



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.7.

9/5/2024

Subject:

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).

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 change of zoning classification from RRMH-1 (Rural Residential Mobile Home) to TR-3 (Mobile Home Park) with an amended BDP (Binding Development Plan).

Summary Explanation and Background:

The applicant is requesting to change the zoning classification from RRMH-1 (Rural Residential Mobile Home) to TR-3 (Mobile Home Park) on a 17.01 acre parcel to develop a tiny home development that would allow mobile homes, tiny homes, and tiny homes on wheels. The subject parcel is currently undeveloped and has access on Gandy Road, a county-maintained roadway.

A companion application, 24SS00002, if approved, would amend the FLUM designation from Agricultural (AGRIC) to Residential 6 (RES 6). The requested RES 6 FLUM designation would establish low density residential development with a maximum density of up to six (6) units per acre.

The owner/applicant has provided a Binding Development Plan (BDP) that would limit maximum residential density to two (2) units per acre and a minimum lot size of one-quarter acre.

To the north of the subject property is a vacant property with a zoning classification of RRMH-1 and a FLU designation of AGRIC. There are single-family, site-built homes on both the east and west of this access strip that have a zoning classification of GU and RRMH-1 and FLU designation AGRIC. To the south, the Hidden Lakes subdivision with a minimum lot size requirement of one-half acre lots for manufactured housing has a TR-2 zoning classification and a FLU designation of RES 2. There are 67 lots in this subdivision with an average size of 0.9 acres.

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 may wish to consider whether the proposed zoning request is consistent and compatible with the surrounding area.

On August 12, 2024, the Planning and Zoning Board heard the request and unanimously recommended denial of the request based on impacts to Hog Valley Road and the increase in density.

Clerk to the Board Instructions:

Upon receipt of resolution, please execute and return a copy 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.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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(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: 8/12/2024

Board of County Commissioners: 9/5/2024

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.

Background and Purpose of Request

The applicant is requesting to change the zoning classification from RRMH-1 (Rural Residential Mobile Home) to TR-3 (Mobile Home Park) on a 17.01-acre parcel to develop a tiny home development that would allow mobile homes, tiny homes, and tiny homes on wheels. The owner/applicant has provided a Binding Development Plan (BDP) that would limit maximum residential density to two (2) units per acre and minimum lot size to one-quarter acre. The subject parcel is currently undeveloped and has access on Gandy Road, a county-maintained roadway.

A companion application, **24SS00002**, if approved, would amend the FLUM designation from Agricultural (AGRIC) to Residential 6 (RES 6). The requested RES 6 FLUM designation would establish low density residential development with a maximum density of up to six (6) units per acre.

The underlying general area was platted in 1914 (Indian River Park subdivision – plat book 2, page 338) as 10-acre tracts. Currently, the 17.01-acre subject property is comprised of six separate, contiguous parcels. Only one parcel encompassing 9.7 acres, meets the 5-acre minimum lot size requirement for the GU zoning classification. The remaining five parcels have been modified after the original platting in 1914 and may not be considered nonconforming lots of record unless the applicant can demonstrate that the current lot configurations were established prior to May 20, 1975. Prior to that date the minimum lot size requirement for GU was one (1) acre.

In 1988, the Comprehensive Plan was adopted establishing an Agricultural FLUM designation on the subject property that also required a minimum lot size of 5 acres.

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, AU and AGR zoning classifications prior to the study were retained and adopted. The remaining lot 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, a complaint was filed regarding unpermitted land clearing and alteration activities, including in wetlands. There are Code enforcement cases pending on three of the six parcels included in this request.

The BDP stipulates that the Owner shall:

- Limit density to two (2) units per acre;
- Provide for a minimum lot size of one quarter acre; and
- Development limited to 30 total units.

Surrounding Area

	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

To the north of the subject property is a vacant property with a zoning classification of RRMH-1 and a FLU designation of AGRIC.

There are single-family, site-built homes on both the east and west of this access strip that have a zoning classifications of GU and RRMH-1 and FLU designation AGRIC.

To the south, the Hidden Lakes subdivision with a minimum lot size requirement of one-half acre lots for manufactured housing has a TR-2 zoning classification and a FLU designation of RES 2. There are 67 lots in this subdivision with an average size of 0.9 acres.

GU classification is a holding category, allowing single-family residences on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet.

The current RRMH-1 rural residential mobile home zoning classification permits single-family mobile home development and agricultural uses which are conducted in such a way as to minimize possible incompatibility to residential development. Required lot size is one acre with a minimum width and depth of 125 feet. The minimum living area is 600 square feet.

TR-2 single-family mobile home zoning classification on one-half acre with a minimum width of 100 feet and depth of not less than 150 feet.

TR-3 mobile home park zoning classification requested by this application permits mobile homes and modular coaches, exclusive of travel trailers and recreation vehicles. The TR-3 zoning classification requires a minimum density of six units per acre. The RES 6

density required to support this rezoning introduces a higher density than found anywhere else in the vicinity. A Tiny house or a THOW is permitted with conditions. Minimum size of mobile home site is 4,000 square feet with a minimum width of 40 feet. A 50 feet perimeter setback is required from all property lines except for the TR-2 property to south. Minimum floor is 500 square feet.

Future Land Use

The subject property is currently designated as Agricultural (AGRIC) FLUM designation. The current RRMH-1 zoning is not consistent with the existing AGRIC FLUM designation. The proposed TR-3 zoning is not consistent with the existing AGRIC FLUM designation or RES 2.

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

FLUE Administrative Policy 3 - Compatibility between this site and the existing or proposed land uses in the area. 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 development must meet concurrency and performance standards.

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development;

Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed use.

- 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.

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.

There are three (4) FLU designations within 500 feet of the subject site: RES 2, AGRIC, PUB and PUB-CONS.

- 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 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.

FLUE 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 to a residential density of two (2) units per acre by the BDP would introduce one quarter acre lots into the area but should not adversely impact concurrency standards.

- 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 is located in a residential area. The surrounding zoning classifications are for larger lot residential development.

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 US Hwy 1, from Burkholm Rd to the Volusia County Line, which has a Maximum Acceptable Volume (MAV) of 40,300 trips per day, a Level of Service (LOS) of D, and currently operates at 11.04% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.02%. The corridor is anticipated to operate at 11.06% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

The parcel is not serviced by public sewer or within the Brevard County service area for potable water. The closest available Brevard County potable water line or sewer connection to the subject property is approximately two and half (2.5) miles southeast across I-95 HWY at the north end of Sanctuary Drive.

A school concurrency determination letter has been provided the School Board staff indicating that the proposed development, limited to 30 units would generate thirteen (13) students and that there is adequate capacity at the elementary, middle school and senior high school levels to accommodate the potential and projected student demand.

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.

For Board Consideration

The Board should consider if the request is consistent and compatible with the surrounding area. The Board may also consider if the Binding Development Plan mitigates any off-site impacts.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary

Item No. 24Z00005

Applicant: Kimberly Rezanka (Owner: Aaron Reninger)

Zoning Request: RRMH-1 to TR-3

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

Zoning 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.

