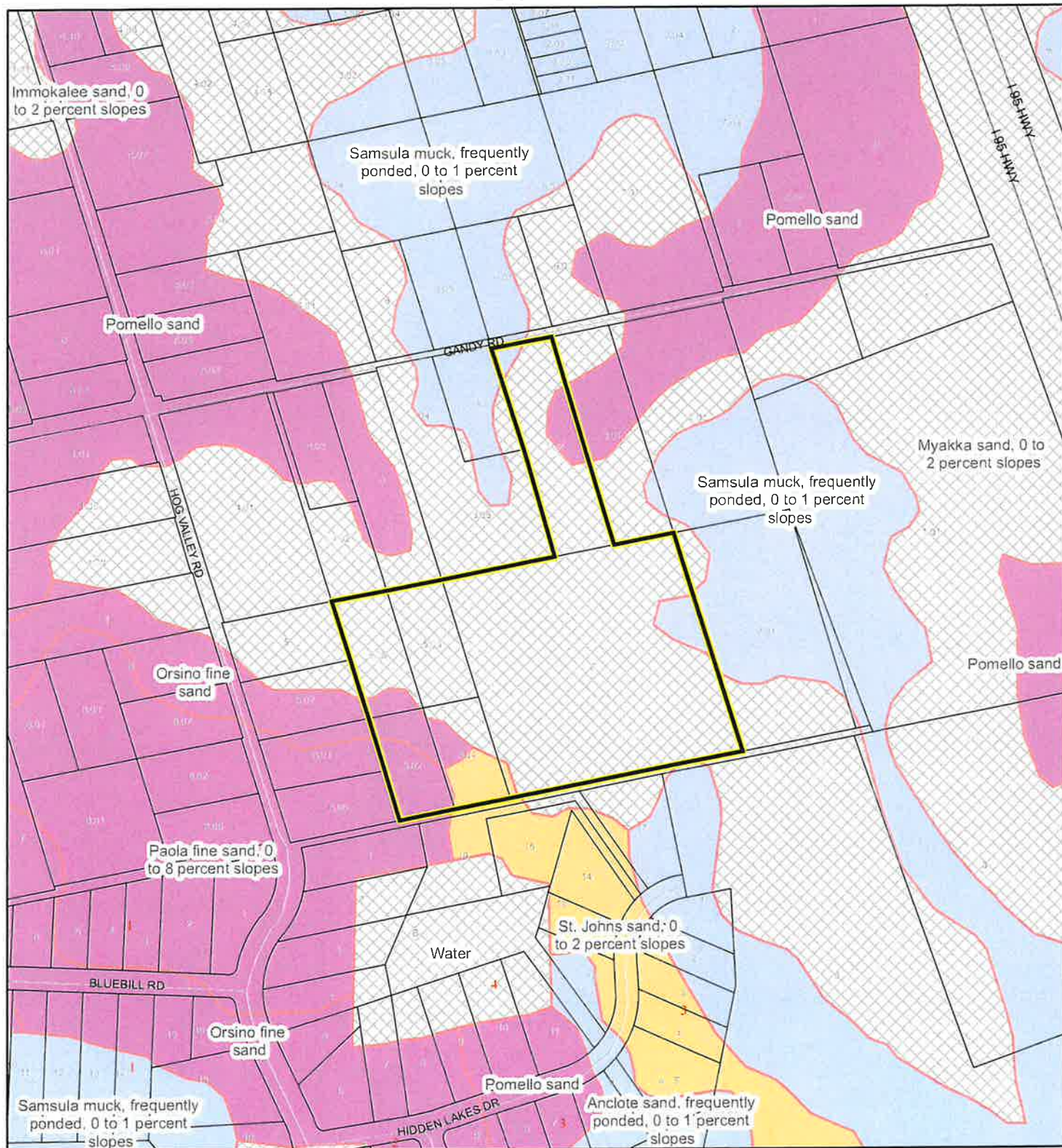
Subject Property

Parcels

USDA SCSSS SOILS MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/8/2024

USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

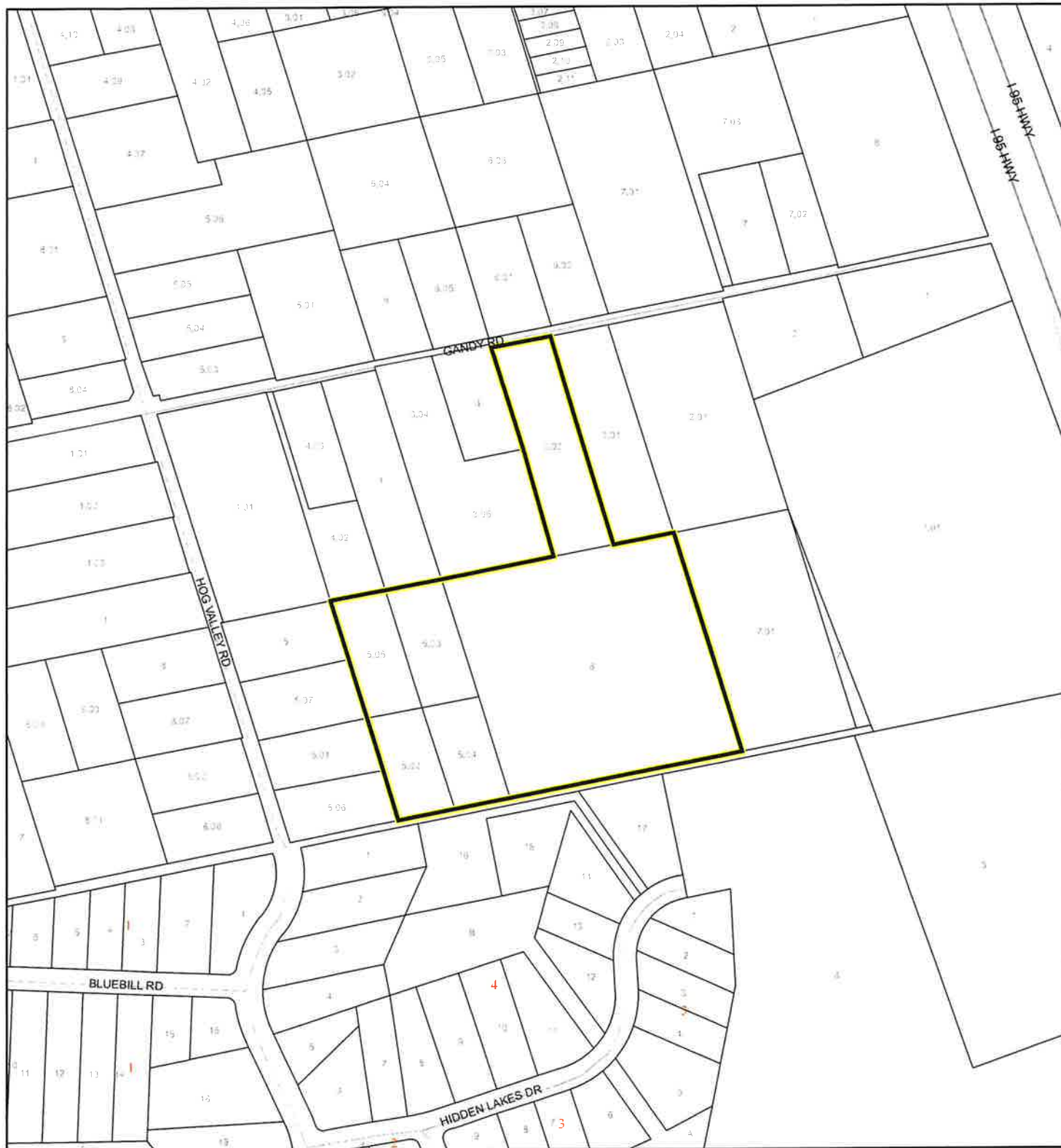
Subject Property

Parcels

FEMA FLOOD ZONES MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/8/2024

FEMA Flood Zones

	A		AO
	AE		Open Water
	AH		VE

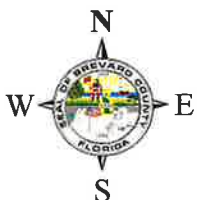
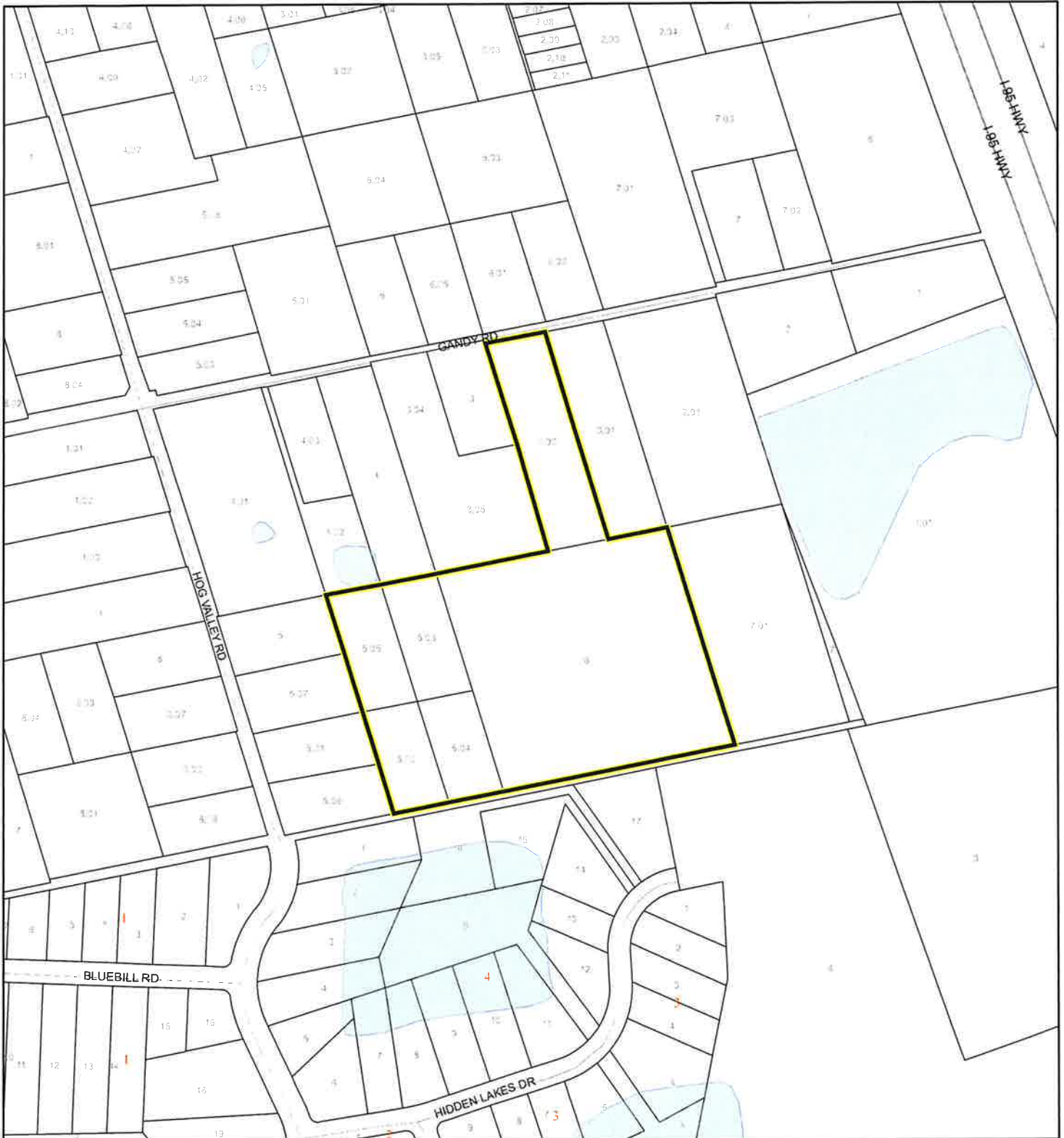
Subject Property

 Parcels

COASTAL HIGH HAZARD AREA MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet


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Produced by BoCC - GIS Date: 2/8/2024

 Subject Property

 Parcels

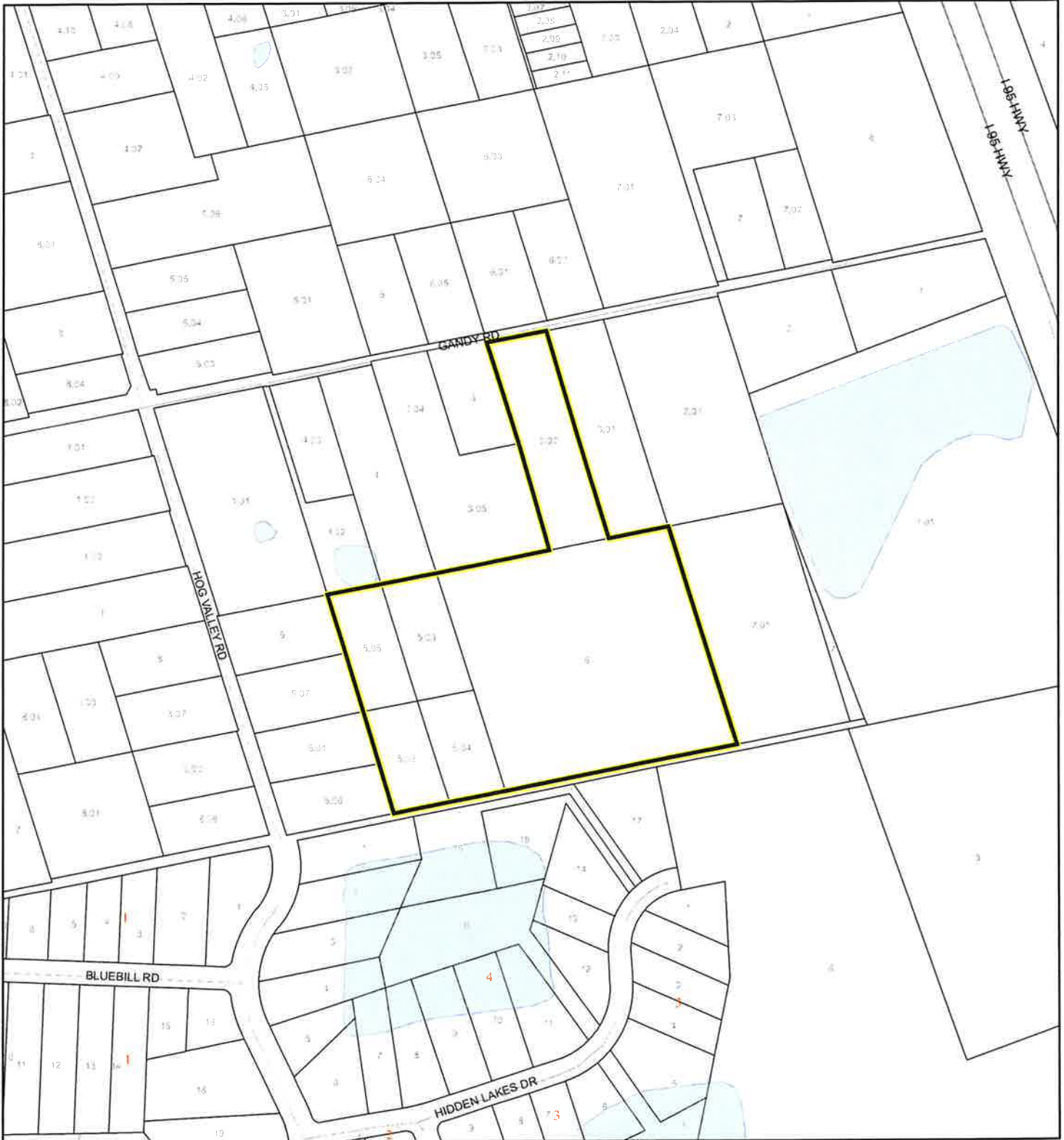
Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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Subject Property

Parcels

Septic Overlay

40 Meters

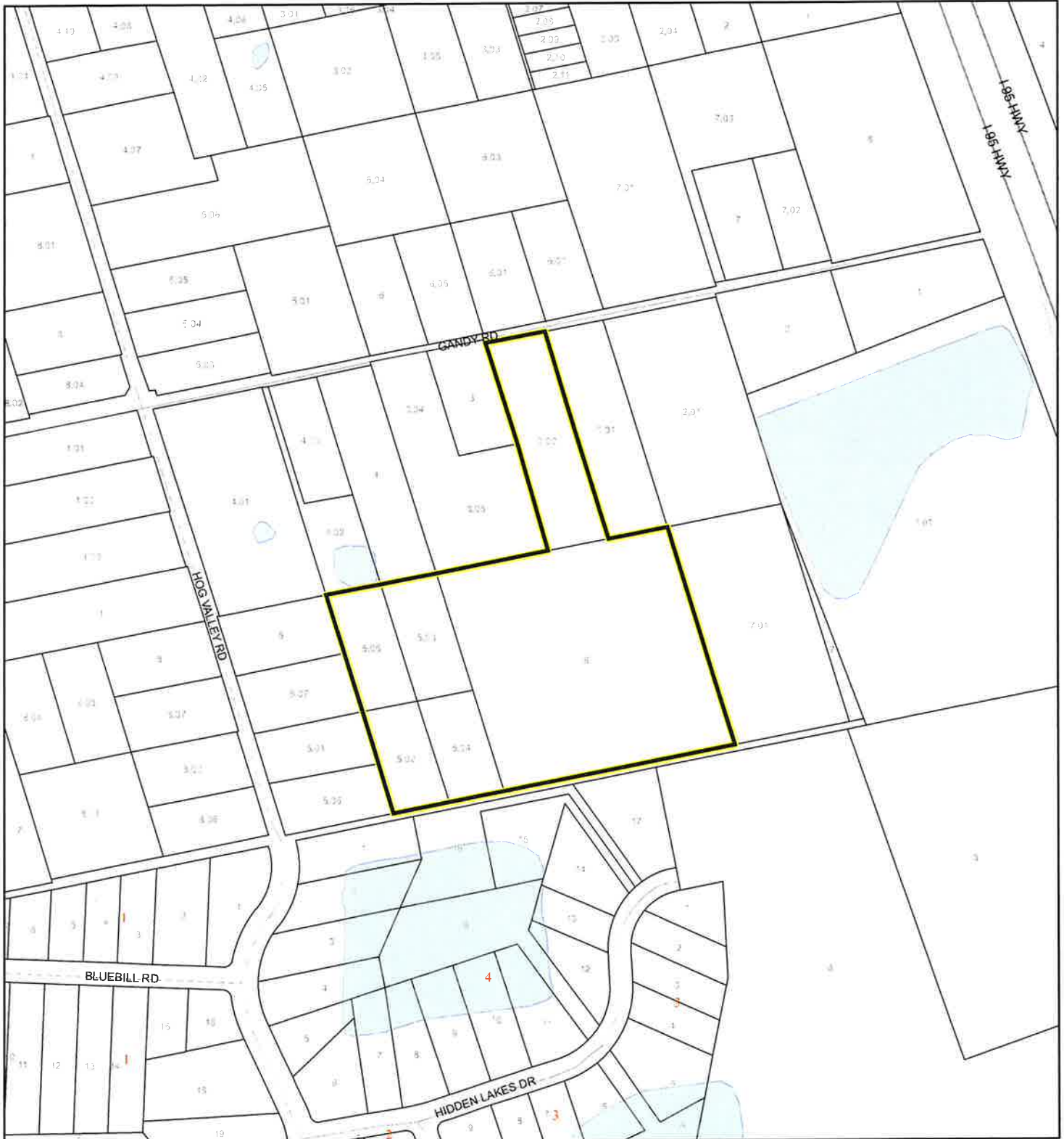
60 Meters

All Distances

EAGLE NESTS MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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 Subject Property

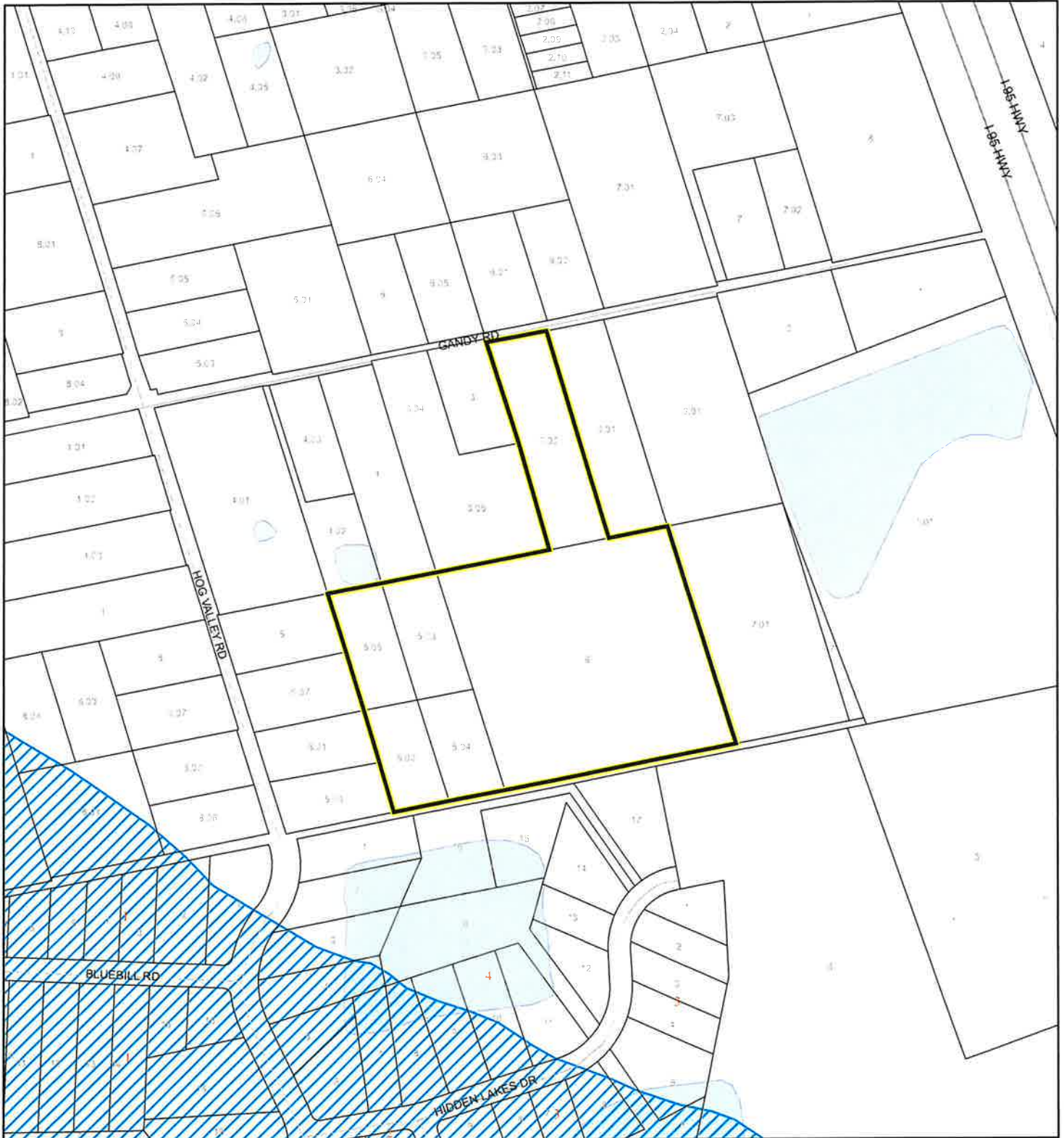
 Parcels

 Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP

RENINGER, AARON




24SS00002



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Produced by BoCC - GIS Date: 2/8/2024

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

RENINGER, AARON

24SS00002



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/8/2024

SJRWMD FLUCCS Upland Forests

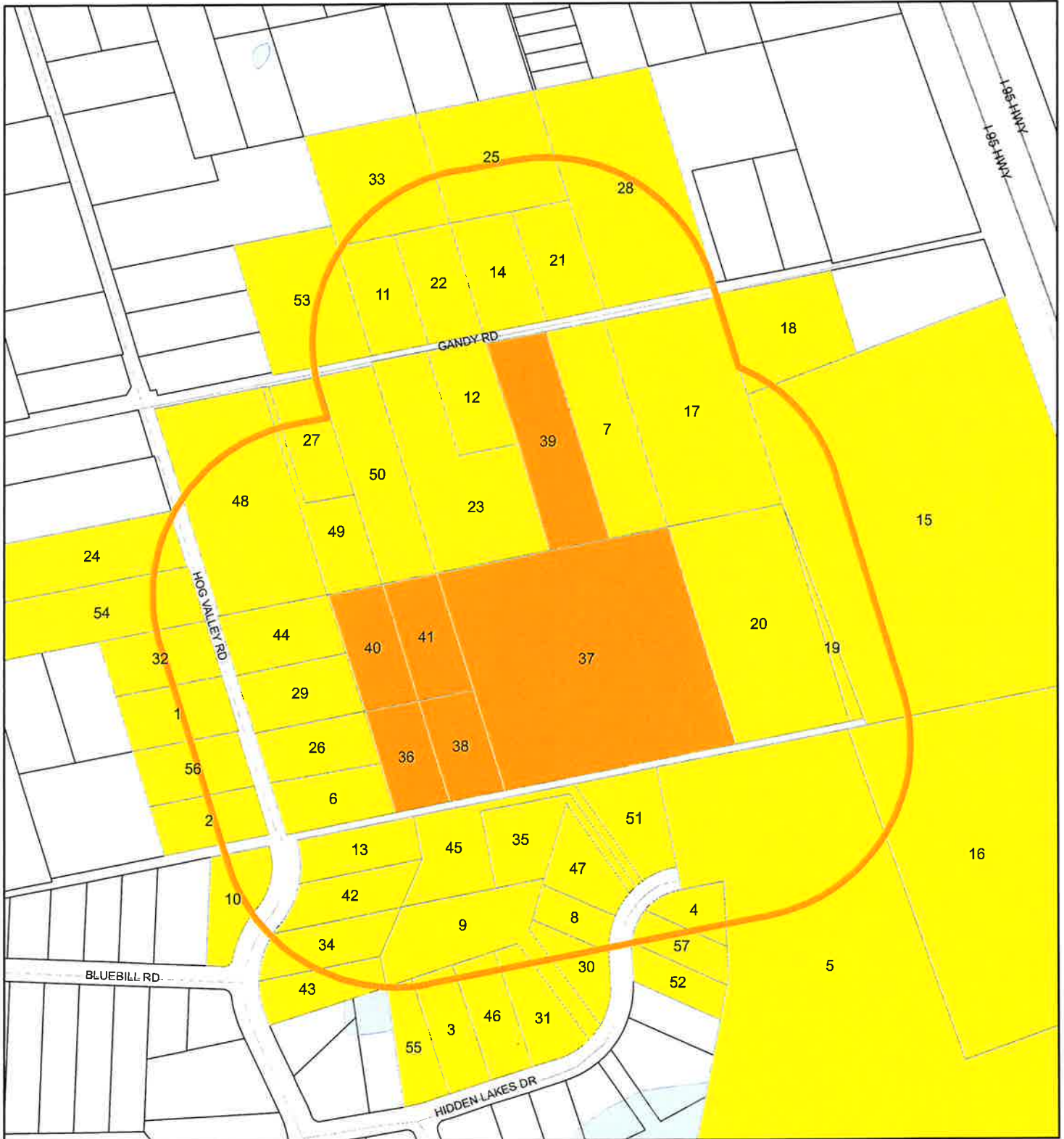
- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property Parcels

RADIUS MAP

RENINGER, AARON

24SS00002



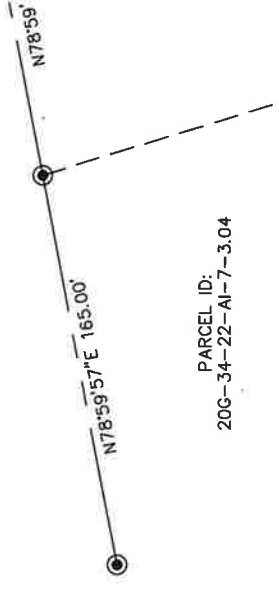
1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

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Produced by BoCC - GIS Date: 2/8/2024

- Buffer
- Subject Property
- Notify Property
- Parcels



PARCEL ID:
20G-34-22-AI-7-3.04

ORDINANCE NO. 24-__

AN ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY, ENTITLED "THE 1988 COMPREHENSIVE PLAN", SETTING FORTH THE SECOND SMALL SCALE PLAN AMENDMENT OF 2024, 24S.02, TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING SECTION 62-501 ENTITLED CONTENTS OF THE PLAN; SPECIFICALLY AMENDING SECTION 62-501, PART XVI (E), ENTITLED THE FUTURE LAND USE MAP APPENDIX; AND PROVISIONS WHICH REQUIRE AMENDMENT TO MAINTAIN INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Economic Opportunity; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.34 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for small scale amendments to the Comprehensive Plan for adoption in calendar year 2024 as Plan Amendment 24S.02; and

WHEREAS, Brevard County established Technical Advisory Groups consisting of County technical employees grouped according to their operational relationship to the subject of a plan element or sub-element being prepared or amended, and these Technical Advisory Groups have provided technical expertise for the Amendment 24S.02; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, on August 12, 2024, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 24S.02, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on September 5, 2024, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations of the Technical Advisory Group, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for adoption Plan Amendment 24S.02; and

WHEREAS, Plan Amendment 24S.02 adopted by this Ordinance comply with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 24S.02 adopted by this Ordinance is based upon findings of fact as included in data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 24S.02 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended based on documentation shown in Exhibit A and as specifically shown in Exhibit B. Exhibits A and B are hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 24S.02, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair,

Continued
to 10-3-24

H-6 1 of 2

invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The effective date of this small scale plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), Florida Statutes. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, Florida Statutes. A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this _____ day of _____, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 

Jason Steele, Chair

Rachel M. Sadoff, Clerk

As approved by the Board on September 5, 2024.

EXHIBIT A
24S.02 SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT

Contents

1. Proposed Future Land Use Map

RENINGER, AARON
24SS00002



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: 2/8/2024

EXHIBIT B

Contents

1. Legal Description

Parcel ID: 20G-34-22-AI-7-3.02

The west half (W 1/2) of the east half (E 1/2) of Tract 3, Block 7, Section 22, Indian River Park, according to the plat thereof, as recorded in Plat Book 2, Page 33, Public Records of Brevard County, Florida, and situate in Township 20 South, Range 34 East, Brevard County, Florida, less the north ten (10) feet thereof for road purposes.

Parcel ID: 20G-34-22-AI-7-6

Tract 6, Block 7, Section 22, Township 20 South, Range 34 East, Indian River Park, according to the plat thereof, as recorded in Plat Book 2, Page(s) 33, of the Public Records of Brevard County, Florida.

Parcel ID: 20G-35-22-AI-7-5.05

The west 1/2 of the northeast 1/4 of Tract 5, Block 7, Section 22, Township 20 South, Range 34 East, according to the plat of Indian River Park, recorded in Plat Book 2, Page 33, Public Records of Brevard County, Florida.

Parcel ID: 20G-35-22-AI-7-5.03

The east 1/2 of the northeast 1/4 of Tract 5, Block 7, Section 22, Township 20 South, Range 34 East, according to the plat of Indian River Park, recorded in Plat Book 2, Page 33, Public Records of Brevard County, Florida.

Parcel ID: 20G-34-22-AI-7-5.04

The east 1/2 of the SE 1/4 of Tract 5, Block 7, Section 22, Township 20 South, Range 34 East, plat of Indian River Park, according to the map or plat thereof, as recorded in Plat Book 2, Page 33, of the Public Records of Brevard County, Florida.

Parcel ID: 20G-34-22-AI-7-5.02

The west 1/2 of the SE 1/4 of Tract 5, Block 7, Section 22, Township 20 South, Range 34 East, plat of Indian River Park, according to the map or plat thereof, as recorded in Plat Book 2, Page 33, of the Public Records of Brevard County, Florida.

GANDY ROAD TINY HOME SUB

MIMS, FLORIDA

DATE:
MAY 13, 2024

PREPARED FOR:
AARON RENINGER

GENERAL STATEMENT

THIS PROJECT CONSISTS OF TYPICAL SITE AMENITIES FOR A TINY HOME RESIDENTIAL SUBDIVISION. STORMWATER RUNOFF GENERATED FROM THE SITE SHALL BE TREATED BY AN ONSITE WET DETENTION POND THAT IS PRIVATELY MAINTAINED. POTABLE WATER AND SANITARY SEWER SHALL BE PROVIDED BY INDIVIDUAL WELLS AND SEPTIC SYSTEMS FOR EACH LOT AS PUBLIC SYSTEMS ARE NOT AVAILABLE IN THE VICINITY OF THIS PROPERTY. SOLID WASTE SHALL BE ADDRESSED THROUGH CURBSIDE ROLL CANS AS IS TYPICAL FOR RESIDENTIAL COLLECTION.

CONTACT INFORMATION

OWNER:
AARON RENINGER
1885 S BANANA RIVER DR
MERRITT ISLAND, FL 32952

CIVIL ENGINEER:
TRAUER CONSULTING ENGINEERS, INC.
JIM TRAUER
7220 HICENT STREET STE #204
MELBOURNE, FL 32901
TEL: 321-292-0745
EMAIL: JIM@TRAUERCONSULTING.COM

SURVEYOR:
ADAMS, KISER & COULTS, LLC
PO BOX 10000
TLC 321-664-0073

SITE DATA

TOTAL PROPERTY ACREAGE: +16.7 ACRES
EXISTING ZONING: RRMH-1
EXISTING FUTURE LAND USE: AGRIC
PROPOSED ZONING: RRMH-1
PROPOSED FUTURE LAND USE: HRS-2
PARCEL IDENTIFICATION: 20 SOUTH 22ND AVENUE, BLOCK 7, SECTION 22, TOWNSHIP 20 NORTH, RANGE 34 EAST, COUNTY OF BREVARD, FLORIDA
PARCEL 22: 20 SOUTH 22ND AVENUE, BLOCK 7, SECTION 22, TOWNSHIP 20 NORTH, RANGE 34 EAST, COUNTY OF BREVARD, FLORIDA
TAX ACCOUNT NUMBER: 3002239, 3002229, 3002230, 3002231, 3002228

DENSITY:
ALLOWED (RES 7): 2 DWELLING UNITS PER ACRE
PROPOSED: 1.5 DWELLING UNITS PER ACRE
MINIMUM LOT SIZE: 0.25 ACRE

SURVEYOR NOTES

- THE INTENDED PURPOSE OF THIS SURVEY IS FOR BOUNDARY INFORMATION AND IMPROVEMENTS ONLY, AS SHOWN HEREON.
- THE UNDERSIGNED SURVEYOR HAS NOT BEEN PROVIDED A CURRENT TITLE OPINION OR ABSTRACT OF MATTERS AFFECTING TITLE OR BOUNDARY TO THE SUBJECT PROPERTY. IT IS POSSIBLE THAT THERE ARE DOCUMENTS OF RECORD, UNRECORDED EASEMENTS OR OTHER INSTRUMENTS THAT COULD AFFECT THE BOUNDARIES TO THE SUBJECT PROPERTY.
- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
- THIS SURVEY WILL BE OR EXCEEDS THE MINIMAL HORIZONTAL CONTROL ACCURACY OF 1:7500 FOR A SURVEY OF THIS TYPE.
- ALL DIMENSIONS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
- DIMENSIONS TAKEN AT: AT THE EXPOSED AREAS OF IMPROVEMENTS, UNDERGROUND FOOTERS, FOUNDATIONS, UTILITIES, SEPTIC TANKS, DRAIN TIES OR OTHER SUBSURFACE STRUCTURES ARE NOT LOCATED FOR THE PURPOSE OF THIS SURVEY. ANY SUCH SUBSURFACE/UNDERGROUND IMPROVEMENTS SHOWN HAVE NOT BEEN EXCAVATED AND ARE APPROXIMATE LOCATIONS.
- IMPROVEMENTS SHOWN HEREON CANNOT BE USED TO RECONSTRUCT PROPERTY BOUNDARIES.
- BEAKINGS ARE REFERENCED TO THE SOUTH RIGHT-OF-WAY LINE OF GANDY ROAD AS BEING N-85°59'17"E.
- ADAMS, KISER & COULTS, LLC (D/K/A CAG INDUSTRIES), RESERVES THE RIGHT TO UTILIZE ANY AND ALL INFORMATION OBTAINED IN THE PREPARATION OF THIS SURVEY INCLUDING THIS MAP OF LAND SURVEY, FOR ANY OTHER PURPOSES, BE IT HERETOFORE OR HEREINAFTER, IN WHOLE OR IN PART WITHOUT THE PERMISSION OF ADAMS, KISER & COULTS, LLC (D/K/A CAG INDUSTRIES).
- THIS DRAWING IS NOT VALID UNLESS BEARING AN ORIGINAL SIGNATURE AND LAND SURVEYOR'S SEAL.
- SUBJECT RESIDENCE LIES WITHIN FLOOD ZONE X, AS PER FIRM MAP NUMBER 12008C0100G DATED 09/17/2014. THIS LOCATION IS BASED UPON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. FINAL LOCATION AND FLOOD DETERMINATION RESTS SAID AGENCY. THIS SURVEYOR ASSUMES NO RESPONSIBILITY FOR SAID LOCATION AND DETERMINATION.

LEGAL DESCRIPTION:

PARCEL ID: 206-30-22-A1-7-3-07

THE WEST HALF (W 1/2) OF THE EAST HALF (E 1/2) OF TRACT 3, BLOCK 7, SECTION 22, TOWNSHIP 20 NORTH, RANGE 34 EAST, COUNTY OF BREVARD, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 33, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND SITUATE IN TOWNSHIP 20 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, LESS THE NORTH TEN (10) FEET THEREOF FOR ROAD PURPOSES.

LEGEND:

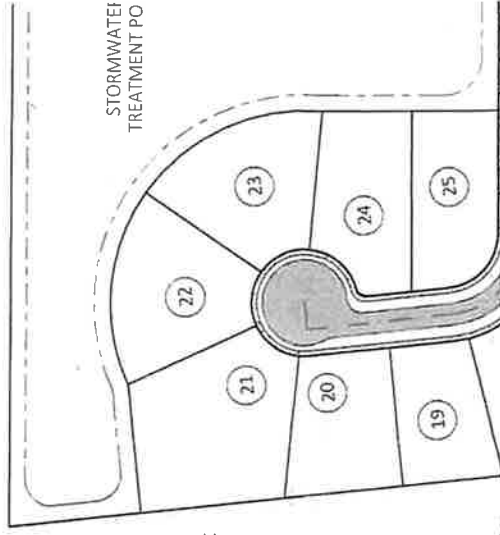
DESCRIPTION
PROPERTY LINE

ZONING:
RRMH-1
FLU: AGRIC

ZONING:
RRMH-1
FLU: AGRIC

STORMWATER
TREATMENT PO

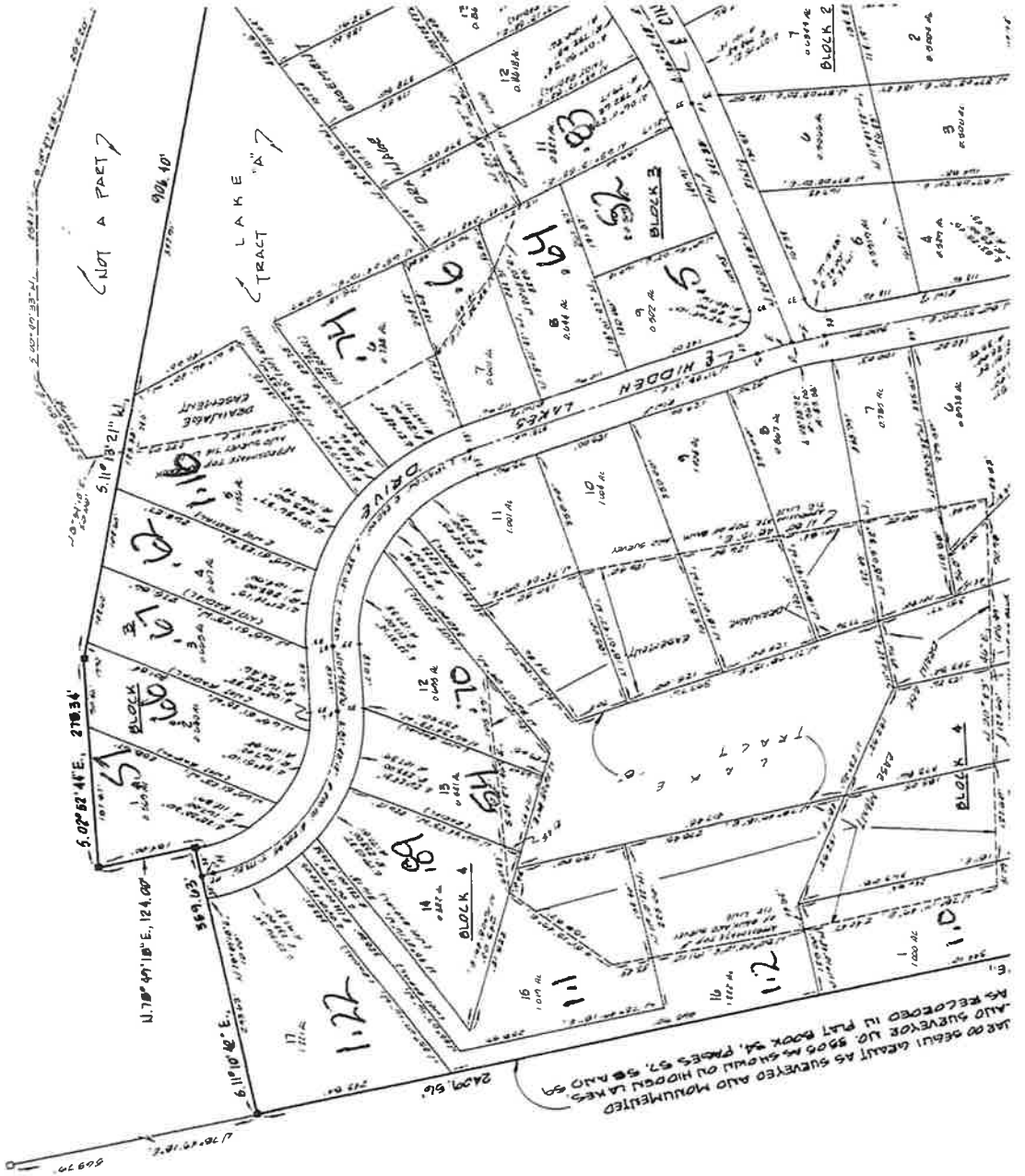
ZONING:
RRMH-1
FLU: AGRIC



HIDDEN LAKES, PHASE ONE, UNIT

34-23

NOT SUBDIVIDED



From: [Alana Hardy](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Gandy Road Mobile Home Park
Date: Tuesday, September 3, 2024 10:03:04 AM

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

Regarding:

Planning and Zoning Agenda Items:

Aaron Reninger (Kim Rezanka) requests a Small-Scale Comprehensive Plan Amendment (24S.02), to change the Future Land Use Designation from AGRIC to RES 6. (23SS00002) (Tax Accounts [2002219](#), [2002228](#), [2002229](#), [2002230](#), [2002231](#), & [2002232](#)) (District 1) This item was continued from the June 10, 2024, P&Z/LPA meeting.

Aaron Reninger (Kim Rezanka) requests a change of zoning classification from RRMH-1 to TR-3 with an amended BDP. (24Z00005) (Tax Accounts [2002219](#), [2002228](#), [2002229](#), [2002230](#), [2002231](#), & [2002232](#)) (District 1).

Commissioner(s),

I am writing to express my deep concerns regarding Aaron Reninger's proposal to build a mobile home park less than half a mile from my home.