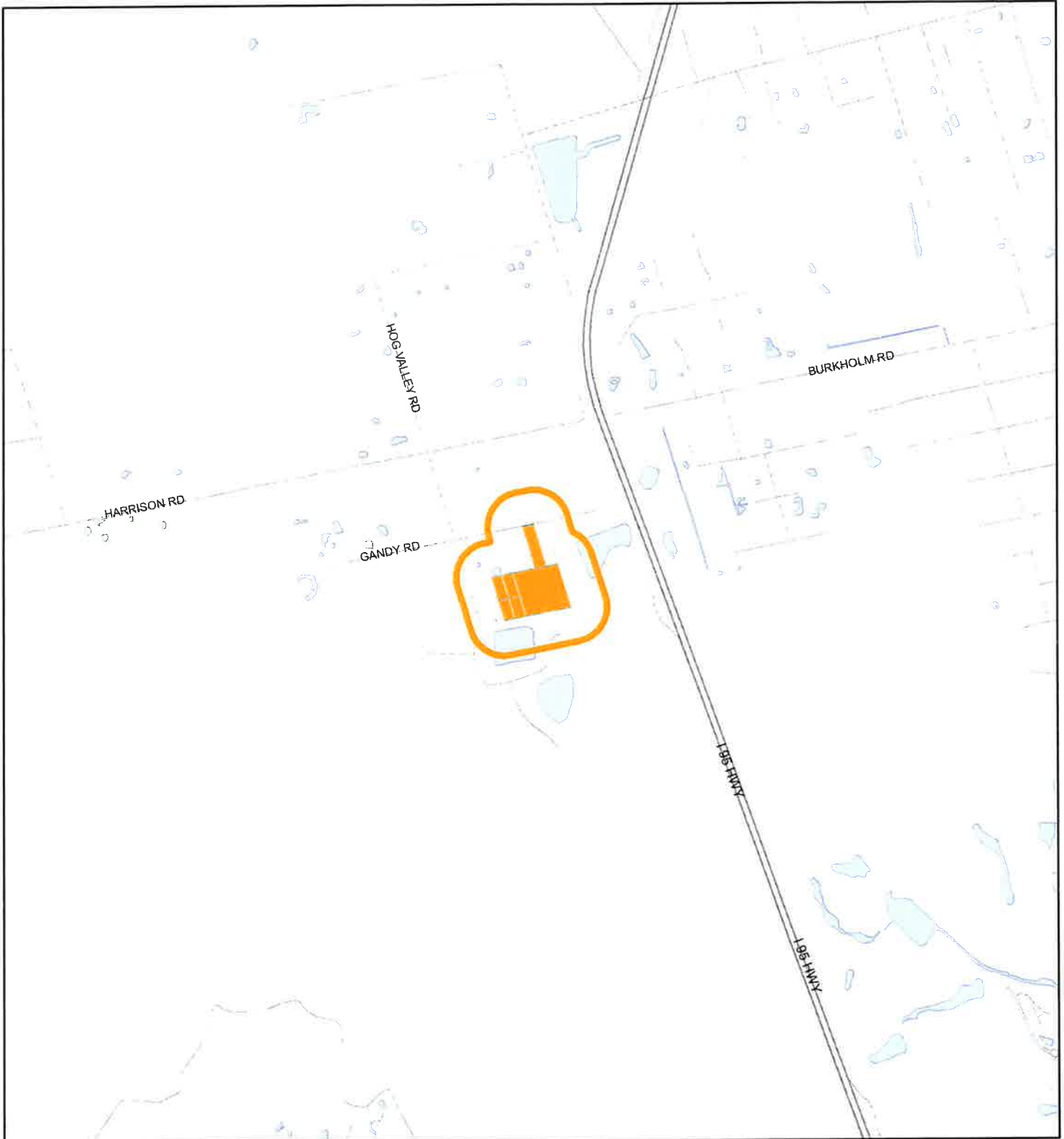
Potential Code Enforcement

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

LOCATION MAP

RENINGER, AARON

24Z00005



1:24,000 or 1 inch = 2,000 feet

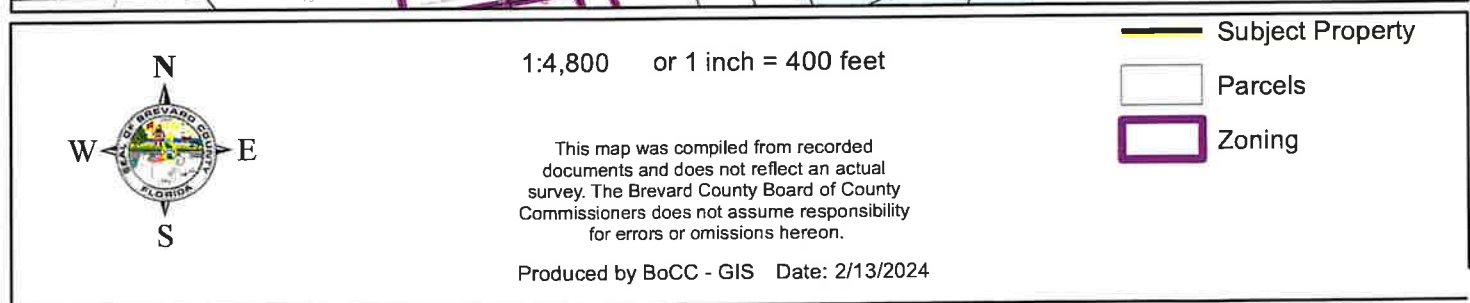
Buffer Distance: 500 feet

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: 2/13/2024

— Buffer
— Subject Property

24Z00005



FUTURE LAND USE MAP

RENINGER, AARON

24Z00005



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: 2/13/2024

AERIAL MAP

RENINGER, AARON

24Z00005



1:3,600 or 1 inch = 300 feet

PHOTO YEAR: 2023

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: 2/13/2024

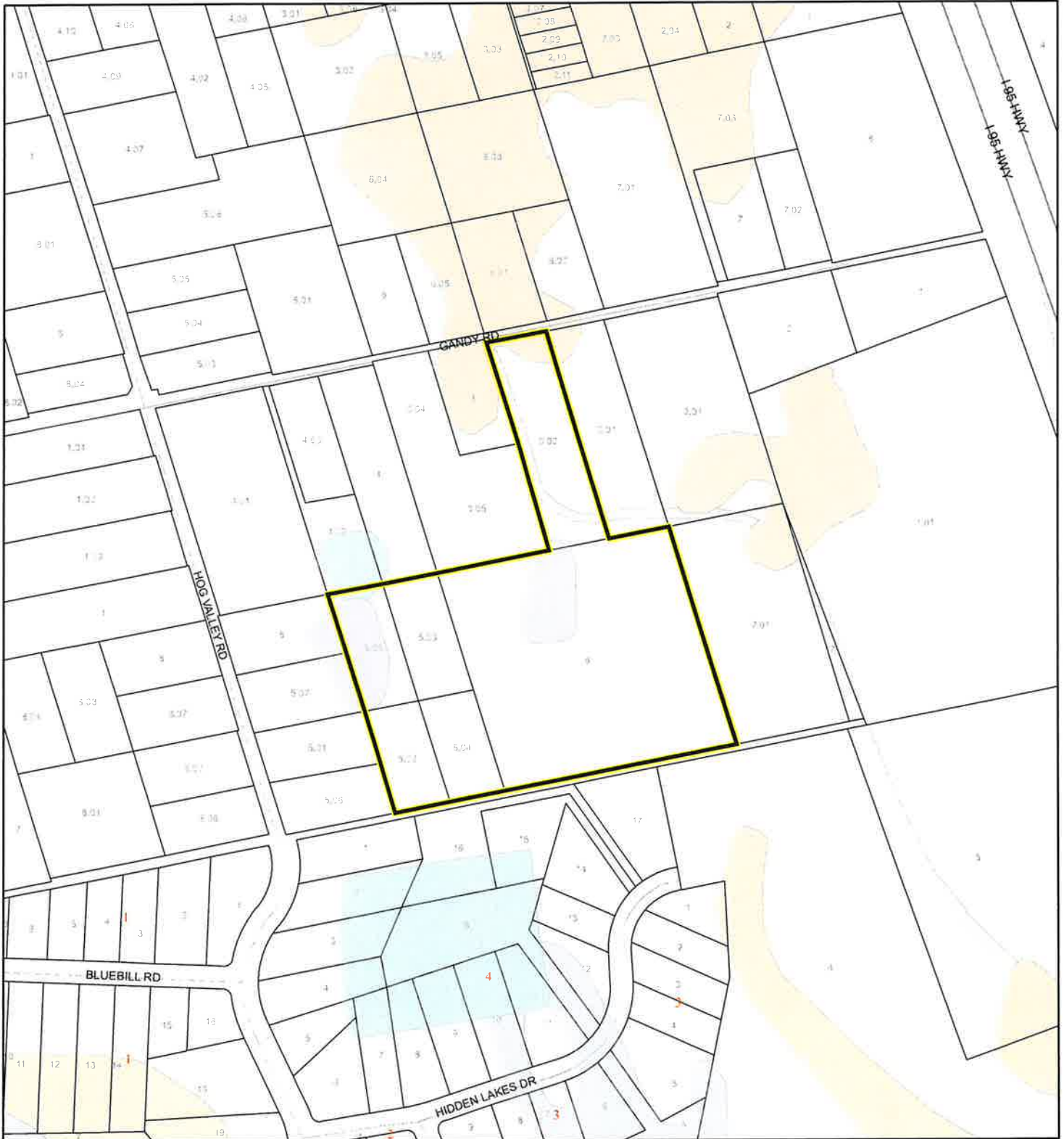
 Subject Property

 Parcels

NWI WETLANDS MAP

RENINGER, AARON

24Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2024

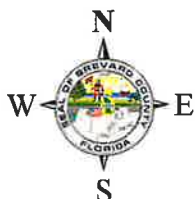
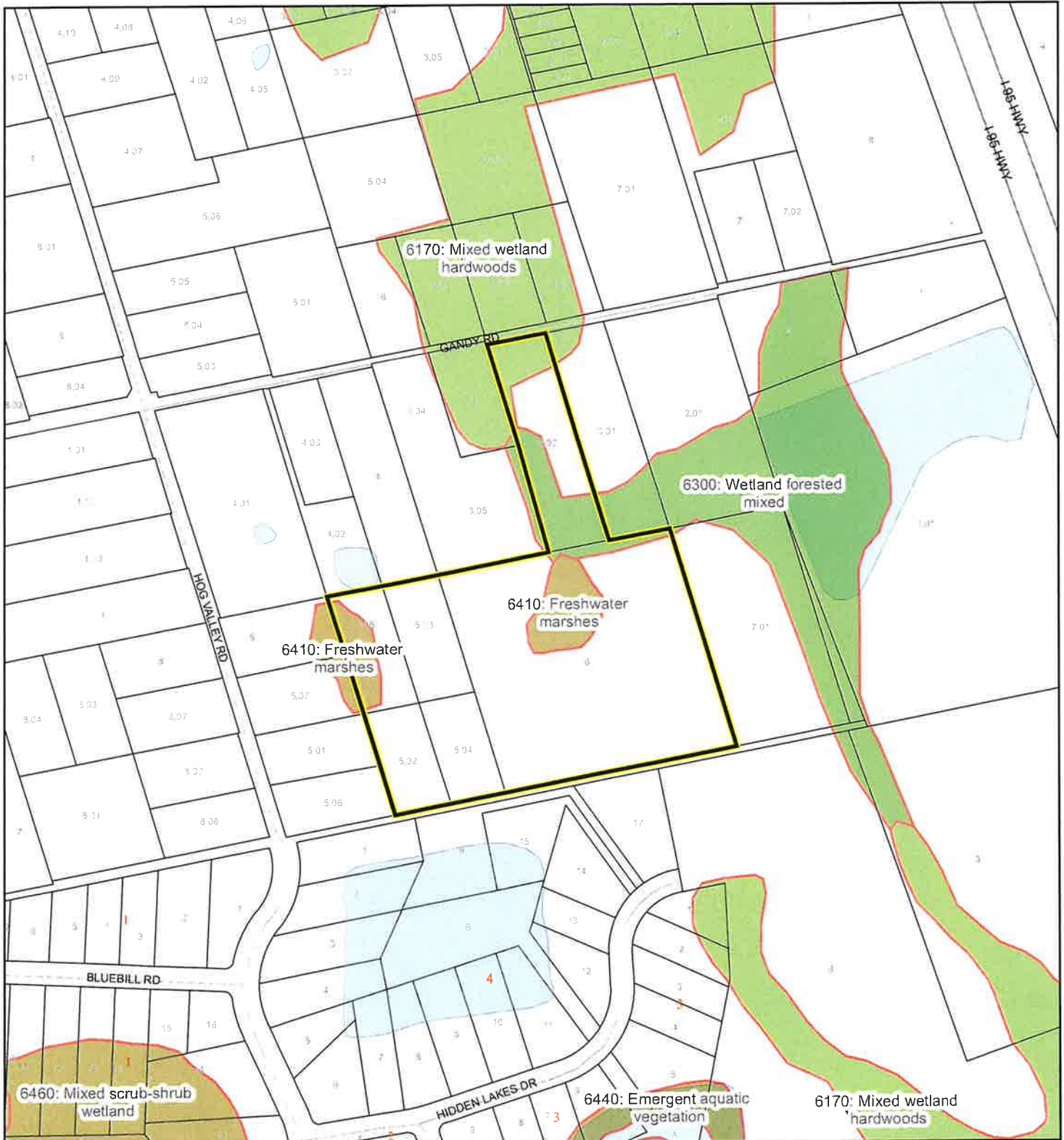
National Wetlands Inventory (NWI)

- | | |
|-----------------------------------|------------------|
| 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

24Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2024

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

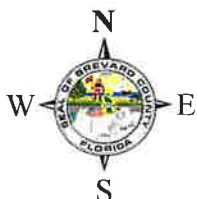
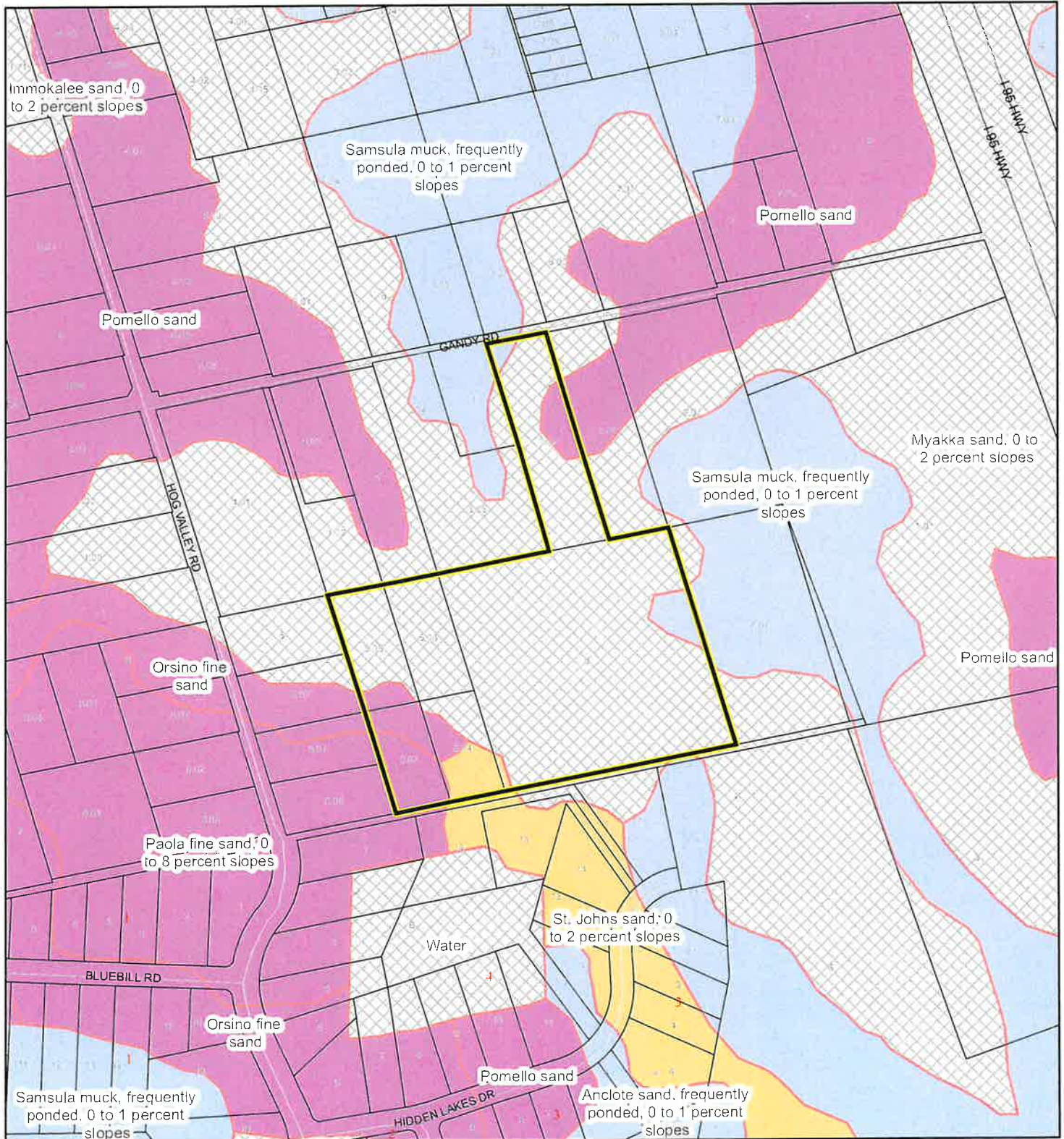
Subject Property

Parcels

USDA SCSSS SOILS MAP

RENINGER, AARON

24Z00005



1:4,800 or 1 inch = 400 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: 2/13/2024

USDA SCSSS Soils

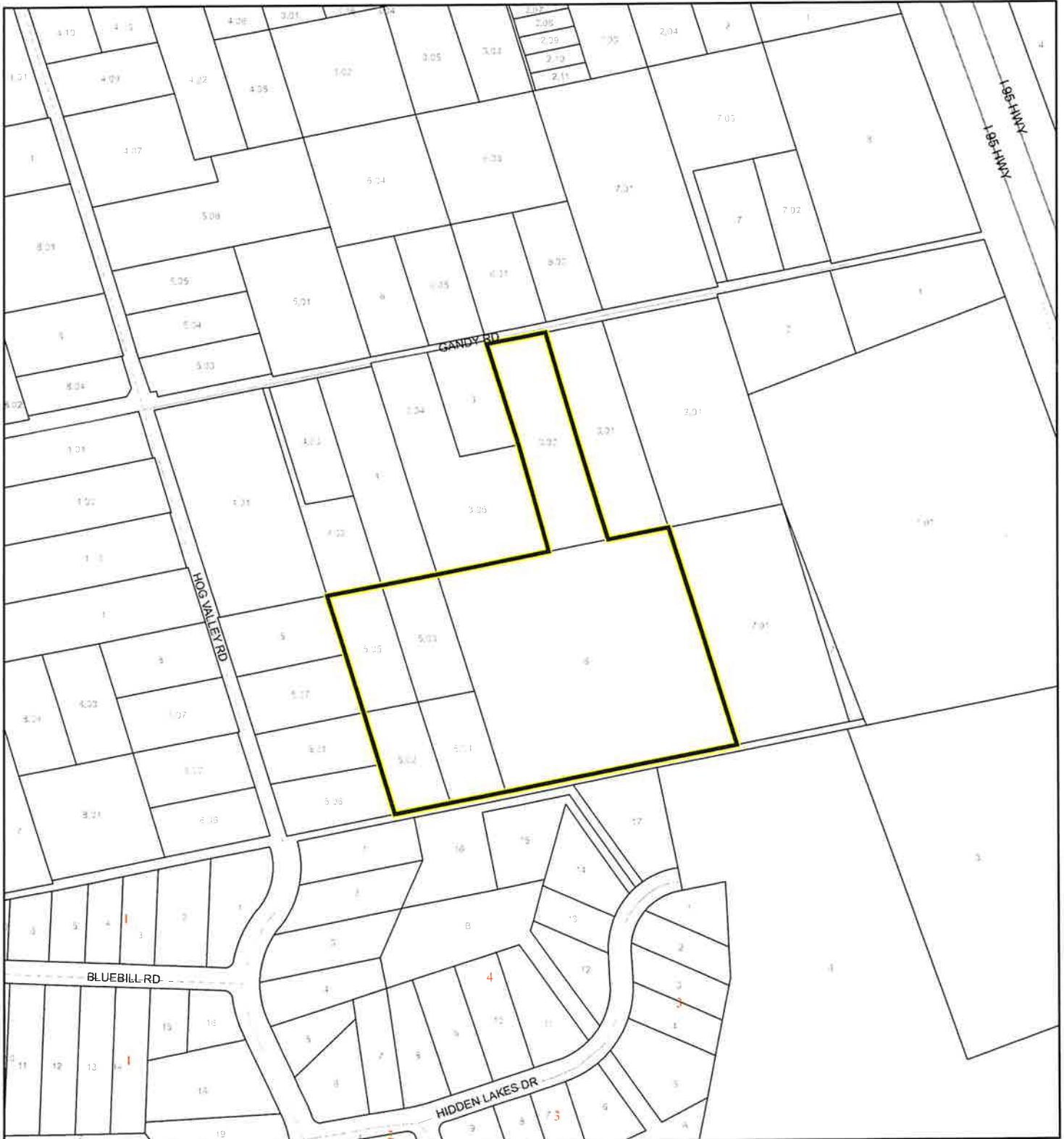
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

RENINGER, AARON

24Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2024

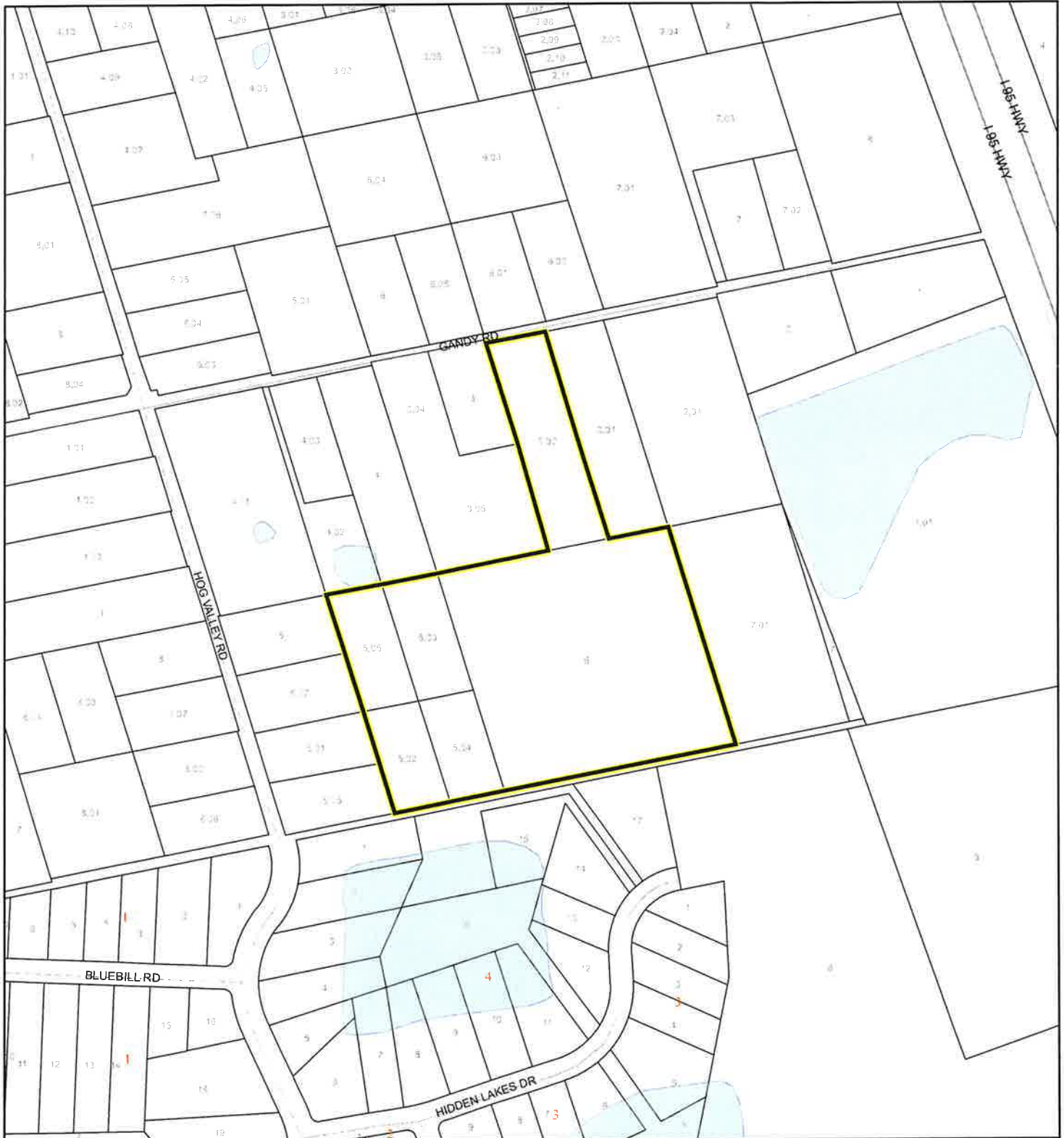
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