Having attended the Planning and Zoning Board meeting in August, I carefully listened to Aaron and Kim's proposal. They based their request for rezoning on the comparison to the Hidden Lakes community located nearby, however, it's imperative to note that Hidden Lakes is not a mobile home park; its lots are individually owned.

My husband, who serves as a Detective Sargent for Volusia County, has firsthand knowledge of the challenges related to crime and drug use prevalent in mobile home parks. This experience has fueled our strong opposition to such developments in our community.

The introduction of a mobile home park will likely lead to a depreciation in property values for homes in our area. We are also apprehensive about the impact on our wells and the limitations of the aquifer. Just across US1, an area with only five newly constructed homes is already struggling with water supply issues, resulting in residents having to haul in water.

Moreover, I am alarmed by the actions taken by the property owner, who has cleared the land and brought in an excessive amount of dirt. This filling of natural wetlands—without proper permits—has already posed flooding risks for nearby residences. Adding infrastructure for 30 new homes would undoubtedly exacerbate this issue.

It is also important to consider that if zoning changes are approved, the property could be sold to new owners who might disregard both community concerns and any assurances made by Aaron.

The current zoning allows for three homes on the 17 acres, which I fully support as it aligns with my belief in responsible growth within our neighborhood. However, I cannot endorse a mobile home park that poses risks to our community and environment.

Thank you for considering my thoughts on this important issue. I trust that you will take into account the collective voice of the community when making your decision.

Regards,

Alana Hardy (Walsh)
4855 Gandy Rd
Mims, FL 32754
7196714056

From: [Remnant Morgans](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D4](#); [Commissioner, D3](#); [Commissioner, D5](#)
Subject: Mobile home park Gandy Rd Mims
Date: Tuesday, September 3, 2024 8:09:21 PM

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

I'm emailing you to oppose the mobile home park.

1. This area cannot handle the excess traffic that this mobile home park would bring to our area. The roads now are in poor condition and not maintained. There is only one entrance and exit to this neighborhood. The amount of traffic with children in the area would not be safe.
2. This neighborhood has flooding issues now and this would make it worse. The county has not made any improvements to the flooding issues.
3. Hidden Lakes is not a mobile home park it is privately owned. So there is no comparison.
4. Our well water is not the best and 30 new wells would make it worse. What about all the additional septic tanks?
5. Would have an impact to the wildlife out here.
6. Schools are already crowded

Sincerely,
Linda Sherrill and Robert Trout
5370 and 5380 Harrison Rd
Mims, Fl. 32754

From: [Alana Hardy](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Gandy Road Mobile Home Park
Date: Tuesday, September 3, 2024 10:03:04 AM

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

Regarding:

Planning and Zoning Agenda Items:

Aaron Reninger (Kim Rezanka) requests a Small-Scale Comprehensive Plan Amendment (24S.02), to change the Future Land Use Designation from AGRIC to RES 6. (23SS00002) (Tax Accounts [2002219](#), [2002228](#), [2002229](#), [2002230](#), [2002231](#), & [2002232](#)) (District 1) This item was continued from the June 10, 2024, P&Z/LPA meeting.

Aaron Reninger (Kim Rezanka) requests a change of zoning classification from RRMH-1 to TR-3 with an amended BDP. (24Z00005) (Tax Accounts [2002219](#), [2002228](#), [2002229](#), [2002230](#), [2002231](#), & [2002232](#)) (District 1).

Commissioner(s),

I am writing to express my deep concerns regarding Aaron Reninger's proposal to build a mobile home park less than half a mile from my home.

Having attended the Planning and Zoning Board meeting in August, I carefully listened to Aaron and Kim's proposal. They based their request for rezoning on the comparison to the Hidden Lakes community located nearby, however, it's imperative to note that Hidden Lakes is not a mobile home park; its lots are individually owned.

My husband, who serves as a Detective Sargent for Volusia County, has firsthand knowledge of the challenges related to crime and drug use prevalent in mobile home parks. This experience has fueled our strong opposition to such developments in our community.

The introduction of a mobile home park will likely lead to a depreciation in property values for homes in our area. We are also apprehensive about the impact on our wells and the limitations of the aquifer. Just across US1, an area with only five newly constructed homes is already struggling with water supply issues, resulting in residents having to haul in water.

Moreover, I am alarmed by the actions taken by the property owner, who has cleared the land and brought in an excessive amount of dirt. This filling of natural wetlands—without proper permits—has already posed flooding risks for nearby residences. Adding infrastructure for 30 new homes would undoubtedly exacerbate this issue.

It is also important to consider that if zoning changes are approved, the property could be sold to new owners who might disregard both community concerns and any assurances made by Aaron.

The current zoning allows for three homes on the 17 acres, which I fully support as it aligns with my belief in responsible growth within our neighborhood. However, I cannot endorse a mobile home park that poses risks to our community and environment.

Thank you for considering my thoughts on this important issue. I trust that you will take into account the collective voice of the community when making your decision.

Regards,

Alana Hardy (Walsh)
4855 Gandy Rd
Mims, FL 32754
7196714056

From: [Stephanie Knight](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Wednesday, September 4, 2024 10:02:09 AM

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

Stephanie Knight
3995 Golden Shores Blvd, Mims, FL 32754

Please see below as to why I am requesting you to reject the request to change zoning for ID # 24SS00002 & 24Z00005.

1. Current zoning is agricultural. This is a huge step from what he is asking for, (Residential 6) regardless if they "plan" to put more than 2 homes on a single lot or not. Property owner admitted he intends to own the lots and "rent" the lots out to "friends and family" who will supposedly own the tiny homes/mobile homes on his lots which then brings up the question on if it is then considered commercial property.

2. The 1988 County comprehensive plan establishes specific future land use designations, which are depicted on the future land use map within the future land use element. This plan is further reinforced by the April 2007 Mims Small Area Study. Both the 1988 comprehensive plan and the 2007 Mims Small Area Study determined the future land use to be agricultural and set limits to (1) one dwelling unit per (5) five acres west of Meadow Green Rd. Properties with approved RRMH-1, AU and AGR zoning classifications prior to the study were retained and adopted. Therefore allowing 17 acres to be changed would have a huge impact on our area and should not be allowed!

3. This property is located in this zoning classification area and an increase in density would be an encroachment into the existing neighborhood. The subject property does not serve as a transition between areas with land use designations of (6) six units per acre or existing land use designations equal to no more than (1) one unit per acre.

4. Per Administrative Policy 3: Traffic will be an issue with increase in population, material reduction of property values, and the proposed use is not consistent with the emerging or existing pattern of surrounding development as determined through analysis of the historical and use patterns.

5. Administrative Policy 4: The proposed rezoning and land use will cause up to a 200% increase in traffic on Gandy Road, The subject property is part of Indian River Park, the requested zoning and FLU could change the subject property to commercial use, if rent is charged (which is what the property owner admitted to doing on record at the zoning meeting), and the area is not considered transitional.

6. Administrative Policy 5: If the residents of proposed zoning change utilize public transportation, it would have a significant impact, the physical quality of Gandy Road (which is a dirt road) will suffer significant deterioration with possibility of up to 200% increase in

traffic on a poorly maintained dirt road, the width of the road is not sufficient for such traffic, loose soils of Gandy Road cause a traffic safety concern for pedestrians, and it is very likely that Gandy Road will suffer adverse changes from the type of traffic that would be generated.

7. Administrative Policy 6: The proposed rezoning and FLU is not consistent with all written land development policies set forth in the administrative policies, including potable water, sanitary sewer and surface water.

8. Administrative Policy 7: The subject property contains mapped national wetlands inventory, St Johns River Water Management District wetlands and hydric soils. Per section 62-3694(C) (1) residential land uses within wetlands shall be limited to not more than (1) dwelling unit per five acres. The applicant has cleared and filled in areas of subject property without proper permits and is in clear violation of county codes, including an investigation for destruction of wetlands with the Brevard County Natural Resources and Florida Dept. of Environmental Protection.

9. Property has WETLANDS: Many truckloads of fill dirt were brought onto this property without a permit to fill wetlands that has resulted in increased flooding on properties to the west and northwest. This property also contains aquifer recharge soils that may have been covered with incompatible fill dirt resulting in excess flooding in the area. Per section 62-3694 C (3), "In no instance shall a proposed land development activity result in increased flooding on adjacent properties."

I feel that the above explanations are just a few reasons as to why you should not allow for rezoning of ID #24SS00002 & 24Z00005.

Thank you for your time and I look forward to seeing you at the Meeting on September 5th.

Stephanie Knight

From: [Barb](#)
To: [Commissioner, D1](#)
Subject: 24SS00002, 24Z00005
Date: Wednesday, June 5, 2024 12:52:10 PM

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

Commissioner Of District 1,
Ms.Rita as a property owner on Hog Valley Rd. My husband and I are opposed to the approval of this proposal. We do not need a trailer park, our infrastructure can not support a mobile home park. The traffic has already increased a great deal and this area is not structured for the increase we have experienced in the past three years. We do not have city water so therefore there will be additional homes with wells tapping into our aquifer which can cause our wells to dry. Our wildlife is already being displaced with the construction and land clearing that has taken place. We have a bear problem and there isn't help for this. The animals deserve to keep what they have, 17 acres will displace a lot more wildlife. Again please know my husband and I are completely against this proposal.
Respectfully,
Mark and Barbara Rush
4510 Hog Valley Rd
Mims, Fl. 32754

From: [Joanne Slusher](#)
To: [Commissioner, D1](#)
Subject: Gandy Rezoning
Date: Monday, June 10, 2024 2:29:54 PM

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

Joanne Slusher
Address 3955 Palm Ave
Mims, Fl 32754

I live one street north of Aurantia Road in Mims. I understand there is a meeting today regarding rezoning of property on Gandy to put a mobile home park. Please do not rezone this as everyone does not want this in their area. We moved to the country and it should stay country. People here have livestock and you are trying to bring the city to the country and this is not what the residents want. Please vote against this. Thank you.

From: [Stephanie Knight](#)
To: [Champion, Kristen](#); [Chase, Beatrice Mae](#); [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Planning and Zoning Meeting
Date: Monday, June 10, 2024 1:31:49 PM

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

To whom it may concern:

My name is Stephanie Knight, my address is 3995 Golden Shores Blvd, Mims, FL 32754. I am a 39 yr old female and grew up in Mims off of Gandy Road. I moved out of Mims for a couple of years but it didn't take long to realize I prefer to live in a more quiet secluded location such as Mims.

I am completely against the rezoning of the 17.01 acres located at 4735 Gandy Road in Mims for the following reasons:

- The traffic in and out of the area is limited to one way in and one way out causing excessive traffic in the area. Adding an additional 30+ homes in a 17 acre area would be complete and total chaos not to mention the safety of our children and families because of the extra amount of traffic on the roadways.
- Flooding in the area is already a huge concern. Adding multiple homes per acre to what is already considered a "swamp" would just make things worse for those who have lived out in the area for 40+ years. The amount of dirt that would need to be brought in to allow for an approved height for septic systems would flood multiple homes in the area with even the smallest amount of rain. Not to mention the wetlands on the property and how that was allowed to be built on with a driveway when that should have never been approved in the first place.
- We are all on well water in the area and adding an additional 30+ homes to a 17 acre area will severely impact our water supply. That is why it should stay with a minimum of 1 acre per build and no more.
- The rezoning of this area does not comply with the surrounding area.
- The rezoning of the area will decrease all the property value in the area we have all worked so hard to keep up. We want more single family homes that are no less than 1 acre lots in the area, not multiple homes that will have a negative impact on the area which is what will happen if it is rezoned and allowed to put 30+ manufactured homes on just 17 acres.
- There are other locations that are already zoned for commercial property or placement of a manufactured community that are located right off of US Highway 1 so why rezone an area that is meant for single family homes with no less than 1 acre just so you can add too many homes to less than 1 acre causing traffic issues, flooding, water consumption issues and so much more.

Please take into consideration all the above and DO NOT approve the rezoning of 4735 Gandy Road, Mims.

Thank you,
Stephanie Knight

From: [Remnant Morgans](#)
To: [Commissioner, D1](#)
Subject: Proposed Mobile Home Park
Date: Wednesday, June 5, 2024 4:49:09 PM

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

Good afternoon,

My name is Linda Sherrill 5370 Harrison Rd, Mims, FL 32754. I am opposed to the Mobile home park that is planning on going in on Gandy Rd and Hog Valley Rd, Mims. I attached the proposal. This area cannot handle this amount of traffic in an area that only has one way in and out of the area. The county has never addressed the flooding concerns in the past as I have lived out here since 1981. Flooding is a very real issue here. This is a rural area and we would like to keep it that way!

Thank-you,
Linda Sherrill

From: [Miss Jenny](#)
To: [Commissioner, D1](#)
Subject: Rezoning Requests 24Z00005 & 24SS00002
Date: Tuesday, June 4, 2024 7:39:45 PM

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

Hello. I, unfortunately, can not attend the hearing so I am writing this letter to add my voice to the hope of preventing the rezoning of property parcels in the Hog Valley/ Gandy Road area of Mims from RRMH-1 to TR-3. Request 24Z00005 AND companion request 24SS00002. I have many concerns about the possible building of a subdivision in the back of our community. The impact of a possible 30 homes would have negative impacts on our water sources, reduce natural habitat for wildlife, increase flooding risk, (it was already bad enough last hurricane season!) not to mention the traffic. This community has one road in, which means one road out. The traffic on Aurantia is already insane. Trust me, I live on it. The rezoning of this land not only causes more destruction of natural Florida, which we are losing at a RAPID pace, it sets precedence for more houses to be crammed on smaller lots. I understand the owner of this land wanting to make money, but it should be done with the zoning it was originally purchased at. The reason the vast majority of people bought land/homes here, was to be away from big subdivisions, and lots of people. Please listen to the people, your constituents, that already call this community home. We do not want a 30 home subdivision, and all the problems it will bring with it, built out here!

Jennifer McCarron
4535 Aurantia Rd.
Mims, Fl. 32754

From: [Yarinell](#)
To: [Champion, Kristen](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Monday, June 3, 2024 6:46:28 PM

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

My name is Yarinell Roman and I have 2 properties that will be directly impacted with this re-zoning effort. I'm not able to be at the hearing but is very important to let you know my position which is the majority of the neighborhood.

This rezoning could lead to a potential environmental harm such as water pollution, habitat destruction, increased traffic, and strain on local resources like water and sewage systems.

In the times we are facing with all the climate change related issues, is important to preserve every agricultural land for biodiversity and food security, and advocate for alternative, less environmentally damaging land use options.

Right now insurances are almost impossible to get and the options available are so pricey do to the destruction of the past hurricane mostly on mobile home parks near the west coast where the properties need to be built to hold winds 160 mph, what obviously isn't the case for mobile homes. It's insane that while the development department required impact doors, windows, and very expensive trusses in a new construction that withstand a 160 mph velocity winds, you're thinking about putting a mobile home park where those kind of properties just withstand from 70-110 miles per hr.

This existing neighborhood is opposed to this rezoning and to the proposed development of a mobile home park. Please confirm the receipt of this message and add me to any information related to this matter.

From: [Yarinell](#)
To: [Champion, Kristen](#)
Cc: [Chase, Beatrice Mae](#)
Subject: Re: Automatic reply: ID# 24SS00002 & 24Z00005
Date: Monday, June 3, 2024 6:54:50 PM

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

Thanks!

I forgot to mention that I have decided to invest in this community due to the current use that doesn't allow mobile home communities. Nowhere there was a future plan designed for that. That must be respected.

On Jun 3, 2024, at 6:46 PM, Champion, Kristen
<Kristen.Champion@brevardfl.gov> wrote:

I'm currently out of the office on emergency leave. I'll have intermittent access to email and will respond as soon as possible. If this needs an urgent response, please email Beatrice.Chase@brevardfl.gov.

Respectfully,

Kristen Champion

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

From: [Miss Jenny](#)
To: [Champion, Kristen](#)
Subject: Rezoning Requests 24Z00005 & 24SS00002
Date: Tuesday, June 4, 2024 7:06:39 PM

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

Hello. I, unfortunately, can not attend the hearing so I am writing this letter to add my voice to the hope of preventing the rezoning of property parcels in the Hog Valley/ Gandy Road area of Mims from RRMH-1 to TR-3. Request 24Z00005 AND companion request 24SS00002. I have many concerns about the possible building of a subdivision in the back of our community. The impact of a possible 30 homes would have negative impacts on our water sources, reduce natural habitat for wildlife, increase flooding risk, (it was already bad enough last hurricane season!) not to mention the traffic. This community has one road in, which means one road out. The traffic on Aurantia is already insane. Trust me, I live on it. The rezoning of this land not only causes more destruction of natural Florida, which we are losing at a RAPID pace, it sets precedence for more houses to be crammed on smaller lots. I understand the owner of this land wanting to make money, but it should be done with the zoning it was originally purchased at. The reason the vast majority of people bought land/homes here, was to be away from big subdivisions, and lots of people. Please listen to the people, your constituents, that already call this community home. We do not want a 30 home subdivision, and all the problems it will bring with it, built out here!

Jennifer McCarron
4535 Aurantia Rd.
Mims, Fl. 32754

From: [Ethan Stansell](#)
To: [Champion, Kristen](#)
Subject: Mobile Home Park ID#24SS00002 & 24Z00005
Date: Wednesday, June 5, 2024 8:05:36 AM

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

Hello,

I am writing as a landowner at 4295 Hog Valley Rd that I am AGAINST the proposed rezoning to allow a mobile home park to be built next to my property.

Absolutely do NOT allow this to happen. The area can NOT support this resource wise but more important, these type of housing "developments" hurt my property value, cost me more money, and worse of all are an absolute eye sore.

KEEP THIS OUT!!!!!!

Respectfully,

Ethan Stansell
4295 Hog Valley RD
Mims FL 32754

From: [Ethan Stansell](#)
To: [Champion, Kristen](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Wednesday, June 5, 2024 8:11:08 AM

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

Hello,

This is in reference to ID# 24SS00002 & 24Z00005

I am writing as a landowner at 4295 Hog Valley Rd that I am **AGAINST** the proposed rezoning to allow a mobile home park to be built next to my property. Do not allow our area to fall victim to another builder's greed by allowing subpar houses into our area just for them to make a few dollars while hurting the rest of us.

STAND FOR THE PEOPLE NOT A CORPORATION!!!!!!

Absolutely do **NOT** allow this to happen. The area can NOT support this resource wise but more important, these type of housing "developments" hurt my property value, cost me more money in taxes, and worse of all are an absolute eye sore. The flooding is already unbearable!!!

KEEP THIS OUT!!!!!! KEEP THIS OUT!!!!!! KEEP THIS OUT!!!!!!

Respectfully,

Ethan Stansell
4295 Hog Valley RD
Mims FL 32754

From: [Ethan Stansell](#)
To: [Champion, Kristen](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Wednesday, June 5, 2024 8:11:55 AM

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

Hello,

This is in reference to ID# 24SS00002 & 24Z00005

I am writing as a landowner at 4295 Hog Valley Rd that I am **AGAINST** the proposed rezoning to allow a mobile home park to be built next to my property. Do not allow our area to fall victim to another builder's greed by allowing subpar houses into our area just for them to make a few dollars while hurting the rest of us.

STAND FOR THE PEOPLE NOT A CORPORATION!!!!!!

Absolutely do **NOT** allow this to happen. The area can NOT support this resource wise but more important, these type of housing "developments" hurt my property value, cost me more money in taxes, and worse of all are an absolute eye sore. The flooding is already unbearable!!!

KEEP THIS OUT!!!!!! KEEP THIS OUT!!!!!! KEEP THIS OUT!!!!!!

Respectfully,

Ethan Stansell
4295 Hog Valley RD
Mims FL 32754

From: [Commissioner, D4](#)
To: [Champion, Kristen](#); [Chase, Beatrice Mae](#)
Cc: [Commissioner, D4](#)
Subject: Public Comment 24Z00005 & 24SS00002
Date: Wednesday, June 5, 2024 8:38:25 AM
Attachments: [Public Comment 24Z00005 & 24SS00000 McCarron.pdf](#)
[image001.png](#)
[image002.png](#)

Good morning,

On behalf of Commissioner Feltner, please see the attached public comment our office received.
Thank you.

Carol Mascellino, Chief of Staff
County Commissioner Rob Feltner, District 4
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Building C, Suite 214
Viera, FL 32940
PH: 321-633-2044
www.brevardfl.gov

Please note: Florida has a very broad public records law. Most written communications to and from the offices of elected officials are public records available to the public and media upon request. Your email communications may, therefore, be subject to public disclosure.

From: [Miss Jenny](#)
To: [Commissioner, D4](#)
Subject: Rezoning Requests 24Z00005 & 24SS00002
Date: Tuesday, June 4, 2024 7:42:41 PM

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

Hello. I, unfortunately, can not attend the hearing so I am writing this letter to add my voice to the hope of preventing the rezoning of property parcels in the Hog Valley/ Gandy Road area of Mims from RRMH-1 to TR-3. Request 24Z00005 AND companion request 24SS00002. I have many concerns about the possible building of a subdivision in the back of our community. The impact of a possible 30 homes would have negative impacts on our water sources, reduce natural habitat for wildlife, increase flooding risk, (it was already bad enough last hurricane season!) not to mention the traffic. This community has one road in, which means one road out. The traffic on Aurantia is already insane. Trust me, I live on it. The rezoning of this land not only causes more destruction of natural Florida, which we are losing at a RAPID pace, it sets precedence for more houses to be crammed on smaller lots. I understand the owner of this land wanting to make money, but it should be done with the zoning it was originally purchased at. The reason the vast majority of people bought land/homes here, was to be away from big subdivisions, and lots of people. Please listen to the people, your constituents, that already call this community home. We do not want a 30 home subdivision, and all the problems it will bring with it, built out here!

Jennifer McCarron
4535 Aurantia Rd.
Mims, Fl. 32754

From: [barbara.rush](#)
To: [Champion, Kristen](#)
Subject: Proposal 24SS00002 and 24Z00005
Date: Wednesday, June 5, 2024 1:53:33 PM

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

Attention Planning and Zoning

We do not need a trailer park, our infrastructure can not support a mobile home park.

The traffic has already increased a great deal and this area is not structured for the increase we have experienced in the past three years. We do not have city water so therefore there will be additional homes with wells tapping into our aquifer which can cause our wells to dry.

Our wildlife is already being displaced with the construction and land clearing that has taken place. We have a bear problem and there isn't help for this.

The animals deserve to keep what they have, 17 acres will displace a lot more wildlife.

Again please know my husband and I are completely against this proposal.

Respectfully,

Mark and Barbara Rush
4510 Hog Valley Rd
Mims, Fl. 32754

From: [Don Rudasill](#)
To: [Champion, Kristen](#)
Subject: Gandy mobile home park
Date: Wednesday, June 5, 2024 6:21:57 PM

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

Hello this email is in reference to Id#24ss00002, the Gandy mobile home park proposal. My name is Donald Rudasill, my family and I reside at 4255 Hog Valley Rd, Mims, FL 32754. We received an information paper stating that there was plans to build a mobile home park with the proposed property butting up against my backyard. I do agree with the list of concerns where it states of the significant increase of traffic, our children's safety with being on the roads, limitations with the aquifers and our wells, as well as the drainage problems and the flooding of our properties. The address that I listed above were my family resides has always seen substantial flooding with heavy storms as well as the hurricanes. This proposed plan would definitely increase the flooding of my property as well as we believe it would hinder our well. Another major concern of mine as well as many others in this neighborhood, there is only one way in one way out access to the neighborhood. Back during the wildfires of 98 My parents, my younger sister and myself as well as many other families were affected with having to flea our homes from the oncoming fire. After said fires there was a Town Hall meeting where we were told by government officials that there was a plan to possibly open up access to I-95 or somewhere else because of this issue. That never happened. Since those fires happened all those years ago every time we have a shortage of rain and the chances of wildfires are high it raises concerns for my family and our home. As you can see this is a huge concern for myself and my family. It would be one thing if there were private owners purchasing the properties separately but we truly have no clue how many homes or people could be brought in because of this proposal. As stated as well My property has flooded many times in the past due to heavy storms and hurricanes if this proposal was to go into effect how will this affect my property could I receive more flooding, would I receive less it's a big chance and gamble. Also as stated above I have to worry about how the aquifers will be affected because of this proposal going through. My mother and father moved me and my sister to this house, this property back in '97 from Maryland to make a fresh start. My father is gone but myself and my family life here now this house and property are everything to me. I would like to thank you for taking the time to hear my concerns I thank you very much and have a great day.

Donald Rudasill.

From: [Peggy Sloan](#)
To: [Champion, Kristen](#)
Subject: Gandy Road # 24SS00002 & 24Z00005
Date: Wednesday, June 5, 2024 6:41:43 PM

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

Hello Ms. Champion,

My family and I have lived in Hog Valley since 1976. We so love the Rural area we have live here for many years, raised our kids to appreciate the Rural living also. Please don't let this happen to our area.

We already have too many people out here, the traffic is already busy. We flood pretty regular during rainy season. Any more people out here will cause major traffic problems and a drain on nature resources. We need your help, PLEASE!

Thank you, we need help!

Peggy Sloan

Sent from my iPhone

From: [Christa Stout](#)
To: [Champion, Kristen](#)
Subject: Ref ID 24SS,00002 & 24Z00005
Date: Wednesday, June 5, 2024 9:08:32 PM

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

I live at 4335 Hog Valley Rd, Mims, FL 32754 and my husband and I are totally against this increase of this proposed rezoning, due to the increase traffic, aquifer limitations, it will also cause a rise in crime and impacts to our daily living. The traffic is bad enough out here now it's going to multiply and substantially be hazardous to our daily living and the welfare of our safety and security. I will be there Monday!

From: wbrim2@cfl.rr.com
To: [Champion, Kristen](#)
Subject: Development applications 24SS00002 and 24Z00005
Date: Thursday, June 6, 2024 7:40:24 AM

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

My name is Curt Brim.

My property is contiguous to the parcels in this development plan (Per application numbers 24SS00002 and 24Z00005). Unfortunately we will not be able to attend the meeting so I will state my position below.

I am adamantly opposed to the development of a mobile home park in my backyard. We moved to this area because the zoning only allowed one dwelling per acre. Allowing a zoning of TR-3 will destroy the purpose of living in this area. The development will have a detrimental affect to the property values that are contiguous to the mobile home park. This includes my property.

The area of the re-zoning request has one access from Gandy road, which is currently unpaved. I fear the added traffic will greatly deteriorate the access provided by the road to current homeowners.

Please do not allow a zoning change to an area that was never intended to have that type of development!

From: [Remnant Morgans](#)
To: [Champion, Kristen](#)
Subject: Id#245500002 & 24z00005
Date: Thursday, June 6, 2024 9:08:49 AM

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

Good morning,

My name is Linda Sherrill 5370 Harrison Rd, Mims, FL 32754 and my families property at 5380 Harrison Rd. We are opposed to Mobile home park that is proposed to go in on Gandy Rd. This area cannot handle the amount of traffic that would incur with that amount of homes. There is one way in and out of this area and I would consider it to be a Hazzard for all involved.

We have lived out here since 1977 and have seen massive flooding issues that have never been fully addressed by the county. The mobile home park would make flooding inevitable.

What about wells? What would it do to everyone's water resource? This is area has alot of horses etc. that count on fresh water.

Not to mention the wildlife in this area that would be pushed out .

This is just not a good fit for this area.

Sincerely
Linda Sherrill
Robert Trout

From: [Paul Rousseau](#)
To: [Champion, Kristen](#)
Subject: Ref ID# 23PUD00001
Date: Thursday, June 6, 2024 10:47:24 AM

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

Ref ID# 23PUD00001

Please include the following in the agenda packets of each Planning and Zoning Board member. Also, please email this correspondence to them in advance of the 6/10/24 P&Z Board meeting.

This correspondence is regarding the proposed rezoning of the property located on the east side of Hwy 1, abutting Ruby Street to the north, and Laguna Vista Condos to the south.

We were concerned to learn that there was a proposal being heard to drastically change the proposed zoning of a property neighboring to our own. It was our knowledge that all the surrounding developments were limited to 6 units per acre (which was applied to our newly developed property) that we now enjoy. We would ask that you reject the proposal to allow a change to 17 units per acre which is radically different from all of the surrounding areas and would drastically reduce the green space which was initially preserved in current planning considerations.

It is our further understanding that this project goes against the directives of the Coastal High Hazard Area (CHHA) and would result in significant overdevelopment. All the surrounding developments, (including Laguna Vista) fall under the 6 units per acres current zoning designation. Please do not allow for changes to the current zoning designation. This falls far short of what county planners had in mind when zoning properties in our area.

Thank you for considering our input against allowing rezoning.

Regards,

Paul and Lynette Rousseau
160 Kieran Ln.
Rockledge, FL 32955

From: [Diana Eakins](#)
To: [Champion, Kristen](#)
Cc: [Diana Eakins](#)
Subject: Homes on Gandy rd
Date: Thursday, June 6, 2024 11:02:00 AM

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

I am writing you today in regards to the rezoning in my neighborhood in order to build a mobile home park. My husband and I are absolutely against this!

Firstly, I must say, that the map that was delivered is not accurate. That aside, my husband and I have a lot of concerns about the opening of a mobile home park in the middle of a neighborhood, for all the concerns, that are listed on the mail flyer. We moved to this area for the quiet life and lack of traffic and this rezoning will definitely change that. My grandchildren are always over and riding their bike down our street because as of right now, it is safe for them to do so. This plan will change that.

It is my request and opinion that this change of zoning not be approved. The residents in this area the way it is, quiet and not congested. Please do not allow this to happen.

Sincerely,
Jesse and Diana Eakins
4194 Hog Valley rd. Mims

Sent from my iPhone

From: [Debra Searcy](#)
To: [Champion, Kristen](#)
Subject: ID#24SS00002 & 24Z00005
Date: Thursday, June 6, 2024 12:01:05 PM

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

Dear Kristen,

My name is Debra Searcy and my address is 4127 Hidden Lakes Dr. Mims, FL 32574 and I am writing this letter referencing the ID# above. This property behind my house does not meet the requirements to install a mobile home park there. That land is wetland and building on it will cause major flooding in a tropical storm/hurricane event. This land has already been cleared and the impact to the environment and wildlife is devastating. Please do not allow this developer to impact the existing homes in this area with flooding problems because of greed for money. Thank you for your consideration, Debra Searcy 321-593-6278

To whom it may concern regarding ID: 24SS00002 & 24Z00005

I, Danielle Bowden, of 4160 Hidden Lakes Dr., Titusville, FL 32754, and my family oppose the proposed zoning change and BDP for Aaron Reninger's property. We are concerned about stormwater management, increased traffic, and the impact on community value.

As a local Realtor with 18 years of experience, I understand the need for affordable housing and support tiny home living due to their quality build and design. However, whether Aaron intends to establish a mobile home or tiny home community, stormwater management remains a critical issue. Our watershed is directly affected by increased density and therefore increased impervious surfaces. Despite required onsite stormwater solutions, current infrastructure cannot handle the existing stormwater, as evidenced by the September 2022 storm, which caused severe flooding on Aurantia Road and surrounding homes. All of the homes from Aurantia Road to the end of Hog Valley cannot handle the current stormwater levels. During the September 2022 storm, I had to wait hours after the storm subsided before attempting to drive to my home, and only managed due to my vehicle's high clearance. Aurantia Road had an active stream flowing across it, and on either side of the road the storm had submerged homes, cars, and driveways. All of our stormwater lakes overflowed, cresting over their highest points and flooding the neighbors' properties.

Attached is a photo of my backyard dock, allowing you to see how submerged my back yard was hours after the storm waters subsided. My next-door neighbor said that my dock was not visible at all during the peak of the storm waters. My dock was submerged days after the storm. Additionally, a video from September 29th at 6:31 PM shows flooding on Aurantia Road. The lake on the south side of the proposed community drains into the lake my property is on, and we cannot handle any overflow. Increasing density by 27 more rooftops and an additional 54 parking spaces exacerbates the stormwater issue.



Before the storm



Hours after the storm

Traffic is another major concern. When we moved to the Hog Valley area, we understood it would be surrounded by single-family homes and farmland. With only one road in and out, any blockage traps us. We made a calculated decision to move here, fully aware that we have only one way in and out of our home. If there's an accident or fire, we are trapped. If there are horses or cattle crossing the road, we have to wait. As a Realtor, my income depends on being able to show homes, and as a parent, I need to get my children to school. Living here presents more traffic challenges than we anticipated. For the past few months, we've had to add 15 minutes to our drive time due to crews replacing power poles. Additionally, I often get stuck behind a tractor, which I don't mind. However, I can't imagine the impact of adding 54 more cars on the road, making it even harder to leave my home multiple times a day. Increasing density by 54 more cars will worsen this situation. If the county considers higher density west of I-95, it must also provide traffic solutions, such as an on and off ramp.

Lastly, we have seen neighbors investing in area improvements. Homeownership encourages investment in the community, but the TR-3 zoning and a potential mobile home community may lead to transient lifestyles and disrepair. Rental-heavy communities often suffer from neglect, leading to blight. Exceptions include 55+ communities and well-managed tiny home communities, like one in Orlando.

If he were granted the TR-3 zoning and had every intention of addressing the neighborhood's concerns as a collaboration for the BDP, there is nothing stopping him from selling the community to another developer who will purchase it for the TR-3 zoning. I have seen markets shift and communities change hands numerous times. In this circumstance, I stand against it.

Sincerely, Danielle Bowden

From: [Angela O'Neil](#)
To: [Champion, Kristen](#); Beatrice.Chase@brevardfl.gov
Subject: 5955 S Highway 1, Rockledge, FL 32955 (application number 23PUD00001)
Date: Thursday, June 6, 2024 4:24:58 PM
Attachments: [image001.png](#)

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

To whom it may concern;

I ask that you vote against the proposed PUD development at 5955 S Highway 1, Rockledge, FL 32955 (application number **23PUD00001**) as it does not conform with the land usage density in the area.

I am not against the property being developed, but it should conform with the 6-units per acre density limit that the Brevard County Commission put in place years ago to ensure the conformity with developments in the area years ago. Nor does this request meet the PUD guidelines as defined by Brevard County.

Thank you for addressing this matter. I look forward to seeing how you vote on this matter.

Sincerely,
Angela O'Neil
6126 Anchor Lane
Rockledge, FL 32955



From: [Betty](#)
To: [Champion, Kristen](#)
Subject: ID 24SS00002 & 24Z00005
Date: Thursday, June 6, 2024 8:07:41 PM

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

Dear Kristen,

Thank you so much for sending me this notice. I didn't realize this was going on. I have a few concerns.

We have had 3 generations where we live in Hog Valley. We have been here since 1976. I got my horse in 1977. It was wonderful riding on the dirt roads. You no longer can do that now. There is so much traffic out here now. I couldn't imagine too many more cars. It scares me now when kids are outside playing. The cars go by so fast now.

My biggest concern is if we would have to evacuate. There is only one way in and out. We wouldn't be able to get out. People would get hurt.

I'm praying that this will be denied. Thank you for your time and help. May GOD bless you.

Betty Patterson

[Sent from the all new AOL app for iOS](#)

STOP THE TRAILER PARK ON GANDY ROAD

Land developers are attempting to approve a trailer park of up to 100 homes on 17 acres on Gandy Road in Mims.

This area is designated low density of one acre or more per home. They want to rezone to 6 trailers per acre. The property is partial federal wetlands and a natural flood drainage area.

There is not enough property for the septic tanks and wells required for this park. Also, there is only one exit from this road to US#1 three miles away. This would create major exit problems in time of fire or hurricanes and there is no fire protection for miles in any direction.

Anyone who lived here during the 1998 wildfires knows the problems and devastation that occurred at that time and NOTHING has been done since then to reduce the risk of fire or the ability to escape.

If this developer is allowed to build it is only the beginning of more high density trailer parks in this area that cannot be supported.

These are land developers from outside of this area and even from outside of our state disguised as individuals using large law firms from Melbourne to process their applications.

Don't be fooled. They only want to profit at our expense and have no concern what they do to our quality of life. They will not stop until Mims looks like Orlando.

Please email: Kristen.champion@brevardfl.com
to voice your opposition to this zoning change before the planning and zoning meeting on 6-10-24. Or, even better, be there in person on 6-10-24 @ 3 pm. The address is 2725 Judge Fran Jamieson Way, Viera, FL.

The more people who come to this meeting is the only way we can protect our homes and properties from devaluation and turning Mims into another destroyed part of Florida.

From: [Ken Harrison](#)
To: [Champion, Kristen](#)
Subject: Fwd: Objection to Rezoning on Gandy Rd
Date: Thursday, June 6, 2024 9:10:46 PM
Attachments: [Document.docx](#)

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

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone
Get [Outlook for Android](#)


From: Ken Harrison <searay215h@msn.com>
Sent: Wednesday, June 5, 2024 8:30:27 PM
To: Kristen.champion@brevardfl.com <Kristen.champion@brevardfl.com>
Subject: Objection to Rezoning on Gandy Rd

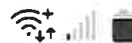
We are voicing our objection to the rezoning request # 24SS00002 and # 24Z00005 on Gandy Rd. In Mims. The FLU for this area has been long established at one trailer or home per acre or more than one acre if not already subdivided. Around 1986 the state of Florida required all counties to set aside an area for low density development only and this area was chosen for that purpose.

This has been the normal customary use since the land changed from cattle range to residential in the late 1960's. The well water resources in this area are very limited and subject to salt water intrusion due to the thin layer of fresh water available. The city's of Titusville, Edgewater, Deltona, and the new Farnton development all take ground water just north of Gandy Road and the long term effects are yet to be seen. The fresh water supply is a thin layer at Gandy Road and will be affected with all the withdrawal.

This property also has federally mapped wetlands at the entrance and a "Riverine" designation throughout the center of the property with a mapped marsh in the center. The property also serves as drainage to the south for the entire area around Gandy Road and for miles to the north.

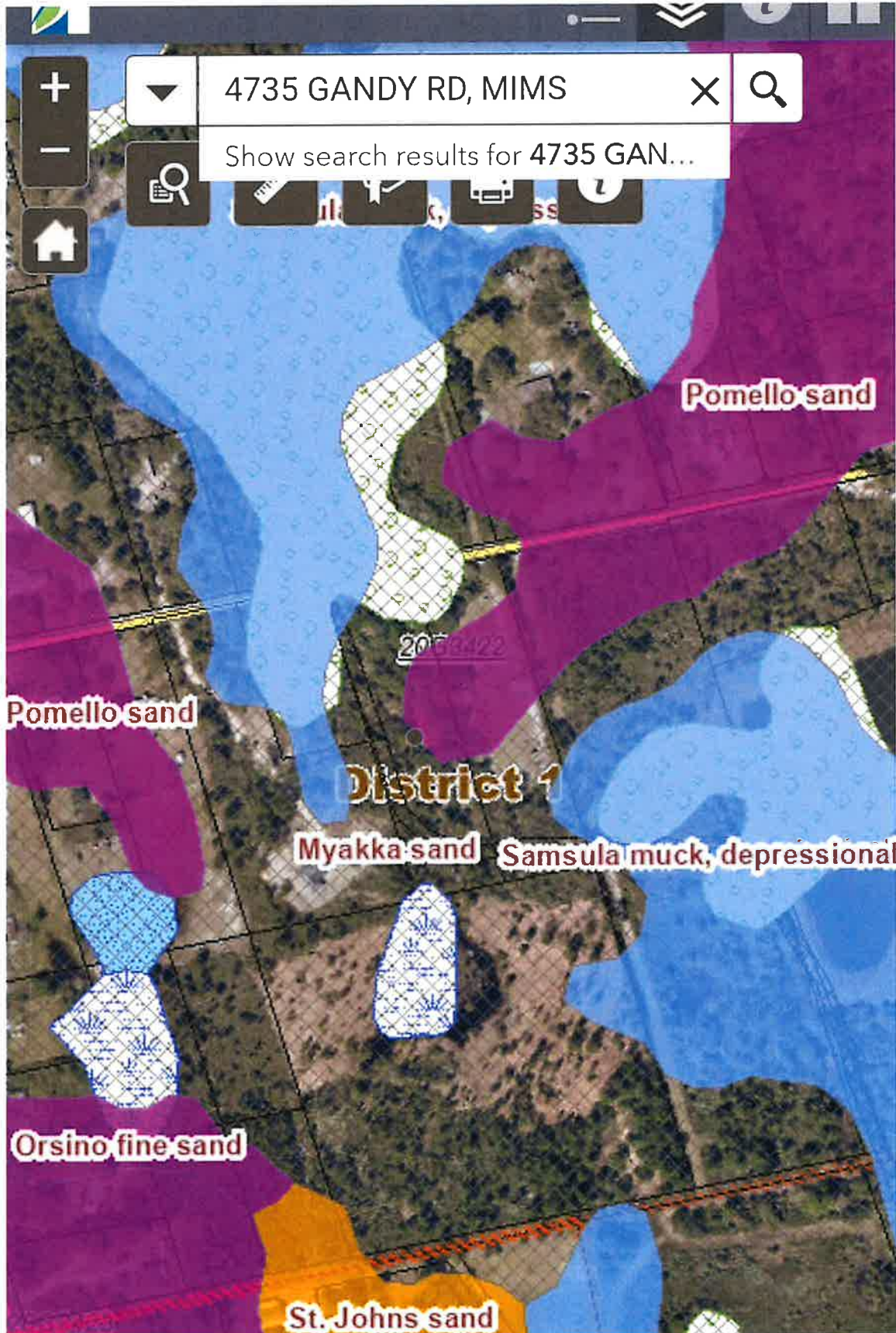
Development of this property will create upstream flooding and it is completely without reason why the county would allow wetland destruction for an easement. See attached maps.