COASTAL HIGH HAZARD AREA MAP

RENINGER, AARON

24Z00005



1:4,800 or 1 inch = 400 feet


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Produced by BoCC - GIS Date: 2/13/2024

 Subject Property

 Parcels

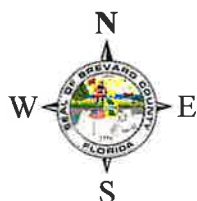
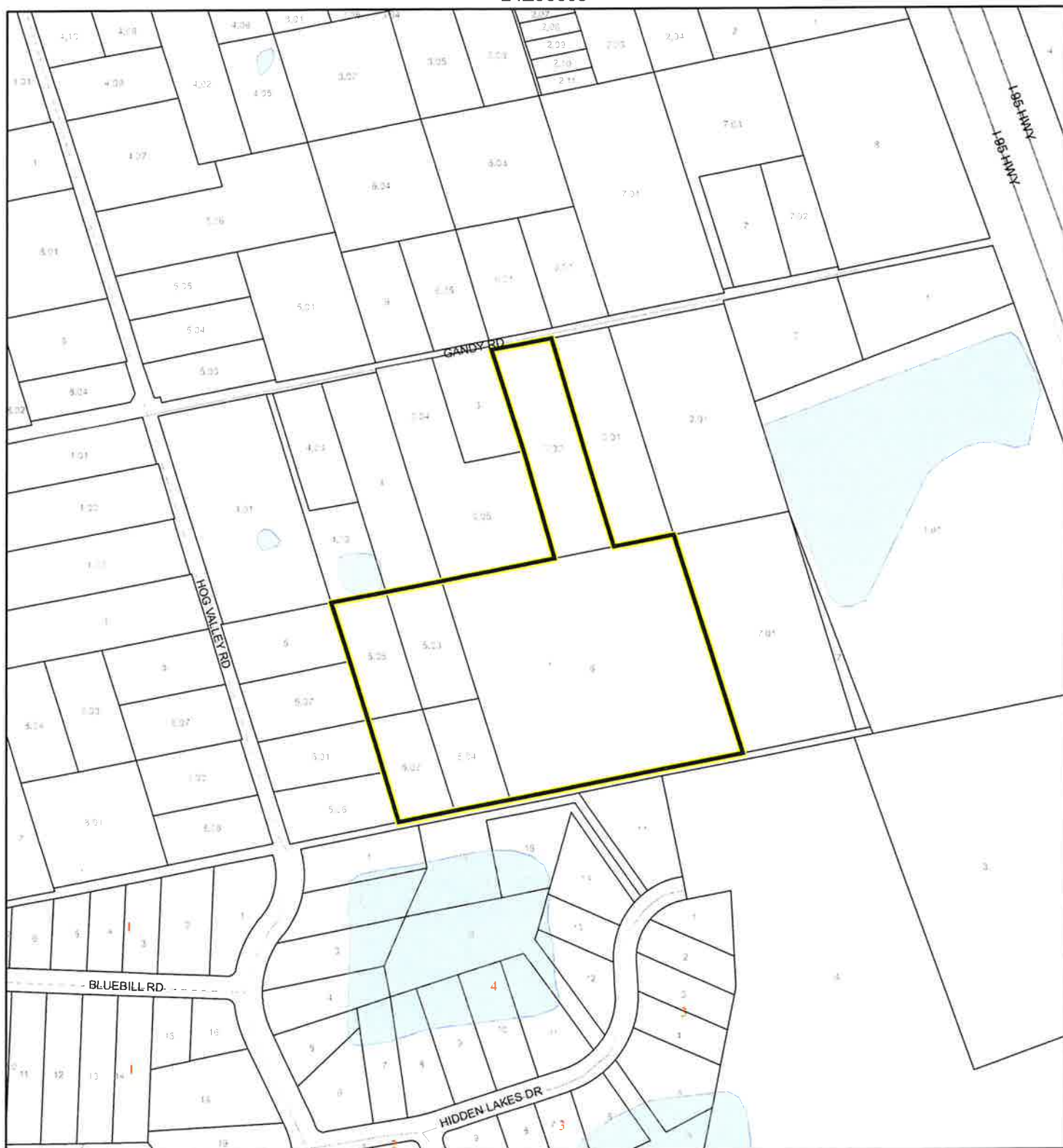
Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

RENINGER, AARON

24Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2024

Subject Property

Parcels

Septic Overlay

40 Meters

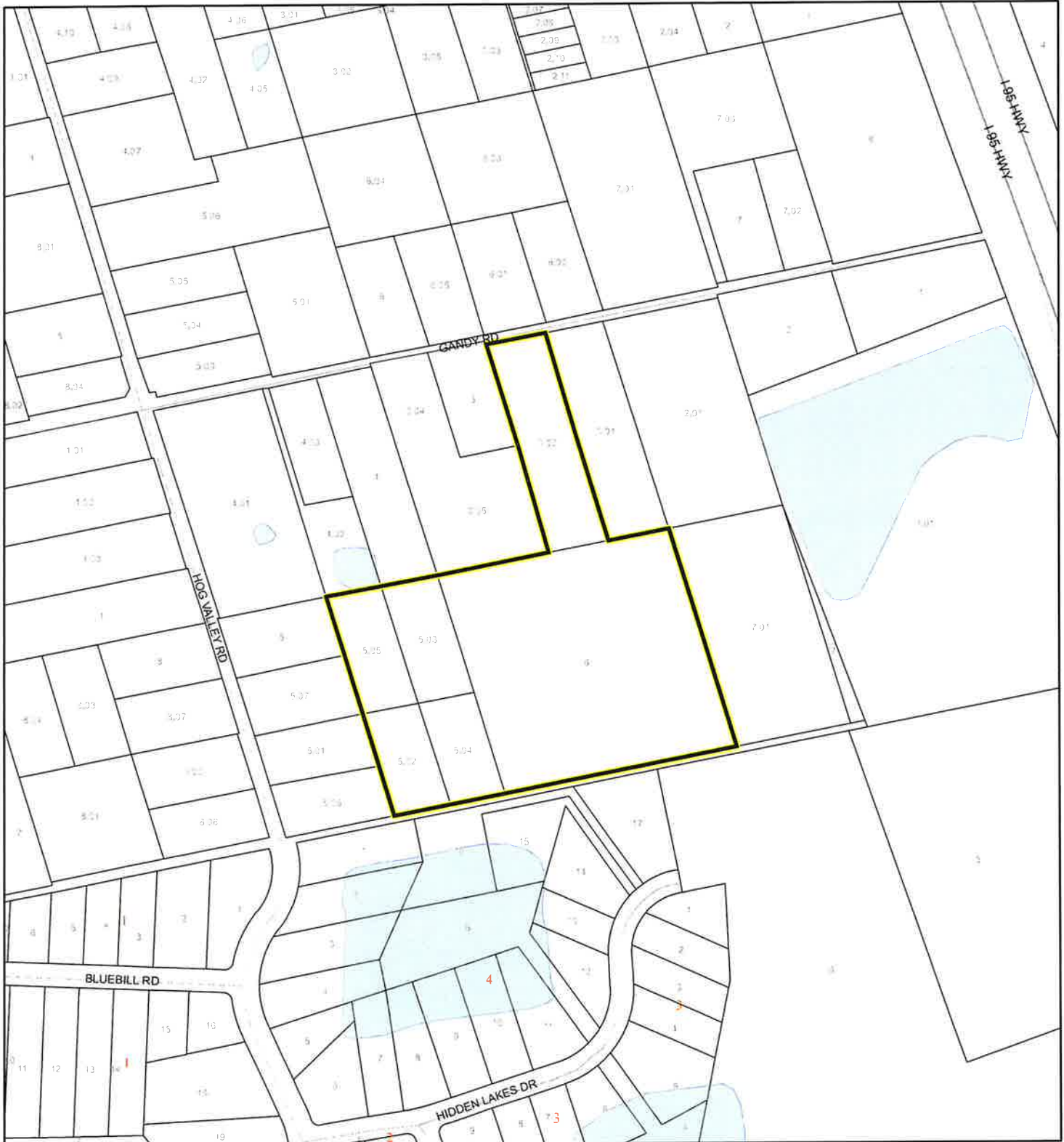
60 Meters

All Distances

EAGLE NESTS MAP

RENINGER, AARON

24Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2024

 Subject Property

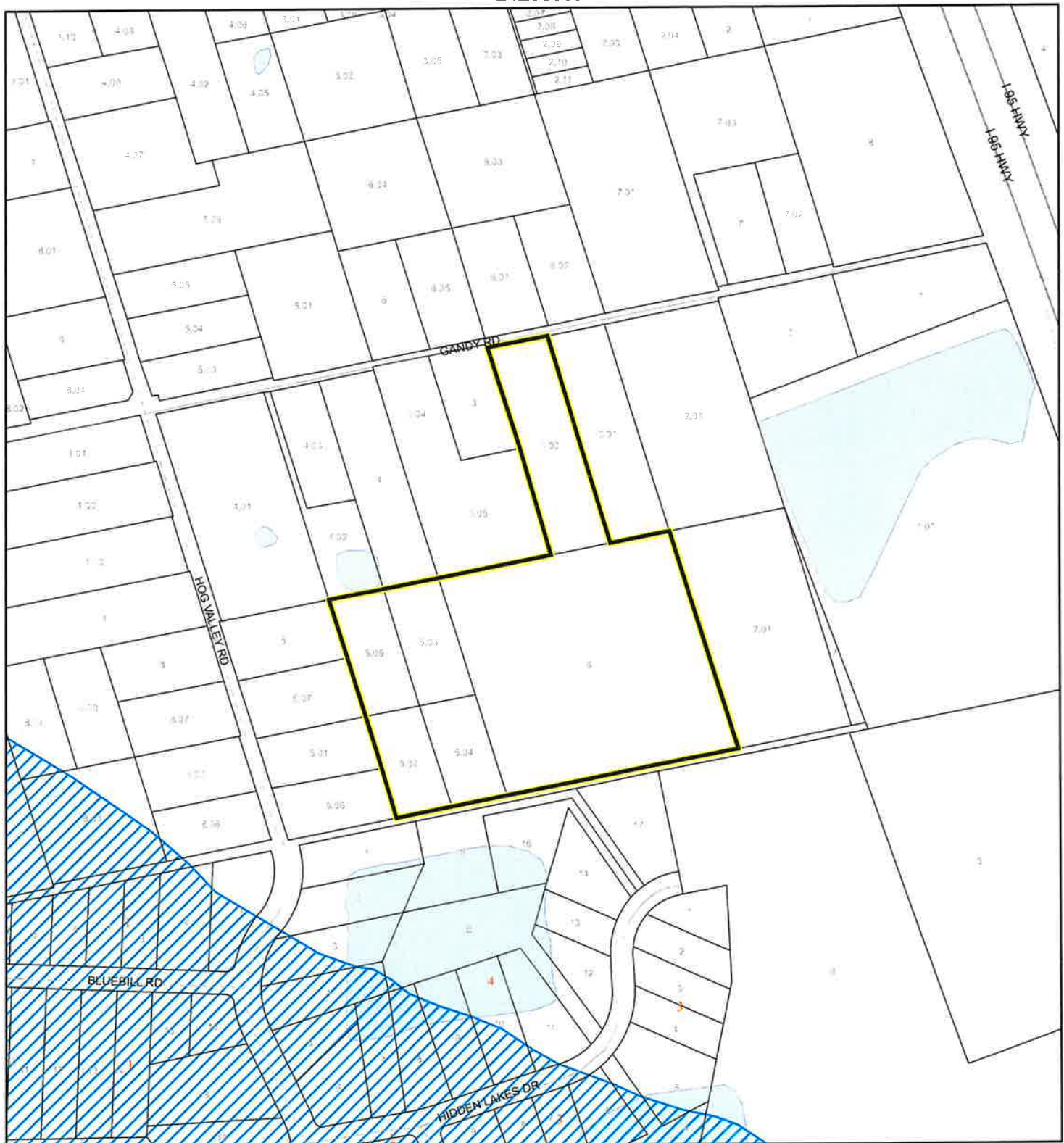
 Parcels

 Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP

RENINGER, AARON




24Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2024

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

RENINGER, AARON

24Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/13/2024

SJRWMD FLUCCS Upland Forests

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

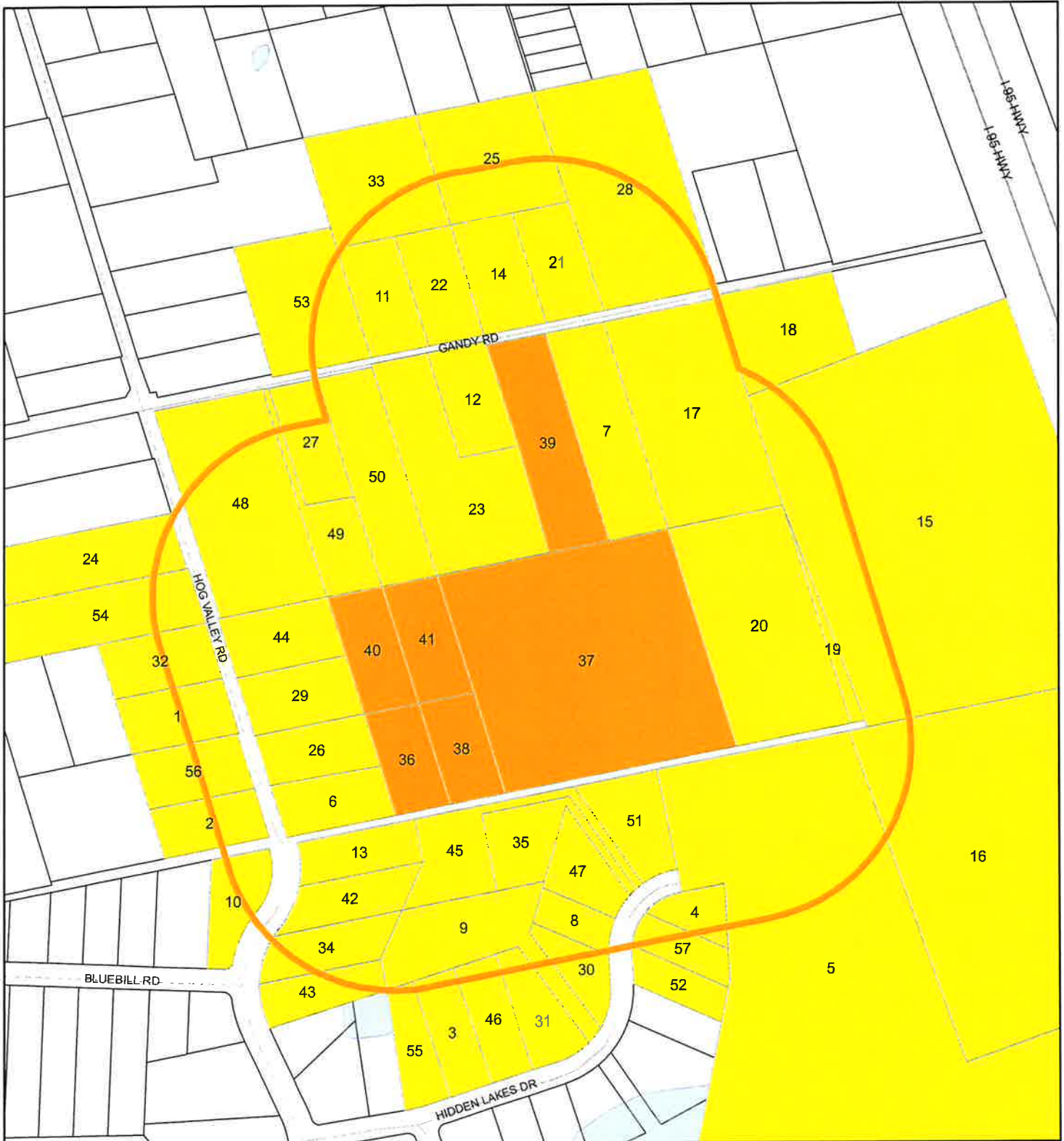
Subject Property

Parcels

RADIUS MAP

RENINGER, AARON

24Z00005



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.

Produced by BoCC - GIS Date: 2/13/2024

- Buffer
- Subject Property
- Notify Property
- Parcels

Prepared by: Kimberly B. Rezanka, Esq.
Address: Lacey Lyons Rezanka
1290 Rockledge Blvd. Ste 103
Rockledge, FL 32955

BINDING DEVELOPMENT PLAN (BDP)

THIS AGREEMENT, entered into this _____ day of _____, 2024 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Aaron Reninger, (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Developer/Owner has requested the zoning classification of TR-3 and desires to develop the Property as a mobile home or tiny home community limited to thirty (30) units with large lot sizes of a quarter (1/4) acre minimum and pursuant to the Brevard County Code, Section 62-1157; and;

WHEREAS, Developer/Owner has requested a small scale amendment to the County's Future Land Use Map from AGRIC to RES6 to develop the Property consistent with the TR-3 requirements, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting landowners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the

Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

3. The Developer/Owner shall limit density to two (2) units per acre, shall provide for a minimum lot size of a quarter (1/4) acre, shall be limited to thirty (30) units, and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.
4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.
5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.
6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on _____. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.
7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.
8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7 above.
9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940

Rachel M. Sadoff, Clerk of Court
(SEAL)

Rita Pritchett, Chair
As approved by the Board on _____

WITNESSES:

DEVELOPER/OWNER
Aaron Reninger
1865 S. Banana River Drive, Merritt Island, FL 32952

(Witness Name typed or printed)

(Witness Name typed or printed)

STATE OF FLORIDA §

COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me, by means of ____ physical presence or ____ online notarization, this ____ day of _____, 2024, by Aaron Reninger, who is personally known to me or who has produced _____ as identification.

My commission expires:
SEAL
Commission No.:

Notary Public
(Name typed, printed or stamped)

EXHIBIT "A"

LEGAL DESCRIPTIONS:

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-34-22-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-34-22-AI-7-5.03

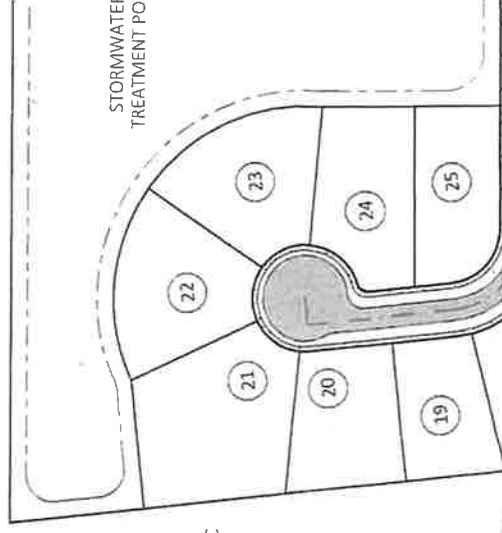
THE EAST 1/2 OF THE NORTHEAST 1/4 OF TRACT 5, BLOCK 7, SECTION 22, TOWNSHIP 20 SOUTH, RANGE 34 EAST, ACCORDING TO THE PLAT OF INDIAN RIVER PARK, RECORDED IN PLAT BOOK 2, PAGE 33, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

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.