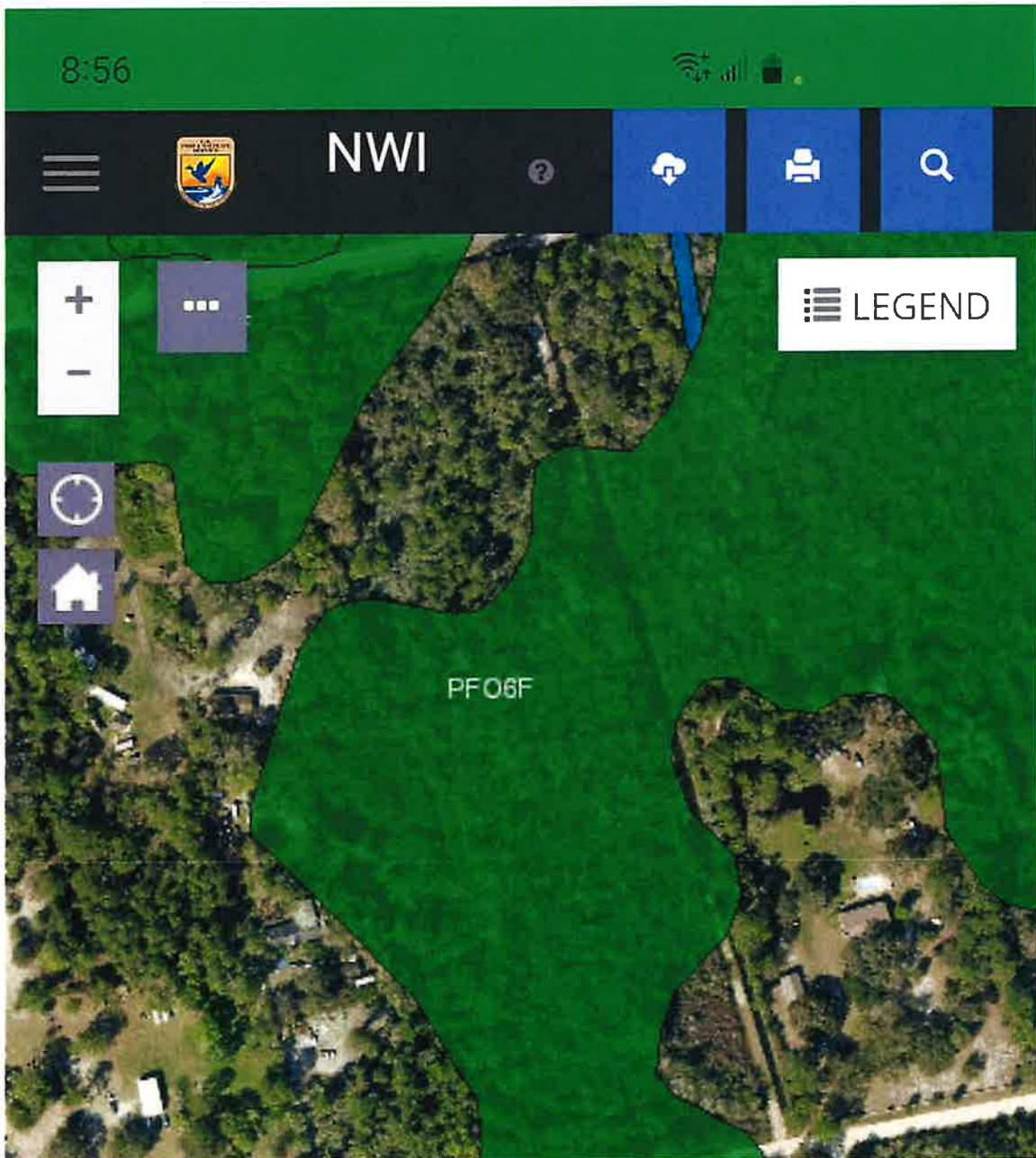
1:05 BT 

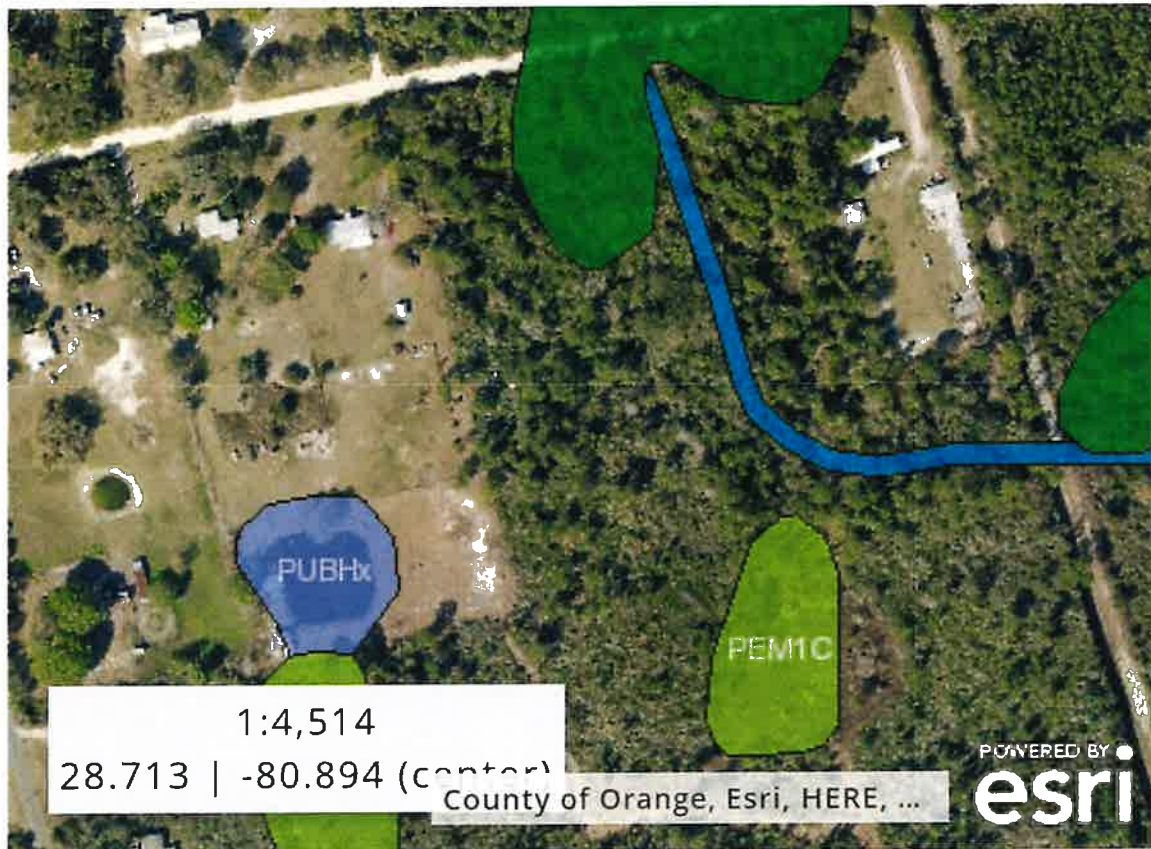


<https://brevardbocc.maps.a>









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Several more reasons not to increase density is the total absence of reasonable fire control during wildfires. In 1998 this entire area experienced devastating wildfires losses with a complete inability of fire services being capable of any suppression. The closest fire department is three miles away and too small for an area this large and with the number of homes and trailers already here. The average time for a trailer or tiny home to complete burn down is 4 minutes. No agency nearby can offer a reasonable solution to this threat with only one way in and one way out for three miles. Also, evacuation of any kind, including hurricanes and flooding is almost impossible when the roads leading out completely flood.

It is for these, and many other reasons we object to the requested rezoning of this property and we would also like an explanation as to why an easement was approved in mapped designated wetlands.

Thank You,
Ken and Deborah Harrison
Gandy Road
Mims

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone
Get [Outlook for Android](#)

STOP THE TRAILER PARK ON GANDY ROAD

Land developers are attempting to approve a trailer park of up to 100 homes on 17 acres on Gandy Road in Mims.

This area is designated low density of one acre or more per home. They want to rezone to 6 trailers per acre. The property is partial federal wetlands and a natural flood drainage area.

There is not enough property for the septic tanks and wells required for this park. Also, there is only one exit from this road to US#1 three miles away. This would create major exit problems in time of fire or hurricanes and there is no fire protection for miles in any direction.

Anyone who lived here during the 1998 wildfires knows the problems and devastation that occurred at that time and NOTHING has been done since then to reduce the risk of fire or the ability to escape.

If this developer is allowed to build it is only the beginning of more high density trailer parks in this area that cannot be supported.

These are land developers from outside of this area and even from outside of our state disguised as individuals using large law firms from Melbourne to process their applications.

Don't be fooled. They only want to profit at our expense and have no concern what they do to our quality of life. They will not stop until Mims looks like Orlando.

Please email: Kristen.champion@brevardfl.com
to voice your opposition to this zoning change before the planning and zoning meeting on 6-10-24. Or, even better, be there in person on 6-10-24 @ 3 pm. The address is 2725 Judge Fran Jamieson Way, Viera, FL.

The more people who come to this meeting is the only way we can protect our homes and properties from devaluation and turning Mims into another destroyed part of Florida.

From: [Ihab Elmahmoud](#)
To: [Champion, Kristen](#)
Subject: ID#24SS00002 & 24Z00005
Date: Friday, June 7, 2024 8:33:42 AM

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

This correspondence is to articulate the negative effects of the Binding Development Plan Proposal. This area has been developing traditional homes increasing property value and moving development in the right direction. I'm working on building a traditional home myself. The quality of living would also be affected if the 30 new trailer homes were to be built. We would have tenants that randomly move in and out of the area with no real connection and concern for our neighborhood. Please inform me of anything more I can do to oppose this proposal.

From: [SafeFocus Under the Fair Data](#)
To: [Chase, Britrice-Mae; Chantel, brian](#)
Subject: Rezoning affecting Hog Valley-Gandy
Date: Friday, June 7, 2024 9:41:50 AM

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

Subject: Rezoning affecting Hog Valley-Gandy

I recently moved from the city of Orlando to Hog Valley rd.
I'd invested around 500k in my property just because it was my understanding that Brevard County was very conscious regarding the impact for the natural resources from crazy developments.

Before my investment I looked at the future land use and I made the investment decision having the peace of mind of the development related law in place. If I knew something like this could happen, I'll never put my money here.

For 1.5 acres we had to take care of the trees that were the habitat of the blue jays and the tortoises walks freely around the surroundings
Changing the zoning will be a disaster for the ecology and the environment. The past hurricane brings us a severe flooding by the Aurantia Road. It's almost impossible to find a good insurance and even the EPA is alerting about the consequences we are already facing here in this part of the Atlantic. (See reference)
<https://www.epa.gov/sites/default/files/2016-08/documents/climate-change-fl.pdf>

As a Civil Engineer, current resident and Tax Payer of the Brevard County I totally oppose to this rezoning and the proposed development.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321)633-2070 Phone / (321)633-2074 Fax
<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
24Z00005**

Aaron Reninger

**RRMH-1 (Rural Residential Mobile Home) to TR-3 (Mobile Home Park) with a
Binding Development Plan**

Tax Account Number's: 2002219, 2002228, 2002229, 2002230, 2002231, 2002232

Parcel I.D's.: 20G-34-22-AI-7-3.02,
20G-34-22-AI-7-5.02,
20G-34-22-AI-7-5.03,
20G-34-22-AI-7-5.04,
20G-34-22-AI-7-5.05,
20G-34-22-AI-7-6

Location: Southside of Gandy Road between Hog Valley Road and
Interstate 95 (District 1)

Acreage: 17.01 acres

Planning & Zoning Board: 6/10/2024

Board of County Commissioners: 7/11/2024

Consistency with Land Use Regulations

- Current zoning cannot be considered under the current Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the proposed Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

	CURRENT	PROPOSED
Zoning	RRMH-1	TR-3
Potential*	3 Mobile Homes	30 Single Family
Can be Considered under the Future Land Use Map	NO AGRIC	YES** RES 6

* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations. **Companion request **24SS00002** which proposes to amend the Future Land Use designation from Agricultural (AGRIC) to Residential 6 (RES 6) is pending approval.

I'm open to involve a real estate attorney and I will also forward this project to environmentamerica.org and to nation.org to discuss the impact of the carbon emissions we could have if something like this is approved. We are in a coastal zone and the properties around here must be built by the code to withstand wind more than 160mph what it's not the case of any mobile home.

I'm requesting this letter to be exposed at the public hearings and I trust the development department works diligently in pro the voices of we the people and the benefit of the conservation of the the few natural resources we have left.

Regards,
Eng. Orlando Rebollar
Resident / Owner

Please confirm the receipt of this letter.

From: I
To: [Champion, Kristen](#)
Subject: REFERENCE: ID# 24SS00002 & 24Z00005 / Proposed trailer park in Hog Valley
Date: Friday, June 7, 2024 11:37:09 AM

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

Dear Ms. Champion:

Below is my letter to the Board of County Commissioners; thank you for forwarding this to the appropriate parties involved in this matter.

This is in reference to ID# 24SS00002 & 24Z00005

I am writing as a landowner and resident at 4250 Hog Valley Rd, Mims, Florida.

My property and family are located in the area that will be directly and negatively impacted by this proposed development.

I am vehemently opposed to the proposed rezoning of the above referenced site!

This small neighborhood can NOT support the installation of yet another mobile home park, resource wise nor environmentally!

This rezoning will lead to environmental harms, such as water pollution, habitat destruction, increased traffic and strain on local resources like water and sewage systems. The infrastructure in this area is not adequate to support the extra strain on our water resources and sewage.

I have deep and legitimate concerns that the proposed will result in lower property values, increased taxes, and added strain on our local, already overcrowded schools.

The flooding, which is already unbearable, will only become much much worse if this site development happens.

Wildlife concerns include, but most definitely are not limited to, GOPHER TURTLES; a protected species, of which there are literally thousands in this area alone and which will be either displaced by this development or buried alive, and sufficient funds will need to be collected to mitigate their destruction, which WILL OCCUR, should this site development be allowed.

This area is HEAVILY populated by horses and the people who care for them and who regularly ride the trails at Buck Lake Preserve, and all over the entire neighborhood, for that matter. They also have to ride on the streets and roadways that are necessary to use to get to the Preserve!

The introduction of possibly over a thousand more individuals into this tiny community will drastically increase the potential for harm and injury to any of these individuals and their animals, due to increased traffic and decreased areas for people to safely enjoy the reasons they moved out here in the first place!!

Thank you to the board for allowing this email participation.

I would have preferred the opportunity to represent myself and family here in person, however Insufficient Notice Time, distance, and meeting time unfortunately made this practically impossible for anyone who works full-time.

I hope any future notices will be sent out in a more timely manner, sufficient for working people to ask for the time off necessary to appear in person to voice their concerns in this most important issue.

Sincerely, P. Diane Allen

From: cmatthews36@cfl.rr.com
To: [Champion, Kristen](#); [Chase, Beatrice Mae](#)
Subject: Gandy Road, Mims, FL Property Development
Date: Friday, June 7, 2024 12:09:39 PM

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

Public Comments:

I am writing to ask you make a recommendation to DISAPPROVE Request #24SS00002 to amend the Future Land Use designation from AGRIC to RES6 which is already listed as pending approval, and to also recommend disapproval of companion request 24Z00005 brought by Aaron Reninger. Please do NOT allow for the development of a mobile home park in this area. We have long valued the rural nature of our area and are despondent over seeing the land use designations changed to accommodate unchecked over-development. The property in question is partial federal wetlands and a natural flood drainage area. There is not enough property for the septic tanks and wells required for this park. Also, there is only one exit from this road to US#1 three miles away. This would create major exit problems in time of fire or hurricanes and there is no fire protection for miles in any direction. Anyone who lived here during the 1998 wildfires knows the problems and devastation that occurred at that time and NOTHING has been done since then to reduce the risk of fire or the ability to escape. Once the land use designation is changed, and if this developer is allowed to build it is only the beginning of more high density trailer parks in this area that cannot be supported. These are land developers from outside of this area and even from outside of our state disguised as individuals using large law firms from Melbourne to process their applications. Don't be fooled. They only want to profit at our expense and have no concern what they do to our quality of life. They will not stop until Mims looks like Orlando.

I do not live adjacent or in the area of this proposed development but do live in Mims/Scottsmoor and beseech you to listen to your constituents and work to preserve our way of life. Our infrastructure cannot accommodate more unplanned and unchecked growth.

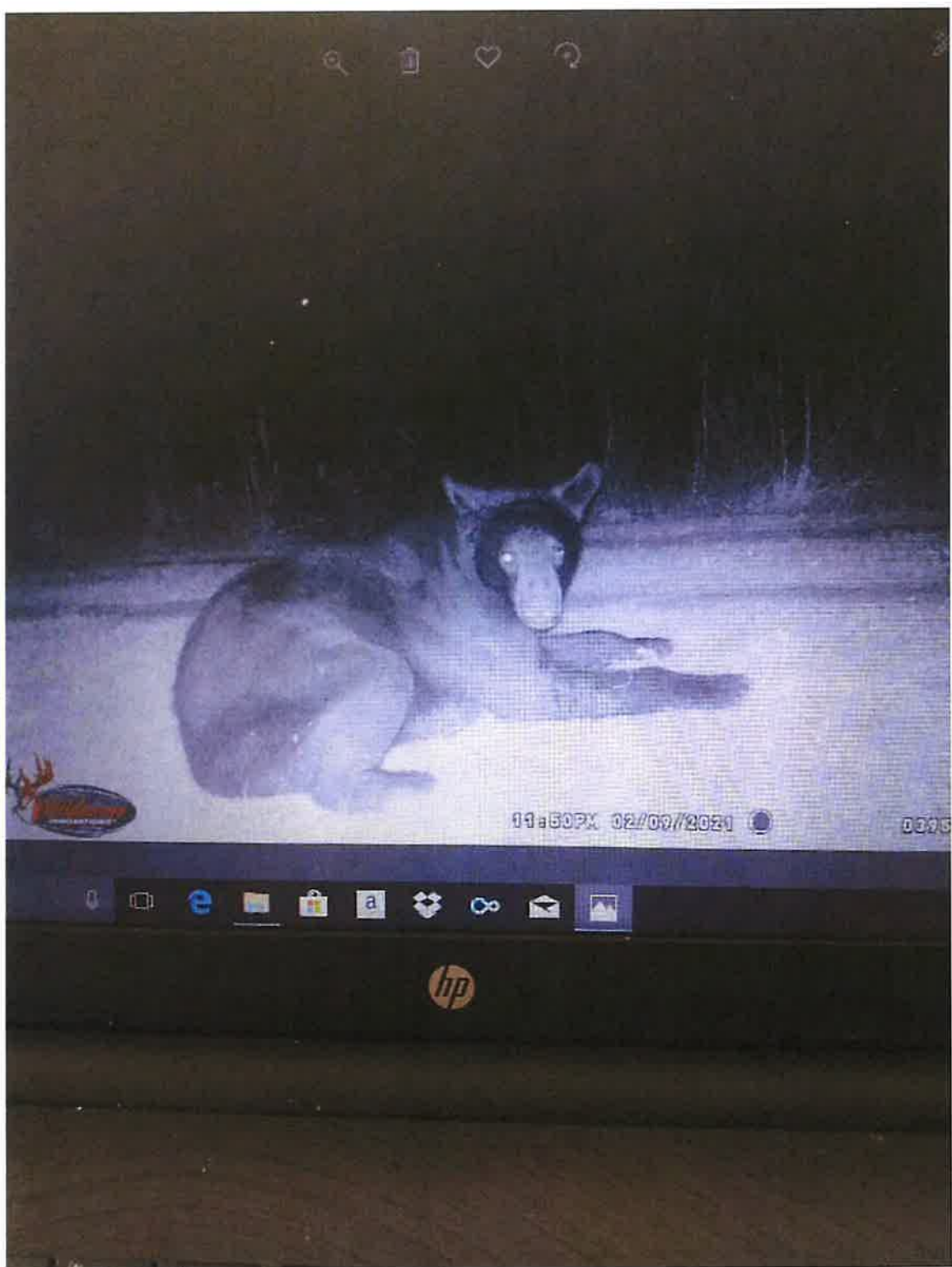
Thank-you,

Lisa Matthews
3533 Johns Road
Mims, FL 32754
321-269-5465

From: [Diane Gravos](#)
To: [Champion, Kristen](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Friday, June 7, 2024 1:01:06 PM

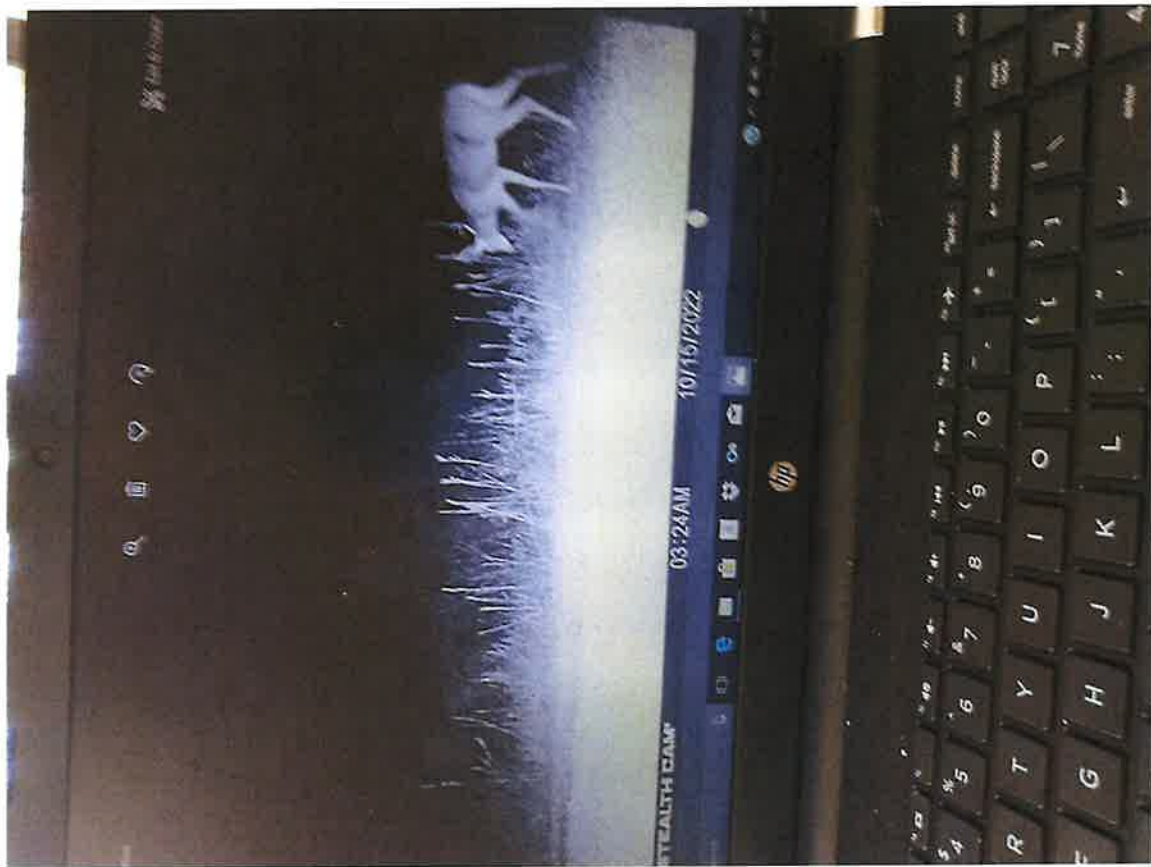
[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