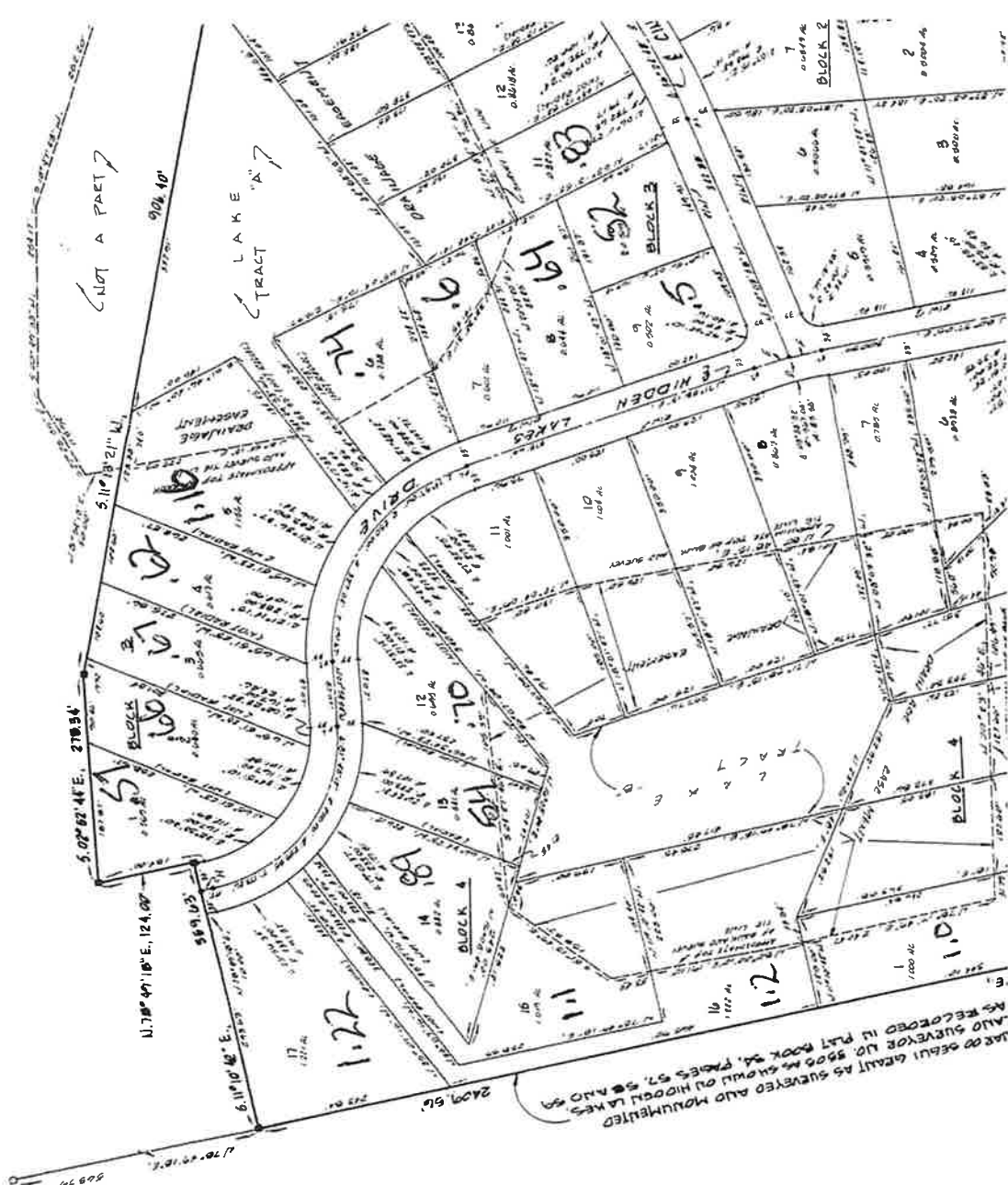
PARCEL ID: 2DG-34-22-AI-7-5.02

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.



HIDDEN LAKES, PHASE ONE, UNIT

NON SUBDIVIDED



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 be 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.

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

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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.

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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 & 24SS0000 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 24ZO0005
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](#)

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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

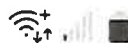
We are voicing our objection to the rezoning request # 24SS00002 and # 24Z00005 on Gandy Rd. In Mims. The FLU for this area has been long established at one trailer or home per acre or more than one acre if not already subdivided. Around 1986 the state of Florida required all counties to set aside an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

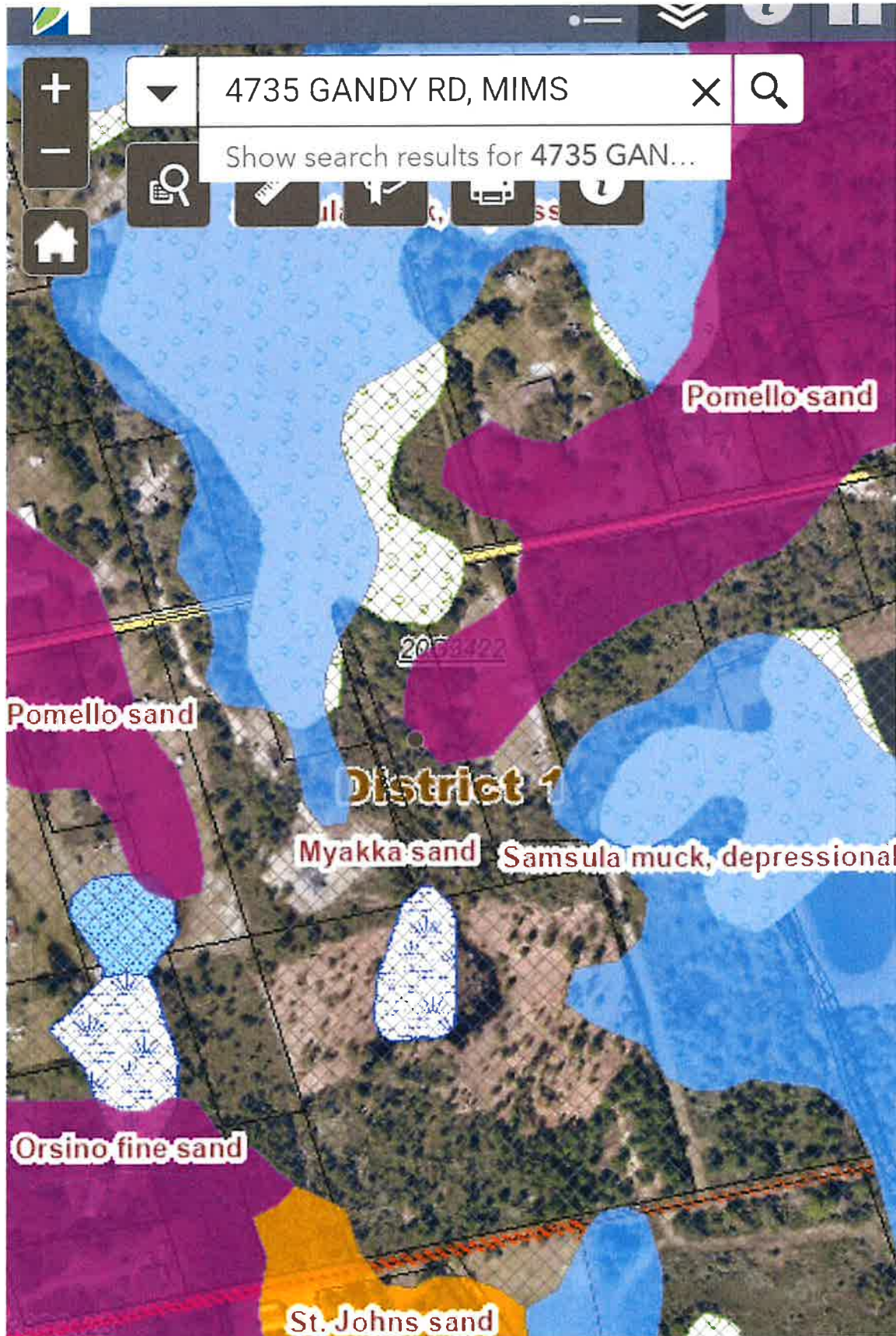
Development of this property will create upstream flooding and it is completely without reason why the county would allow wetland destruction for an easement. See attached maps.