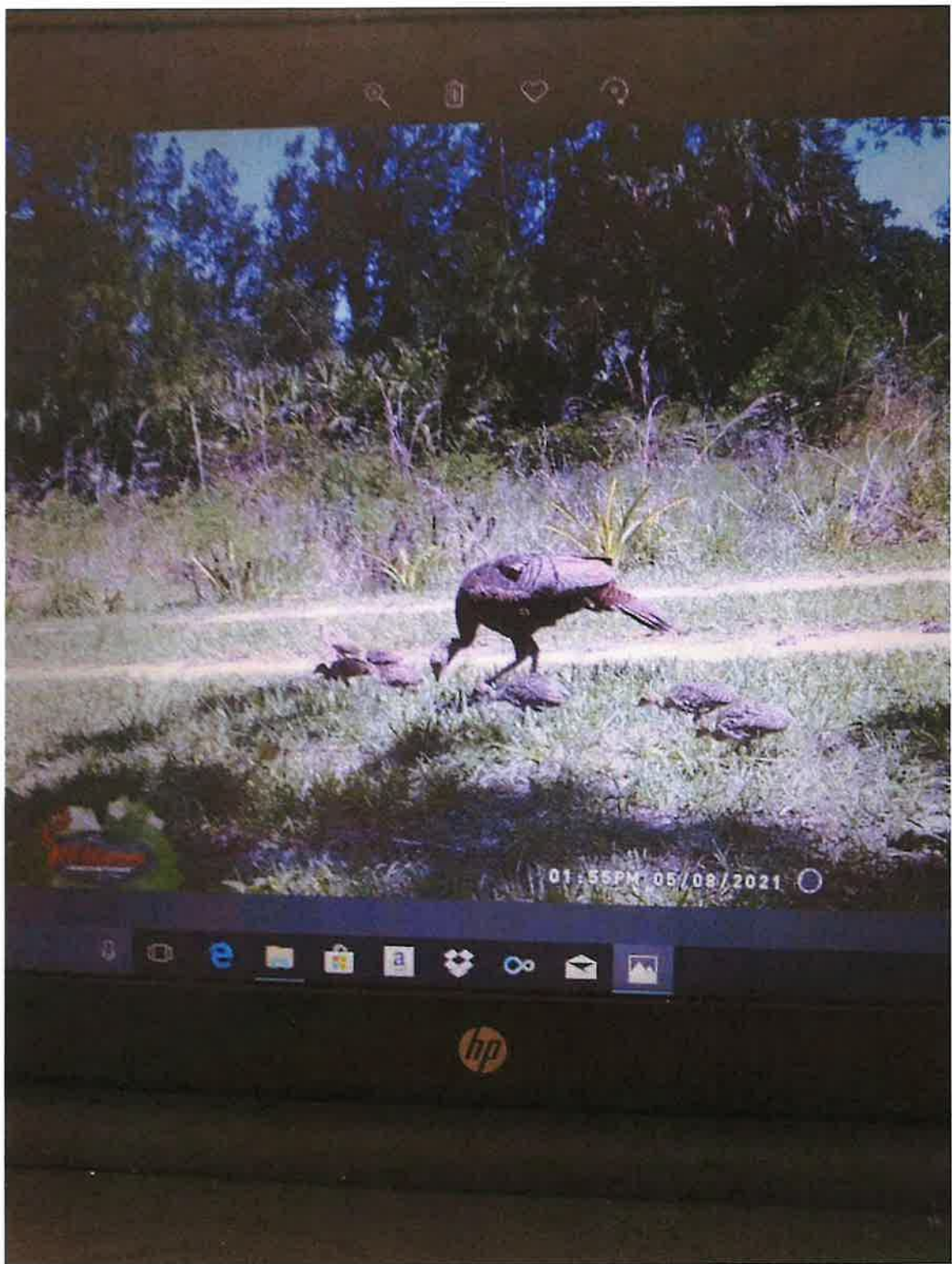
















Good Afternoon,

In reference to the rezoning reclassification for the property referenced in mims, FL with access on Gandy Rd. I am completely Opposed to any decision that would further degregate the environment that boundaries my property at a length of 465 feet. The land development that has already happened between clearing a 3/4 of the combined properties and bringing in multiple dump truck loads of fill dirt has had an irreversible effect on the natural habitat that connects to and was on the land.

The Land survey that was complete by ACES (Andrew Conklin Environmental Services) does lay out that an actual land survey has not been completed since 1974. That these properties combined do have wetlands on them and the water table is at or just below ground level by less than 1 foot in depth. Also, to add the ACES survey neglected the reality of the wetland area. It does appear the survey was done during the dryer season of the year. Attached are photos of my driveway which runs along the boundary. These photos were taken during rainy season. Which it is clear that there is already a flood plane. Along with the clear misrepresentation of the wetlands, the report from ACES fails to represent the Protected species. There are multiple Gopher tortoise holes along the boundary of the property connecting with mine and a verity of wading birds that pass between the plots of land. The Eastern Indigo Snakes have been spotted along the boundary of the property yearly.

Also, I have attached pictures of some other wildlife that frequent our property from the neighboring, now decimated lot. To add, the Gopher Tortoise that inhabited the property most likely have been buried alive during the clearing of the land as they have decreased in numbers. This is disturbing at the complete lack of regard to the native land. With the proposal of a potential 30 homes in such a confined boundary, the waste from the septic drainage is

bound to contaminate the water table, as the ACES report has indicated the depth to the water table.

To conclude, between the infrastructure and environmental impacts to the surrounding properties I am again stating that myself, along with fellow neighbors are against any zoning reclassification to the area. This would potentially add a burden on traffic in the area, higher Taxes, higher levels of flood waters, and bio contaminate to the water table, a major decrease in protected Animal species and Non-protected species.

To reference other issues our neighboring cities have had with the ongoing pollution of the Indian river and Mosquito Lagoon from Marriot Island and Titusville. Big business has failed the citizens and Wildlife there and we are opposed of it trying to start here to fail our community as well.

Respectfully,
Diane Williams & Ken Willis
Hidden Lake Dr. Mims, FL.

[Yahoo Mail: Search, Organize, Conquer](#)

From: [Alana Hardy](#)
To: [Champion, Kristen](#)
Subject: Reference ID# 24SS00002 & 24Z00005
Date: Friday, June 7, 2024 1:46:02 PM

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

Hi Kristen,

I am writing you to voice my concerns over the rezoning proposal for property on Gandy Road in Mims Florida. Gandy Road is a small dirt dead end road. The Hog Valley area does not have the infrastructure to sustain 30 new tenants, regardless if they are stick built homes or tiny homes on wheels. I have highlighted some of my concerns below.

Significant Increase in Traffic (on Aurantia, Medow Green, Harrison, Hog Valley, and Gandy Rd)

Our children are constantly outside and playing, like kids should, this will significantly increase the danger of them being on the roads

Aquifer Limitations on our Wells

Depreciation in Value of our Properties

Substantial drainage problems on surrounding properties

Impacts on wildlife

Potential for MORE Flooding

Please allow us to keep the county rural. This is why so many of us have chosen to live in this area.

Alana Hardy
(Concerned owner of a home on Gandy Rd)

From: [Gene Primmer](#)
To: [Champion, Kristen](#)
Subject: Id# 24SS00002 & 24Z00005
Date: Friday, June 7, 2024 2:32:50 PM

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

Kristen, i am totally against this zoning change, my address is 5195 Harrison Rd, Mims, FL 32754.

From: [Baylee Stansell](#)
To: [Chase, Beatrice Mae](#); [Champion, Kristen](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Friday, June 7, 2024 7:57:49 PM
Attachments: [9B9DBE9B-C976-44F4-B26F-0E391019F775.mov](#)
[recorded-1592699643311.mov](#)

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

This message is regarding ID# 24SS00002 & 24Z00005

Good afternoon, my name is Baylee Stansell a life long and long term resident of Gandy road in Mims. I am AGAINST this rezoning. Flooding, roadways and our schooling will be severely impacted by this.

To begin with flooding is the absolute biggest issue. Our land is our homestead. We survive off of our land, our animals cannot survive underwater. The storm of 2022 left our animals under water. Swimming to me as I pulled down the road. Luckily we have lifted vehicles and were able to get to our homes to check on them. As we were driving in Aurantia Road Had an active stream of water across it. There were homes and Vehicles submerged in water. Our community cannot handle any more. in the past 2 Years Gandy Rd. has received two brand new homes who have put our pastures underwater.

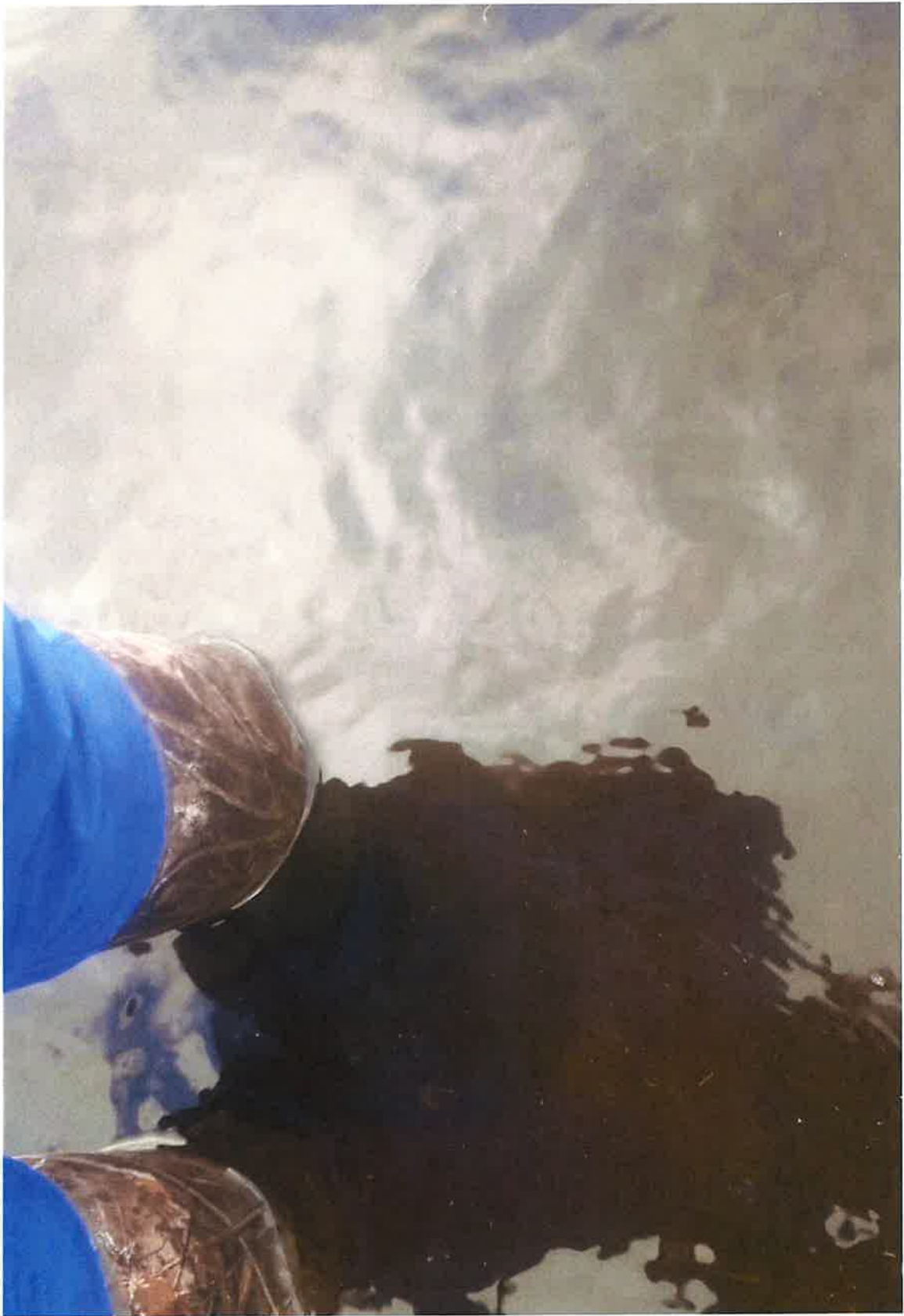
Moving along, our roadways will be severely Affected as well. We have one way in and one way out of our neighborhood. If there were flooding or fires, we have no way out. With 30 homes being suggested by Aaron would add 60 vehicles making it two per household, which is the common number. Gandy Road is a small dead end dirt road. Who is going to be paying for the paving? The land own or my tax money? I don't want it paved. It is the only road that is dirt I can ride my horses to get to the woods that is being destroyed by these developers. I will no longer be able to take my children riding if I have multiple cars passing by us on a paved road. How unsafe for my babies!

to conclude our schools will be majorly affected. That is our future for our community that we are talking about. Our teachers are overworked with way too many children in their classroom and underpaid. We have one elementary school on the north end. How is that supposed to hold 60+ more students that will be coming in with 30 homes?

I have attached pictures and videos of the flooding on my land.













[Sent from Yahoo Mail for iPhone](#)

From: [lori diem](#)
To: [Champion, Kristen](#)
Subject: zoning
Date: Saturday, June 8, 2024 7:48:44 AM

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

I live in hog valley Mims FL and we do not want any new homes in our area Please do not change the zoning laws

Reference the below:

ID# 24SS00002 & 24Z00005 Thank You Lori Diem

From: [emily johnson](#)
To: [Champion, Kristen](#); [Chase, Beatrice Mae](#)
Subject: Id#24SS00002 & 24Z00005
Date: Saturday, June 8, 2024 9:17:51 AM
Attachments: [Video.MOV](#)
[Video 1.MOV](#)
[Video 2.MOV](#)

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

Hi my name is Emily Johnson and I own property off of Harrison rd that butts up to neighbors that are off gandy rd in mims. In 2022 hurricane Ian dumped tons of rain on us and we flooded bad. I this land owner changes the zoning of the 17 acres of land from agriculture to residential so he can put 30 homes/mobile homes he would need to push wetlands that will even more impact the other homes that are out there that will flood again if we have another hurricane like Ian. Also there is only one way into the community and one way out this will increase the amount of traffic and the kids in this neighborhood actually play outside in the road riding bikes and etc. the increase traffic will increase speeders and someone will get hurt. This will also increase the amount of homeless people that like to squat in empty houses which in turns increases the amount of drugs and overdoses. I have also attached pictures and videos of our property when it flooded we lost live stock that day and with this rezoning will cause more flooding and we will lose more of our live stock and I will hold everyone accountable for it. This is how we feed our family in this dire time in the economy.

From: [Kasey Post](#)
To: [Kasey Post](#); [Champion, Kristen](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Sunday, June 9, 2024 4:30:14 PM

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

I'm sending this email as I can not be present for the rezoning meeting on Monday to build a mobile home park for 30 homes on 17.01 acres in the Hog Valley area.

My concerns:

There's only one road into here and the same one road back out. Evacuation during the fires of 98 was a nightmare. We have already had substantial growth. Our area simply cannot handle a mobile home park.

Our children ride their bikes, skateboards, and horses on Hog Valley Road. We ride our bikes on it to get to the bike trail. The roads are already very busy!

The impact to the wildlife will be catastrophic. Animals will be displaced or killed. Gopher turtles will be plowed underground leaving them to die slowly.

Our aquifer is already being drained by the Titusville wells. These homes will impact it more.

And what about 30 more drain fields for these new septic systems?

We already have flooding issues when there's heavy rains.

Let's not kid ourselves this will lower our property values.

And lastly who's going to pay for all the road repairs from construction trucks?

So for the safety of our children and the continuation of our rural life here-

Please do not approve this request to change the zoning classification.

Kasey Post
Kaseylpost@gmail.com

From: [Jeremy Parr](#)
To: [Champion, Kristen](#)
Cc: [KA](#)
Subject: Concerns over rezoning in Mims
Date: Sunday, June 9, 2024 7:20:58 PM

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

Hello,

We need to voice our concerns about the rezoning notice 24Z00005. We are fully and completely against this rezoning request! As a family that would be affected by the increase in traffic, noise, reduction in property values and disruption to wildlife, I do not support a plan that would increase our population density far more than the typical 1+ acre lots in our area. We live in north Mims because we appreciate the quiet slower pace, as do most of our neighbors. The traffic on Meadow Green Rd is already too dangerous for us to allow our children to play in our driveway; adding 30+ additional residents down the road would only worsen the problem. The only access to/from this property is down Meadow Green Rd.

Please pass on my request to deny this particular rezoning request to the board members for their consideration. Also, I would appreciate a response to let me know that this email has been received. Thanks in advance.

My information is:
Jeremy Parr
4705 Meadow Green Rd
Mims, FL 32754

Sincerely,

Jeremy and KelléAnn Parr

Sent from my iPhone

From: [Brian Walsh](#)
To: [Champion, Kristen](#)
Subject: Reference ID# 24SS00002 & 24Z00005
Date: Monday, June 10, 2024 12:02:25 PM

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

Good afternoon!

I am writing to advise you of my concerns over the rezoning proposal for the property on Gandy Road in Mims. Gandy Road is a small dead end road with residential lots and great people. This area does not have the infrastructure to sustain 30 new mobile homes regardless of what they are. This is a nice community and these homes will bring significant side effects to everyone's quality of life. Below I have mentioned some of my concerns with this:

- Significant Increase in Traffic (on Aurantia, Medow Green, Harrison, Hog Valley, and Gandy Rd)
- Our children are constantly outside and playing, like kids should, this will significantly increase the danger of them being on the roads
- Aquifer Limitations on our Wells
- Depreciation in Value of our Properties
- Substantial drainage problems on surrounding properties
- Impacts on wildlife
- Potential for MORE Flooding especially with the hurricane season they are predicting

Please do not let them ruin this beautiful area and a good place to raise a family that we love so much and call home! This is such a great place and I hate to see someone out to just make money ruin it for everyone...

Concerned home owner on Gandy Road.

Brian Walsh



BOARD OF COUNTY COMMISSIONERS

Rita Pritchett, District 1 Commissioner

7101 S US Highway 1

Titusville, FL 32780

(321) 607-6901

DI.commissioner@brevardfl.gov

09/04/2024

Brevard County Commission Zoning Meeting

September 5, 2024

24Z00005 / 24SS00002

Commissioner Pritchett met with Kim Rezanka in her office regarding the above items on September 4, 2024. The Commissioner listened to changes made to the plan in response to the residents' concerns.

/aps



Commissioner Rob Feltner, District 4

2725 Judge Fran Jamieson Way
Suite: C-214
Viera, FL 32940
Phone: (321) 633-2044
D4.Commissioner@Brevardfl.gov

August 29, 2024

To: Kristen Champion
From: Rob Feltner, Brevard County Commissioner, District 4
Re: Disclosure – 24SS00002, 24Z00005: Tax Accounts: 2002219, 2002228, 2002229, 2002230, 2002231, 2002232 (District 1)

Concerning **24SS00002** and **24Z00005** on the September 5, 2024, Brevard County Zoning meeting agenda; on August 29, 2024, Commissioner Feltner spoke to Ms. Kim Rezanka by telephone. The proposed tiny home project was the subject of the five minute conversation.

Thank you.

Rob Feltner
Brevard County Commissioner
District 4

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, August 12, 2024**, 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.

Board members present were: Henry Minneboo, Vice-Chair (D1); Ron Bartcher (D1); Robert Sullivan (D2); Brian Hodgers (D2); Debbie Thomas (D4); Mark Wadsworth, Chair (D4); Logan Luse (D4-Alt); and John Hopengarten (BPS).

Staff members present were: Tad Calkins, Director (Planning and Development); Alex Esseesse, Deputy County Attorney; Billy Prasad, Deputy Director (Planning and Development); Edward Fontanin, Director (Utility Services); Jeffrey Ball, Planning and Zoning Manager; Trina Gilliam, Planner; Desiree Jackson, Planner; and Kristen Champion, Special Projects Coordinator.

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

Excerpt of complete agenda.

G.9. Aaron Reninger (Kim Rezanka) requests a Small-Scale Comprehensive Plan Amendment (24S.02), to change the Future Land Use Designation from AGRIC (Agricultural) to RES-6 (Residential 6), on property described as Lot 3.02, Block 7, Indian River Park, Lot 6, Block 7, Indian River Park, Lot 5.03, Block 7, Indian River Park, Lot 5.05, Block 7, Indian River Park, Lot 5.04, Block 7, Indian River Park, and Lot 5.02, Block 7, Indian River Park. The property is 17.01 acres, located on the south side of Gandy Rd. and east of Hog Valley Rd. **(24SS00002)** (4735 Gandy Rd., Mims) (Tax Accounts 2002219, 2002228, 2002229, 2002230, 2002231, & 2002232) (District 1) **This item was continued from the June 10th PZ/LPA meeting.**

G.10. Aaron Reninger (Kim Rezanka) requests a change of zoning classification from RRMH-1 (Rural Residential Mobile Home) to TR-3 (Mobile Home Park) with an amended BDP (Binding Development Plan), on property described as Lot 3.02, Block 7, Indian River Park, Lot 6, Block 7, Indian River Park, Lot 5.03, Block 7, Indian River Park, Lot 5.05, Block 7, Indian River Park, Lot 5.04, Block 7, Indian River Park, and Lot 5.02, Block 7, Indian River Park. The property is 17.01 acres, located on the south side of Gandy Rd. and east of Hog Valley Rd. **(24Z00005)** (4735 Gandy Rd., Mims) (Tax Accounts 2002219, 2002228, 2002229, 2002230, 2002231, & 2002232) (District 1) **This item was continued from the June 10th PZ/LPA meeting.**

Jeffrey Ball read the companion applications into the record.

Kim Rezanka presented on behalf of the applicant Aaron Reninger and provided a handout conceptual plan to the Board. This handout was stated to a 17-acre area, west of 95 in Mims, mostly consisting of manufactured homes. She went on to describe the character of the surrounding properties. To the south there lies a subdivision of mobile homes which runs anywhere from 6 to 4 acres. The idea behind this is to build a tiny and manufactured home subdivision called Nova Tiny Homes. They are seeking two units to the acre, but the zoning is incompatible with RES-2, therefore they are requesting to go to RES-6.

Mark Wadsworth asked if the two units per acre is reflected in their BDP.

Kim Rezanka confirmed that is correct and that the lots would have to be a quarter acre lot minimum because they will have to be on septic and sewer and wells. Kim made note of the large stormwater pond and wetland that would have to be accounted for. She stated that Hidden Lakes, the properties to the south, varies in size with the smallest at 0.5 acres. She noted there have been a lot of complaints about flooding in the area and assured the property will have to meet all current County codes for storm water county code requirements and once developed it will have to retain its own water. If Road improvements are needed, those issues will come up and be addressed during site planning. She mentioned the character of that area as being considered relatively rural although these are quarter acre lots next to half acre lots. The character is determined by the use. To address concerns of land devaluation she noted the property values from \$35,000 to \$400,000 but a lot of the manufactured homes are lower so this will help with the property values in the area and will not degrade it. The zoning was required to go to TR-3 because TR-2 does not allow tiny homes. The TR-3 zoning allows 15,000-foot lots which would be 2.9 units to the acre and here we're at two units to the acre. The concurrency has to be met. There's been no deficiency notice to date. There's nothing in the staff report that says this is not compatible with the Comprehensive Plan policies. They will have wells and septic which is allowable by law at quarter acre lots and again some of these will be bigger than quarter acre lots. With that we would request that you approve the request for the comprehensive plan of RES- 6 and the rezoning to TR-3 with a binding development plan.

Jeffrey Ball noted that the concept plan that Ms. Rezanka had just provided had not been reviewed for regulations for the county code.

John Hopengarten deferred to staff as to whether septic, as per Kim Rezanka, on a quarter acre lot would really be allowed. John thinks the minimum lot size requirement for septic may be larger than a quarter acre.

Jeffrey Ball conveyed that is handled through the Health Department and that he does not know what their requirements are.

Public Comment:

James Ranken, 4705 Gandy Road which is on the very east end. Mr. Ranken provided the Board with photographs of the flood areas after recent rains. They noted the road floods and lack of ditch maintenance in about 20 years. His concern was that the potential additional trips to the existing roads would exacerbate the worsening conditions. He noted a concern that trailer park being proposed five acres down from his property would devalue his land.

Ken Harrison, 4960 Gandy Rd. Mr. Harrison brought to attention the April 2007 Mims Small Area Study and the 1988 Comprehensive Plan. He stated they both determined the future land use to be agricultural and set limits to one dwelling per unit per five acres west of Middle Green Road. Properties with approved RRMH-1, Au and AGR zoning classifications prior to the study were retained and adopted. this property. He states the subject property does not serve as a transition between areas with land use designations of six units per acre or existing land use designations equal to no more than one unit per acre. He also noted traffic safety issues due to increased traffic and the reduction of property values due to higher density for the subject area. Six new block single family residences were built in the last three years two of them border the subject property development. The proposed rezoning and land use will cause a 200 percent increase in traffic on Gandy Road, and he further stated that 30 more single family residences will cause a burden and

significant safety and convenience issues on an already poorly maintained dirt road that is only graded 12 times a year. The road is too narrow for two cars to pass each other at certain points, poorly drained, and unstable with loose soil the subject property. A portion of the subject is part of Indian River Park Indian River Park.

Stephanie Knight, 3995 Golden Shores Boulevard. Ms. Knight went to explain that the subject property's the north, west, and east boundaries are designated as agricultural land use with agricultural zoning. The South is public conservation with General Use and agricultural zoning. The requested zoning and FLU could change the subject property to commercial use if rented or charged. There are no commercial use properties in the entire area. The area is not considered transitional. She re-iterated that the increase in traffic would deteriorate the condition of Gandy Road. She stated the applicants have filled and cleared subject property without proper permits and are in clear violation of county codes and noted the subject property contains national wetlands inventory, aquifer recharge soil, hydric soils and may contain protected and specimen trees and protected species. Per section 62-3694(c)(1)a. residential land use within wetland shall be limited to not more than one dwelling unit per five acres unless strict application of this policy renders a legally established parcel of as of September 9th, 1988.

Danielle Bowen, 4160 Hidden Lakes Drive, Mims, Florida, 32754. Ms. Bowen stated "I am a realtor. I have been a realtor for 18 years. When we moved, we did so with the understanding that it would have limited growth due to its future land. We live on one of the two adjoining lakes. The lake is in our backyard. His property is located one lot behind the lake so essentially his community would potentially affect our lakes. After serving three and a half year on the Indian River Lagoon Oversight Committee I learned more about water quality and septic than I ever imagined. Although the State of Florida recognizes that any lot size under one acre should not be developed with a septic system, they only limit it to one half acre. According to the Department of Health and Florida statute 381.62 the limitation is one half acre but understanding that they do make exceptions for other pervious surfaces. My biggest concern is that according to Brevard County this is not going to require ATU systems. It's only going to require standard septic systems. So, we're increasing our septic capacity by almost 24 homes and the waterways that it is adjacent to would be potentially affected by nitrogen loads of 960 pounds per year and phosphorus at 96 pounds per year. As Kim demonstrated once density increases and starts getting approved, it sets a future precedence for future approvals. This area is meant to be one home per five acres per future land use."

Katie Delaney, 5105 Cabbage Palm Street, Cocoa, Florida 32927. Ms. Delaney said "I drove up into this area because I had never been up there. This project is completely abnormal for that area. This area is full of homes on huge pieces of land and mostly dirt roads that frankly aren't maintained properly. The ditches are not maintained properly. I think that the Mims Small Area Study as well as the Comprehensive Plan don't allow for this type of development for a reason. Our infrastructure just cannot handle it and so I'm asking you guys to um not approve this project."

Patricia Frank, 3825 Aurantia Road, Mims. Mr. Frank stated "I've lived there well since 1996 on that on the south side of Rancher Road. I grew up on a Rancher Road when it was a dirt road. Her worries pertained to potentially unsavory people throwing their trash along Rancher Road. She worried over her own safety due to the influx of people from this proposed development. She continued to state, "If I wanted to kiss my neighbor good night, I'd live down here in the town. I live up there". She noted that Rancher Road could not handle the additionally up to 60 people that this

development would bring in. There is already a pothole about 25 feet off of US 1 across from the Circle K on Rancher Road. She prefers her elbow room."

Ruth Amato, 1950 Tomato Farm Road, Mims Florida 32754. She is obviously opposed to this just like everything else. If the land is already flooding, she thinks that would make it considered a seasonal flood plain. She stated "and when you continually build up and drain the flood plains you ruin your aquifer water quality, and you flood your neighbors. Due to all of the massive building in Brevard County we have started seeing flooding out her way, which is not where they live, out at 46. Since about 2000 we have consistently gotten major flooding to our pastures. Ruth stated "My family's been on the current property I live at for over a hundred years. I can tell you my great grandma never lost her Grove due to flooding, but she would have lost it in 2022. Ian, he dropped a lot of water because it was 24 inches in 24 hours. Our area in Titusville averages 50 inches of rain a year. We haven't seen a major rain event since 1953 at 81 inches. People are already losing their houses flooding that have never flooded before. If we don't start with responsible building that preserves the resources that we have, we won't have anything left but the people living on the high houses that built last." Ms. Amato concerns as well were aimed to towards water shortages. She asked to please vote for responsible building instead of cramming everything in there because somebody bought a piece of property and wants to make a buck."

Katherine Martin, 4355 Hog Valley Road. She noted she is in the direct impact zone from flooding and septic tanks from this development. She claims Kim said \$35,000 was the average home. She had bought her home in 2020 for 171 and now its 235. She owns two acres. She believes most that most of the existing properties on Hog Valley butting up to this project are greater than a half-acre. She believes that if the project were to propose lots at one acre it would be welcomed by the neighboring community. She is against the rezoning of this area.

Earl McKuen, 4335 Hog Valley Road. He is very against having a quarter acre for a house. He noted "it's a two-lane road". His concerns lie with people driving 60-70 miles per hour in a 25 miles per hour zone. His other reasonings for being against this was the same as all the other people that spoke. He likes his peace and quiet.

Deborah Gray, 5440 Dixie Way. She is against this. She lives next to the National Cemetery which is a little different from where they are at. She noted the recently built homes on Huntington, which were 2.5-5 acre lots. But the impact of just those homes has made a big impact on her water. Salt intrusion in her water is her concern. Some carry great big containers so they can have their own drinking water and not worry about the salt intrusion. She continued to note that every single year there's people at least twice a year killed right there on Aurantia and US 1. There are no lights there and they don't want a light there. She has been up there since 2006 and has seen how the water levels have dropped. Her wells have gone dry due to the salt. She stated, "people are having to redrill Wells continually where I'm at." Although she believes the Saint John's is fresh water it's not brackish, she said "you got to have somebody who knows what they're doing to be able to put a well in to not have salt in it now." Another point she had made was that she felt not enough people were even aware of this public meeting that was to take place. She stated she had found out about this meeting through Facebook. She does not feel this area can sustain all these new subdivisions that are being built because of the runoff into the water systems such as on the poorly maintained county line ditch. If they just keep building, then people will have to move away due to the poor water quality and concern for disease in the water.

Jeremy Park, 4705 Meadow Green Road. He has small children. Although the speed limit by his house is 35 miles per hour, people drive every week up to 70 miles per hour. He has called the Brevard County Sheriff many times to try and get people to slow down and has asked for speed bumps. Nothing has happened. A big concern of his while listening to Ms. Rezanka speak early was hearing her make 3-4 claims that he didn't agree with. He wondered if anybody was factchecking these claims to determine if they were true. He has been there for 17 years. He feels that if they approve this it will ruin everything for the people that already live there left to deal with the decision.

Jennifer Parish, 1260 Old Dixie Highway, Titusville. She is very much against this idea. Her family has been there since about 2004 and they lived all over the county. They decided to move up to District 1 due to rural characteristic of that area. Due to overcrowding she sat in a Redevelopment Agency Meeting where the condition of the existing roads were talked about. The person speaking defending the fact that the roads in District 2 were rated an E, very close to an F, yet defended the fact that more houses could be squeezed into this area. And that was the final decision. She believes that role of this Planning and Zoning Board is to protect the residents and for this reason keep this area as rural.

End Public Comment

Ms. Rezanka responded in kind to the public comments. She stated they are seeking RES-2. Hidden Lakes plat has half acre lots, so it's not inconsistent. She stated, "we wanted RES-2 but we were told we had to go Res-6 along with a binding development plan". She mentioned they had to do the same thing with Dunkin Donuts in Merritt Island. They just want the ability to do two units to the acre next to two units to the acre, that is not inconsistent from a transition standpoint. She submitted a copy of an email from Steve Swanke that stated the Environmental Health conveyed they do not have a minimum lot size requirements per se, but they do enforce a separation distance. She also gave a copy of Sec. 62-1255. The requested is a minimum quarter acre but it looks like the lots will be larger than that. She went on to read off the staff report to address some of the public comments. Next, she claimed that she did not say the average value is \$35,000. She said some are as low as \$35,000 and some go much higher to size and age of the home. Some of these mobile homes go back to the 1970s, some in the '90s, and some are newer. She notes this project again is to be affordable but only because \$150,000 is going to be the minimum value. This is value is higher than many of the values in this area. She has not seen any evidence or code complaints regarding filling of the wetlands. She noted runoff must be kept on onsite since post development can't be worse than pre-development. She asked the item be approved and reflected that the BPD would limit the size of the lots to quarter acre lots minimum.

Ron Bartcher asked if the applicant is planning a traditional mobile home park and if it's going to be an actual subdivision.

Aaron Reninger, 1865 South Banana River Drive Merritt Island. He responded no and went on the explain the intention of the project.

Ron Bartcher asked for clarification to which Mr. Reninger replied that the homes on the property would be rented out.

Jeffrey Ball went on to explain the property would not allow fee-simple lots and that it all has be done in a mobile home park. These tiny homes would have to sit on a pad that's owned by one person. He

also clarified the staff email that Ms. Rezanka had brought up earlier. He noted that Planning and Development is not the regulatory agencies for septic and minimum size requirements for that. He clarified that the email states Brevard County does not have such requirements for septic. It is in fact Environmental Health that permits and regulates septic.

Ron Bartcher, Robert Sullivan, and Henry Minneboo went on to discuss septic setback and density requirements.

Mark Wadsworth asked staff a hypothetically question. He asked "hypothetically we passed this. They don't get their engineering. It reflects back to the original zoning?"

Jeffrey Ball explained once the Board of County Commissioners approve the zoning, the zoning is in place whether they approve it contingent upon the BDP. The BDP would stay in effect unless some entity removes it from the property.

Ron Bartcher noted that a tiny house is permitted with conditions in TR-3. He asked what the conditions are. Kim Rezanka referenced sec. 62-1844 in response.

Ron Bartcher commented that the only access to this property is really via Hog Valley Road. He notes a 50 percent increase of traffic on that road when this is developed. Mr. Bartcher then asked to confirm whether the traffic study that is to be done for this project will address the traffic on Road or US 1 rather than Hog Valley Road. That really there no traffic study to be done on Hog Valley Road.

Tad Calkin in turn responded when a traffic impact analysis is submitted, they look at the roadways that would be affected in that area. So, it could include Hog Valley but how far down on Hog Valley he could not say.

Ron Bartcher noted there were probably 60-70 homes using Hog Valley Road and that this development would add 30 or so more. There would be a density increase on this property of about 400 percent. Based on this information and the Mims Area Study he believes this is just not the kind of development we need up in in Mims area.

Motion to recommend denial of item G.9 by Ron Bartcher, seconded by Henry Minneboo. The vote passed unanimously.

Motion to recommend denial of item G.10 by Ron Bartcher, seconded by Henry Minneboo. The vote passed unanimously.

62-1255 CODE OF ORDINANCES OF BREVARD COUNTY FLORIDA-ESTABLISHMENT OF ZONING CLASSIFICATIONS AND CONSISTENCY WITH COMPREHENSIVE PLANS.

62-1255 (A)(1)(C) Current zoning is agricultural, AGR.

62-1255 (A)(8)(B) Requested zoning is residential 6, RES 6.

The 1988 County comprehensive plan establishes specific future land use designations, which are depicted on the future land use map within the future land use element.

This plan is further reinforced by the April 2007 Mims Small Area Study. Both the 1988 comprehensive plan and the 2007 Mims Small Area Study determined the future land use to be agricultural and set limits to (1) one dwelling unit per (5) acres west of Meadow Green Rd. Properties with approved RRMH-1, AU and AGR zoning classifications prior to the study were retained and adopted.

This property is located in this zoning classification area and an increase in density would be an encroachment into the existing neighborhood. The subject property does not serve as a transition between areas with land use designations of (6) six units per acre or existing land use designations equal to no more than (1) one unit per acre.

ADMINISTRATIVE POLICY 3

- A. Traffic
Safety issues due to increased traffic
- B. Material reduction of property values
Due to higher density and tiny homes, Real Estate comparable sales values for the subject area will decrease.
- C. Proposed use is not consistent with the emerging or existing pattern of surrounding development as determined through analysis of:
 - 1. Historical and use patterns..
 - 2. Actual development over the immediately preceding three years

Six new block, single family residences were built in the last three years. Two of them border the subject property.

- 3. Development approved but not constructed: one (1) SFR at 4110 Hog Valley Rd.
- D. Proposed use will result in a material violation of relevant policies.
Wetlands destruction have occurred.

ADMINISTRATIVE POLICY 4

CHARACTER OF A NEIGHBORHOOD

The character of the neighborhood, or area , will be materially or adversely affected by the proposed rezoning or land use application.

- A. The proposed rezoning and land use will cause a 200% increase in traffic on Gandy Rd.
Currently there are 14 single family residences on Gandy Rd.
Thirty more single family residences will cause a burden and significant safety and convenience Issues on an already poorly maintained dirt road that is only graded 12 times a year. The road is too narrow for two cars to pass each other at certain points, poorly drained, and unstable with loose soil.

- B.
 - 1. The subject property is part of Indian River Park.
Indian River Park is a clearly established residential neighborhood. Platted in 1914, the south Border is especially defined, as the south line of the Benardo Sequi Land Grant, and has been Mapped as such since the Spanish Land Grants.

The subject property's South line is also the south border of Indian River Park.
The north, west, and east boundaries are designated as agricultural land use with agricultural zoning. To the south is public conservation with general use and agricultural zoning.

- 2. The requested zoning and FLU could change the subject property to commercial use, if rent is charged. There are no commercial use properties in the entire area.

3. The area is not considered transitional.

ADMINISTRATIVE POLICY 5

- A. If the residents of proposed zoning change utilize public transportation, it would have a significant impact.
- B. The physical quality of Gandy Rd. will suffer significant deterioration with a 200% increase in traffic on a poorly maintained dirt road.
- C. Width of road
- D. Loose soils of Gandy Rd cause a traffic safety concern for pedestrians.
- F. It is likely Gandy Rd. would suffer adverse changes from the type of traffic that would be generated. Physical deterioration would occur from larger truck deliveries.

ADMINISTRATIVE POLICY 6

The proposed rezoning and FLU is not consistent with all written land development policies set forth in the administrative policies, including potable water, sanitary sewer and surface water.

ADMINISTRATIVE POLICY 7

The subject property contains mapped national wetlands inventory, St Johns River Water Management District wetlands and hydric soils.

Per section 62-3694(C)(1) residential land uses within wetlands shall be limited to not more than one dwelling unit per five acres.

The applicants have filled and cleared subject property without proper permits and are in clear violation of county codes.

WETLANDS

The subject property contains National Wetlands Inventory, St. Johns River Water Management District wetlands and hydric soils, Florida Department of Environmental Protection wetlands, and U.S. Army Corps of Engineers wetlands.

Per section 62-3694 (C) (1) (a) residential land uses within wetlands shall be limited to (not more than) one dwelling unit per five acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five acres as unbuildable. Properties with approved RRMH-1, AU and AGR zoning classifications prior to the study were retained and adopted.

This property also contains aquifer recharge soils and may contain protected and specimen trees and protected species.

The property is currently under investigation for destruction of wetlands with Brevard County Natural Resources and Florida Dept. of Environmental Protection.

Per section 62-3694 (C)(3). "In no instance shall a proposed land development activity result in increased flooding on adjacent properties".

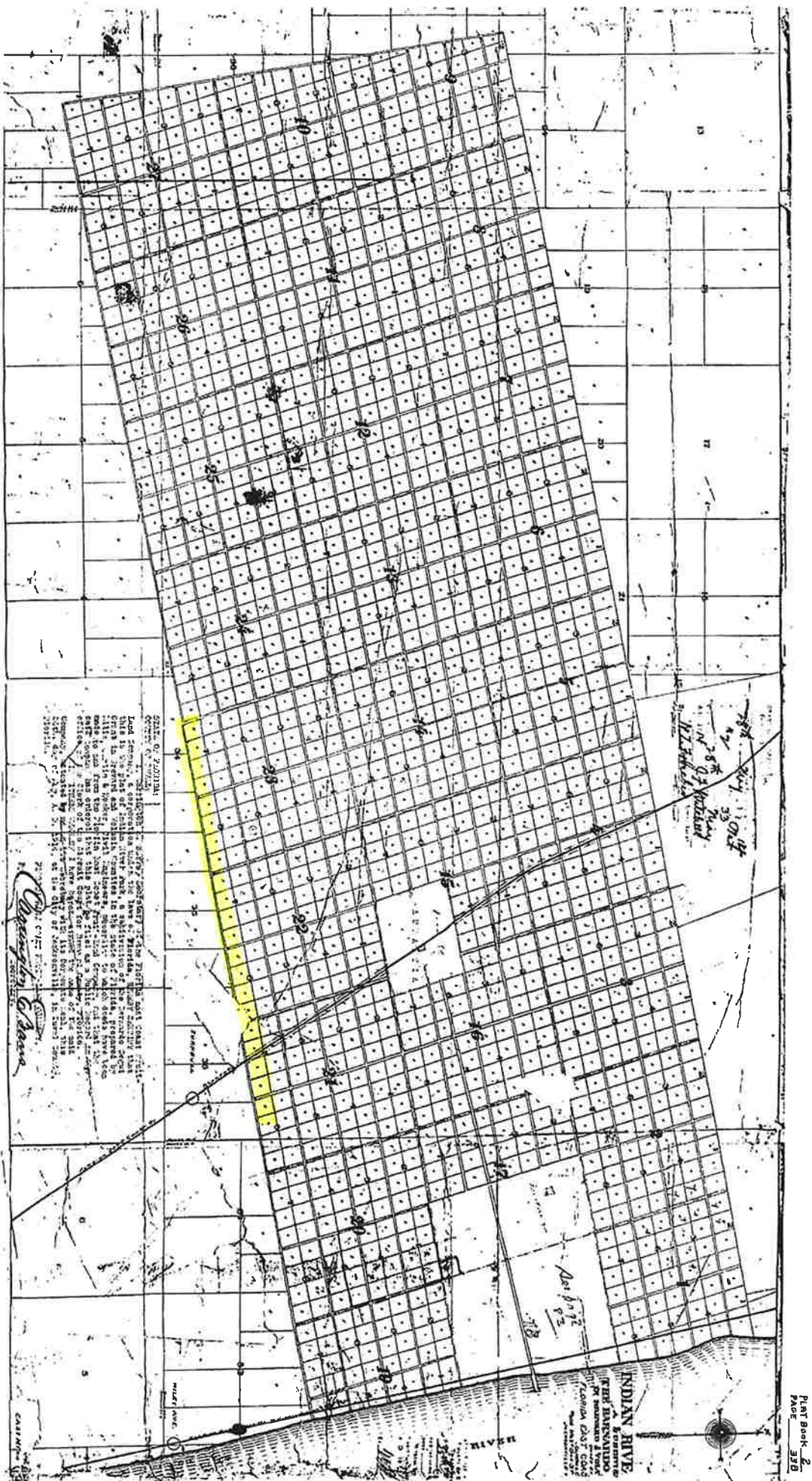
Many truckloads of fill dirt were brought onto this property without a permit to fill wetlands that has resulted in increased flooding on properties to the west and northwest.

This property also contains aquifer recharge soils that may have been covered with incompatible fill dirt.