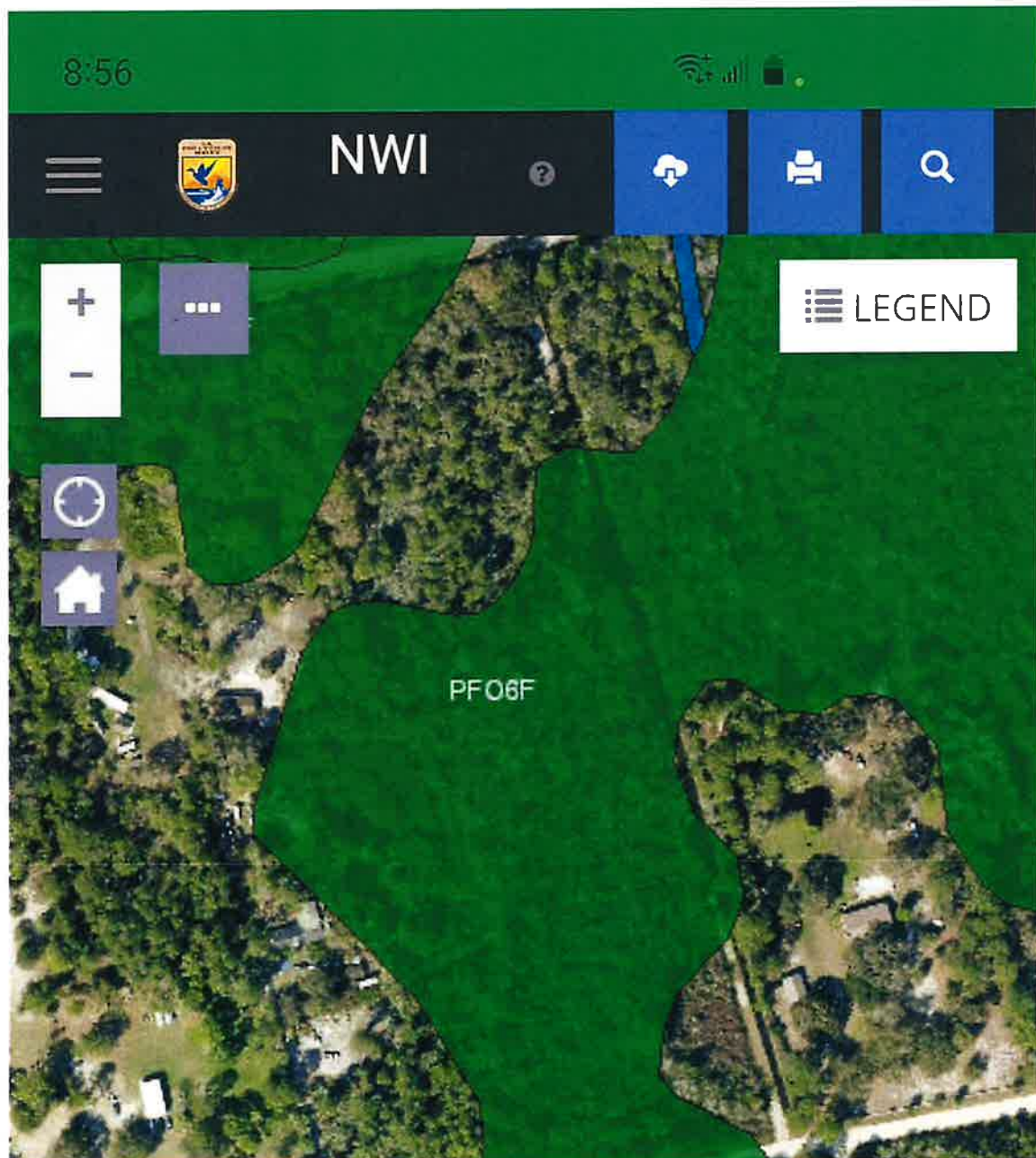
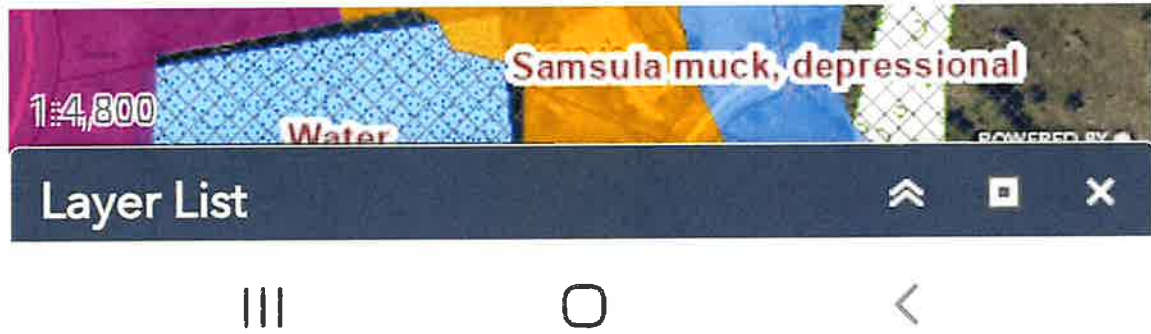
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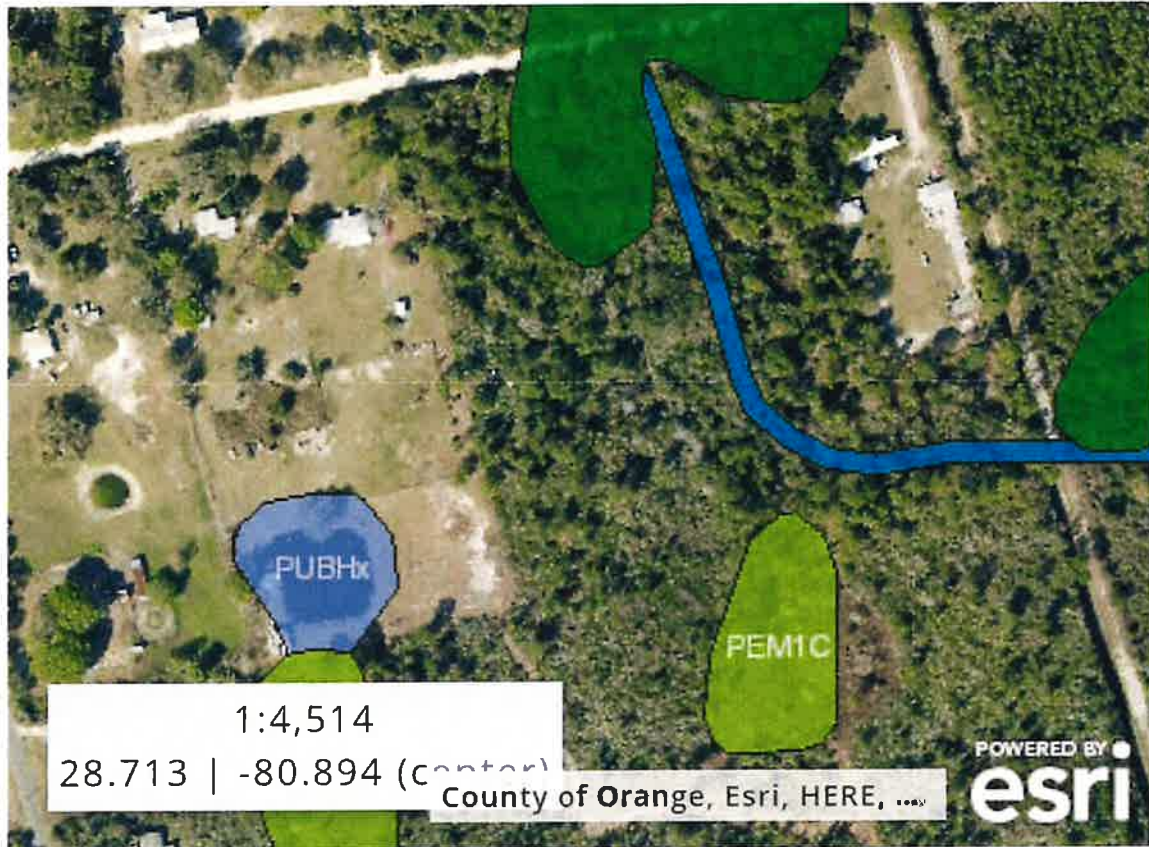


<https://brevardbocc.maps.a>









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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: [Belorus Under the Fash Path](#)
To: [Chase, Roxana-Mae; Champion, Kristin](#)
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 Rebolgar
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.