SEPTIC

Although the state of Florida recognizes that any lot size under 1 acre should not be developed with a septic system, they only limit it to 1/2 acre lots per statute 381.0062. Understanding that they do make some exceptions for other pervious surfaces to be factored into that equation, it is disconcerting to consider allowing this landowner to change his land from 1 home per 5 acres to 1 home per 1/4 acre when the property is on a dirt road and will require well water and a septic system. According to Brevard County's B-map, he will not be required to install ATU systems. The standard septic systems coupled with increased density would lead to the long-term eutrophication of our lakes. The increase from 3 approved homesites to as many as 27 will increase the nitrogen by approximately 960 lbs per year and phosphorus by approximately 96 lbs per year. This type of community is best suited for an area already identified for higher density with better access to resources, proper roads, and sewer.

1



EX. 195 R/W

(6-83 Ac)

Q. W. 1536/903

1123/886

E. 1/2 CF TR. 2

(4.85Ac)

EX

25 A/W

1676Aej

ROAD

2.1

W. 1/2 OF TR. 2
EX RD R/W

(4.85Ac)

3.1

E. 12 OF
E. 12 OF
TRACT 3
EX. N. 14

19

(2.40 Ac)

1897/154 210

(1-38 Ac)

71

W. 1/2 OF
TR. 7

(4.86Ac)

2

E. 1/2 OF
TR. 7

(4-85 AG)

23

1846/992.
RD R/W

(EAc)

8.1

1846/992

(1.18 Ac)

GANDY



W 1/2 OF
TR 3

(48948)

 \approx

1/2 UF
1/2 OF
FACT 4
EX
1. 10'

-37 AC}

135.93

25 ACCESS ESMT 988 385

6

(9.7Ac)
























5601

2571.35

SOUTH LINE TENDU GRAY

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Mims Small Area Study
Adopted Future Land Use

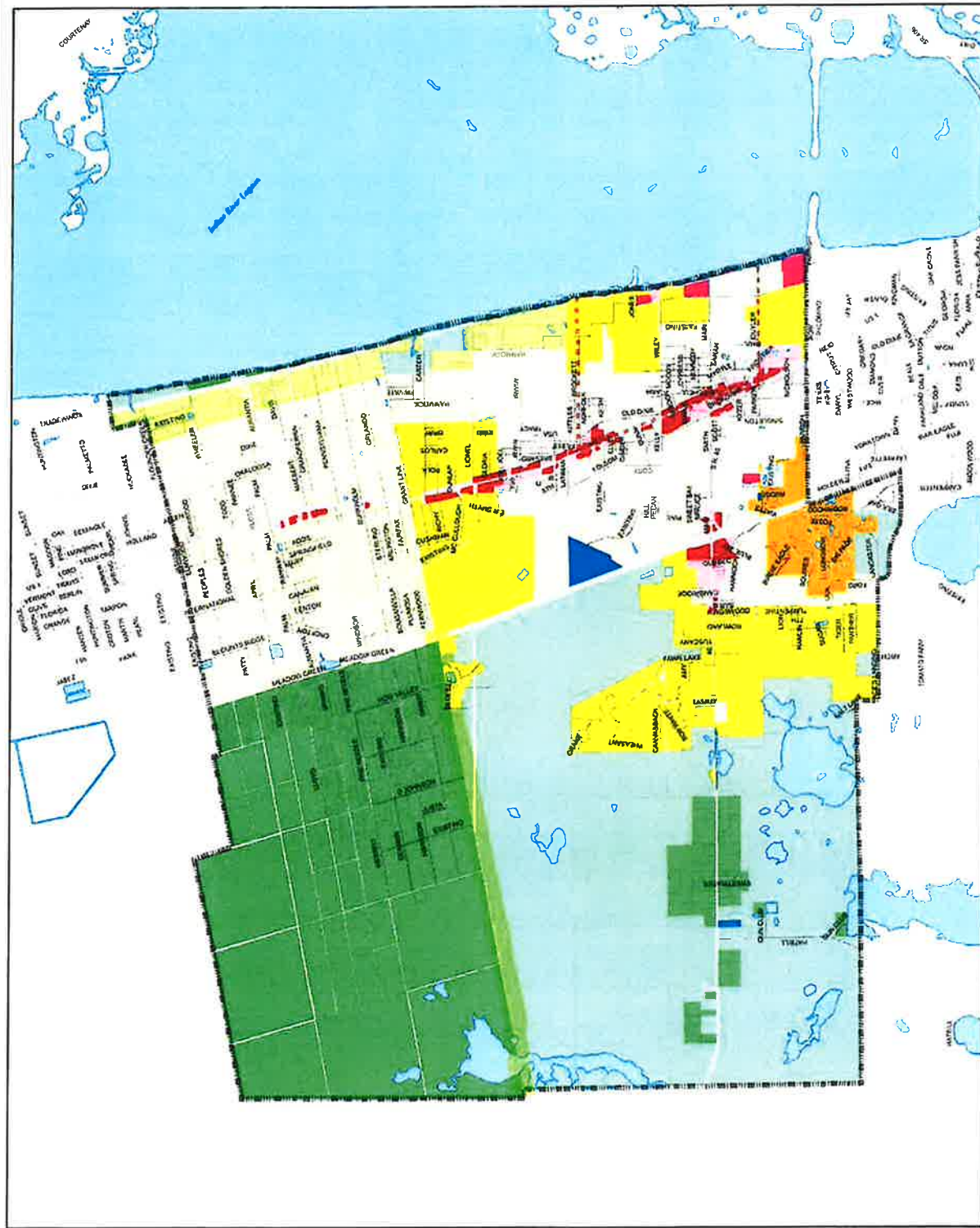
- Legend**
- | | |
|---|--------------------------|
|  | Home Area |
|  | East Mills Neighborhood |
|  | Future Land Use |
|  | AGRICULTURE |
|  | Agriculture |
|  | COMMERCIAL |
|  | Community Commercial |
|  | Neighborhood Commercial |
|  | CONSERVATION |
|  | Private Conservation |
|  | Public Conservation |
|  | INDUSTRIAL |
|  | Industrial |
|  | Planned Industrial Parks |
|  | PUBLIC |
|  | Public |
|  | Precorrelation |
|  | RESIDENTIAL |
|  | Residential 1-2 |
|  | Residential 1 |
|  | Residential 2 |
|  | Residential 4 |
|  | Residential 15 |

Disclaimer: This map has been created for discussion purposes in relation to the Mims Small Area Study. It should not be used for site specific Future Land Use information. Please Contact: Brevard County Planning & Zoning Office 321-633-2069 Roger.Hunt@brevardcounty.us



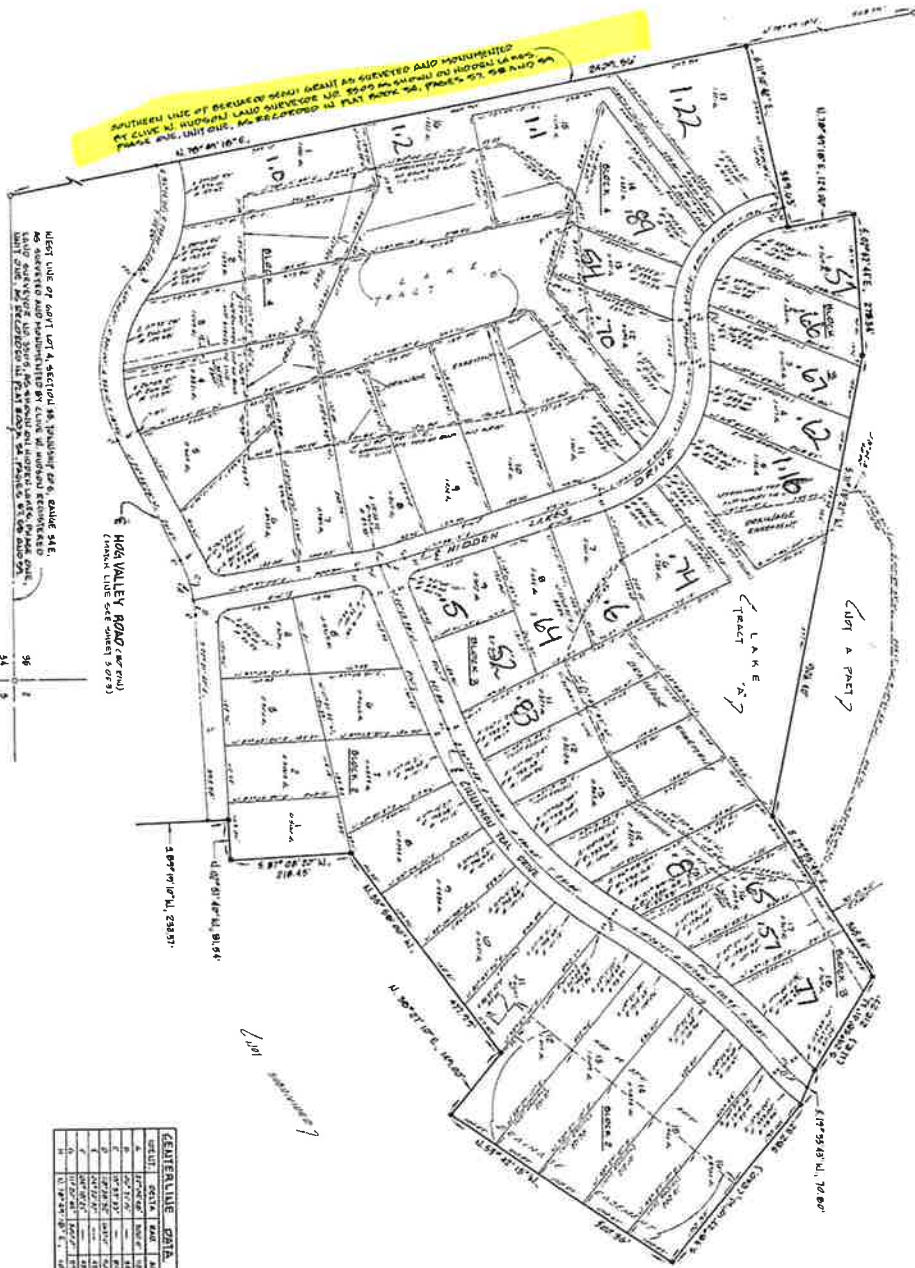
1 inch equals 1.0 mile

Prepared by: Brevard County Planning GIS



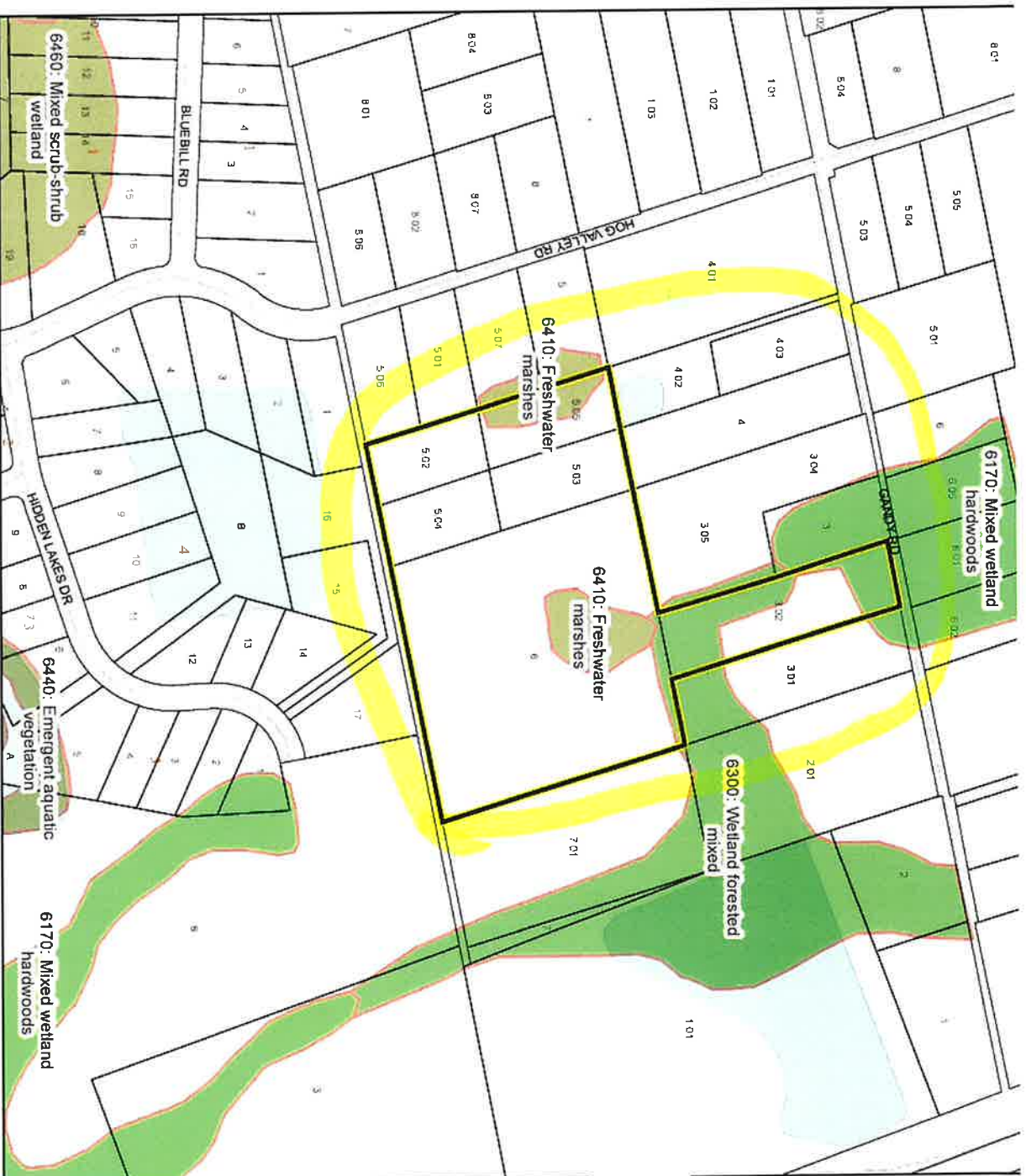
HIDDEN LAKES, PHASE ONE, UNIT ONE, REPLAT

PLAT BOOK 311 PAGE 37



5

7



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: 2/8/2024



survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/8/2024

Upland mixed forest - 4400 Series

Tree Plantations - 4400 Series

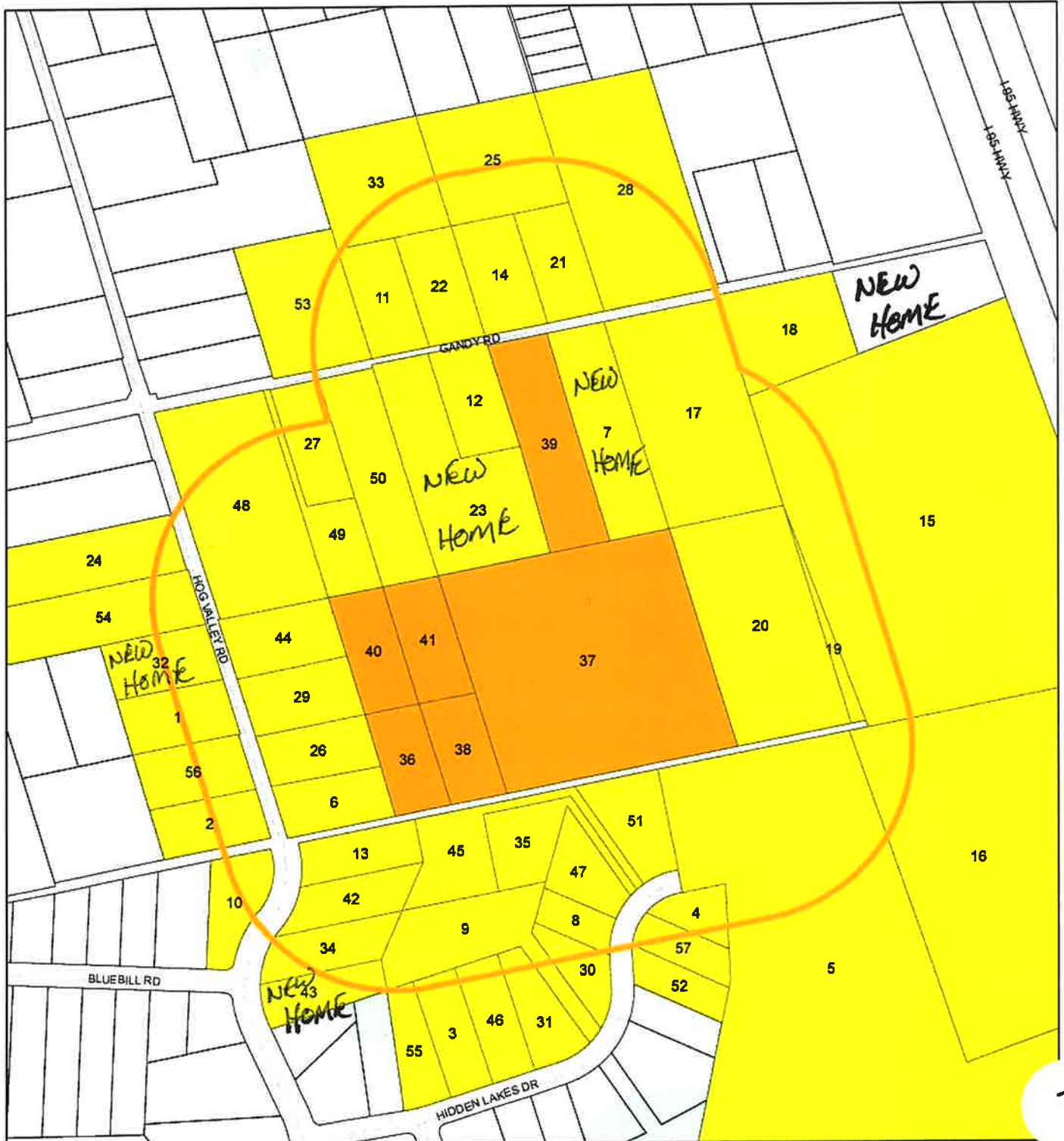
Subject Property

Parcels

RADIUS MAP

RENINGER, AARON

24SS00002



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.

Buffer

Subject Property

Notify

6

15



Subject Property
Parcels

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 herein.

Produced by BoCC - GIS Date: 2/8/2024

88

GANDY ROAD TINY HOME SUBDIVISION

MIMS, FLORIDA
DATE: MAY 13, 2024
PREPARED FOR: AARON RENINGER

GENERAL STATEMENT
THIS PROJECT IS A CONCEPTUAL SUBDIVISION. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ANY KIND. THE INFORMATION CONTAINED HEREIN IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

CONTRACT INFORMATION
OWNER: AARON RENINGER
PROJECT: GANDY ROAD TINY HOME SUBDIVISION
DATE: MAY 13, 2024
SHEET: 1 OF 1

SITE DATA
SUBDIVISION: GANDY ROAD TINY HOME SUBDIVISION
TRACT: 1
SECTION: 1
TOWNSHIP: 1
RANGE: 1
COUNTY: 1

SURVEY NOTES
1. THE SURVEY WAS CONDUCTED ON MAY 13, 2024.
2. THE SURVEY WAS CONDUCTED BY AARON RENINGER.
3. THE SURVEY WAS CONDUCTED AT THE FOLLOWING LOCATION: GANDY ROAD TINY HOME SUBDIVISION, MIMS, FLORIDA.

LEGAL DESCRIPTION
THE LAND DESCRIBED IN THIS INSTRUMENT IS THE SAME AS THE LAND DESCRIBED IN THE INSTRUMENT DATED MAY 13, 2024, AND IS THE SAME AS THE LAND DESCRIBED IN THE INSTRUMENT DATED MAY 13, 2024.

LEGEND:

DESCRIPTION

PROPERTY LINE

ADJACENT PROPERTY

CONCRETE SUBDIVISION

LEGEND:

1. 1/4 SECTION 1, TOWNSHIP 1, RANGE 1, COUNTY 1

2. 1/4 SECTION 2, TOWNSHIP 1, RANGE 1, COUNTY 1

3. 1/4 SECTION 3, TOWNSHIP 1, RANGE 1, COUNTY 1

4. 1/4 SECTION 4, TOWNSHIP 1, RANGE 1, COUNTY 1

5. 1/4 SECTION 5, TOWNSHIP 1, RANGE 1, COUNTY 1

6. 1/4 SECTION 6, TOWNSHIP 1, RANGE 1, COUNTY 1

7. 1/4 SECTION 7, TOWNSHIP 1, RANGE 1, COUNTY 1

8. 1/4 SECTION 8, TOWNSHIP 1, RANGE 1, COUNTY 1

9. 1/4 SECTION 9, TOWNSHIP 1, RANGE 1, COUNTY 1

10. 1/4 SECTION 10, TOWNSHIP 1, RANGE 1, COUNTY 1

11. 1/4 SECTION 11, TOWNSHIP 1, RANGE 1, COUNTY 1

12. 1/4 SECTION 12, TOWNSHIP 1, RANGE 1, COUNTY 1

13. 1/4 SECTION 13, TOWNSHIP 1, RANGE 1, COUNTY 1

14. 1/4 SECTION 14, TOWNSHIP 1, RANGE 1, COUNTY 1

15. 1/4 SECTION 15, TOWNSHIP 1, RANGE 1, COUNTY 1

16. 1/4 SECTION 16, TOWNSHIP 1, RANGE 1, COUNTY 1

17. 1/4 SECTION 17, TOWNSHIP 1, RANGE 1, COUNTY 1

18. 1/4 SECTION 18, TOWNSHIP 1, RANGE 1, COUNTY 1

19. 1/4 SECTION 19, TOWNSHIP 1, RANGE 1, COUNTY 1

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49. 1/4 SECTION 49, TOWNSHIP 1, RANGE 1, COUNTY 1

50. 1/4 SECTION 50, TOWNSHIP 1, RANGE 1, COUNTY 1