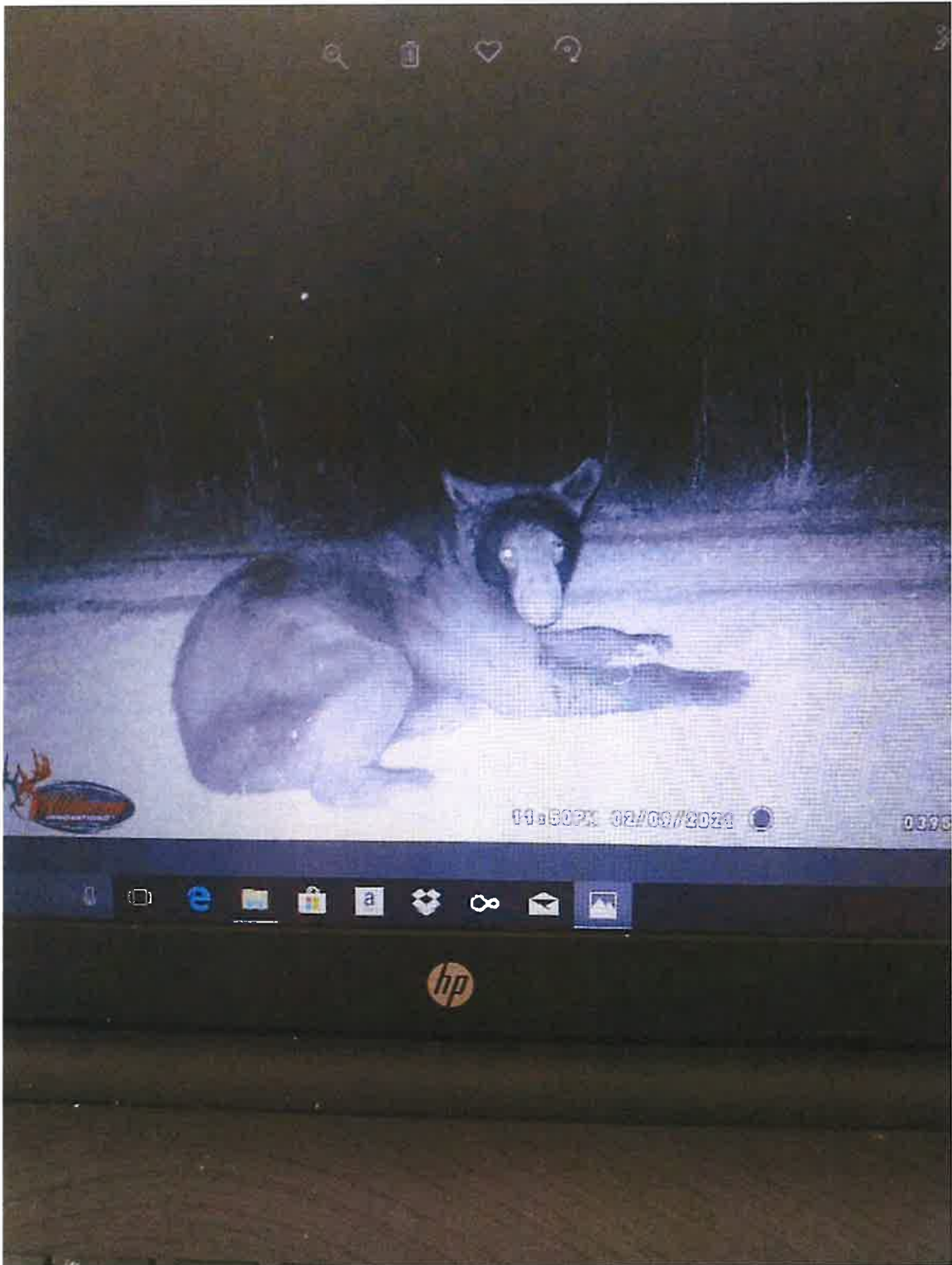
Thank-you,

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

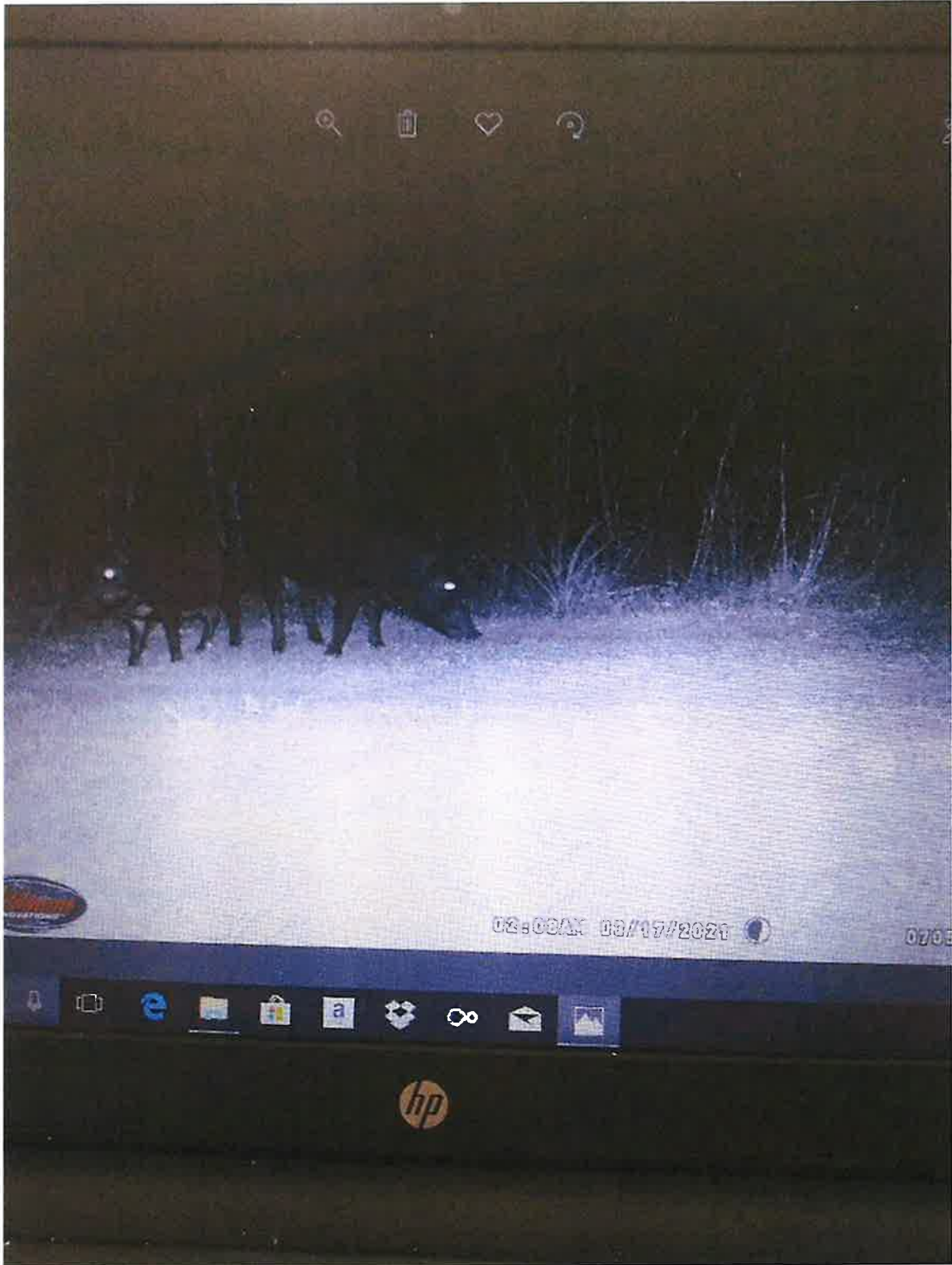
From: [Diane Gravos](#)
To: [Champion, Kristen](#)
Subject: ID# 24SS00002 & 24Z00005
Date: Friday, June 7, 2024 1:01:06 PM

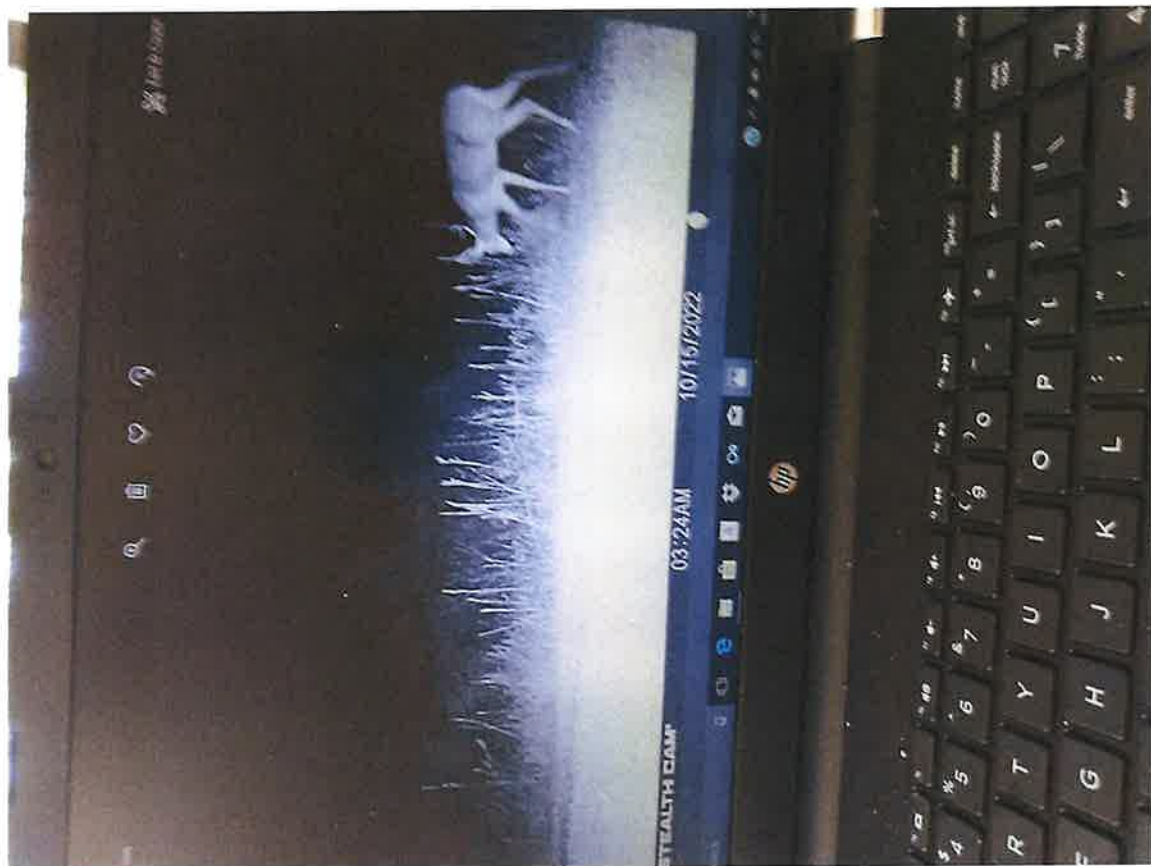
[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



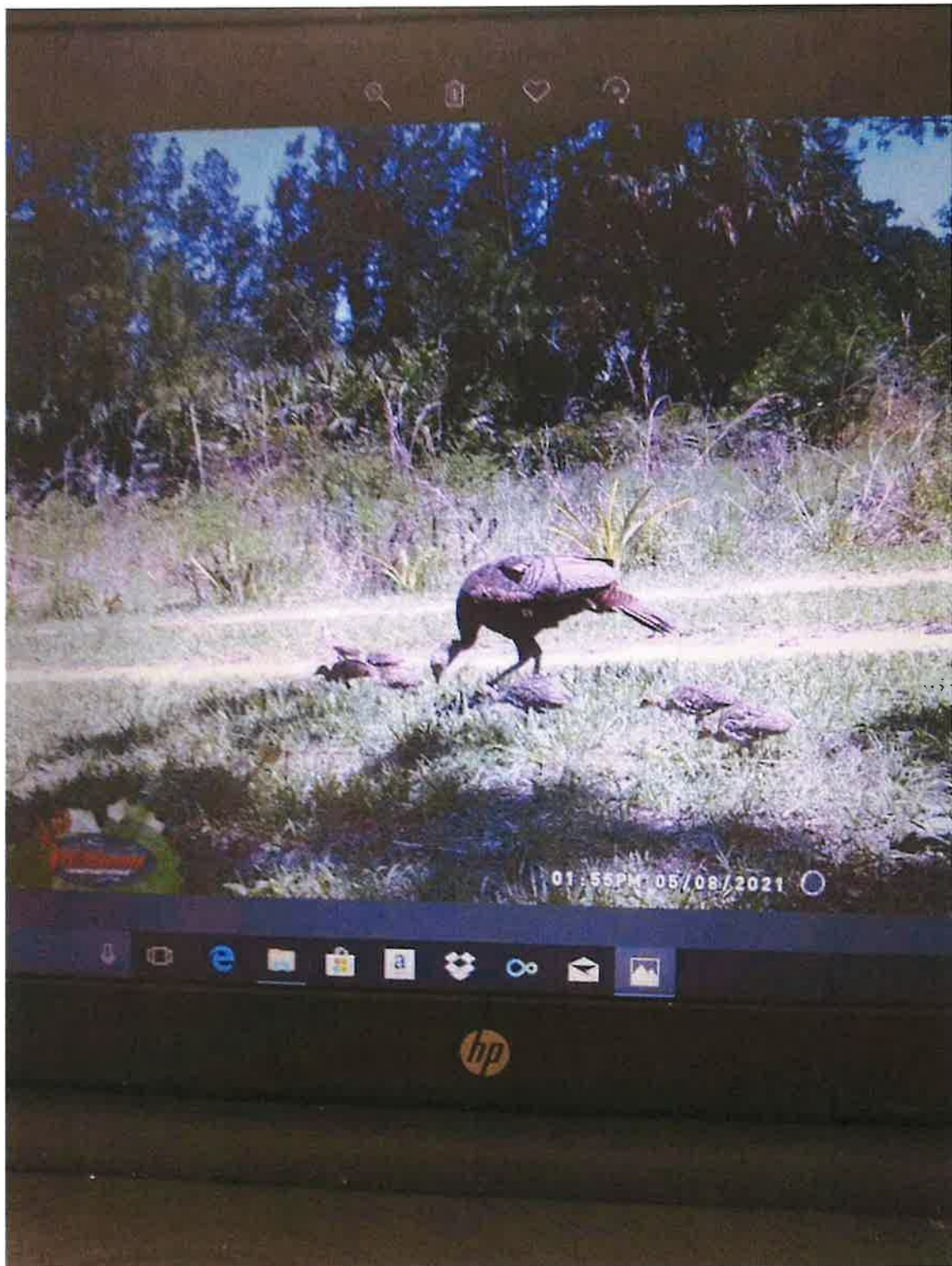
















Good Afternoon,

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 degrege 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-B26E-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.

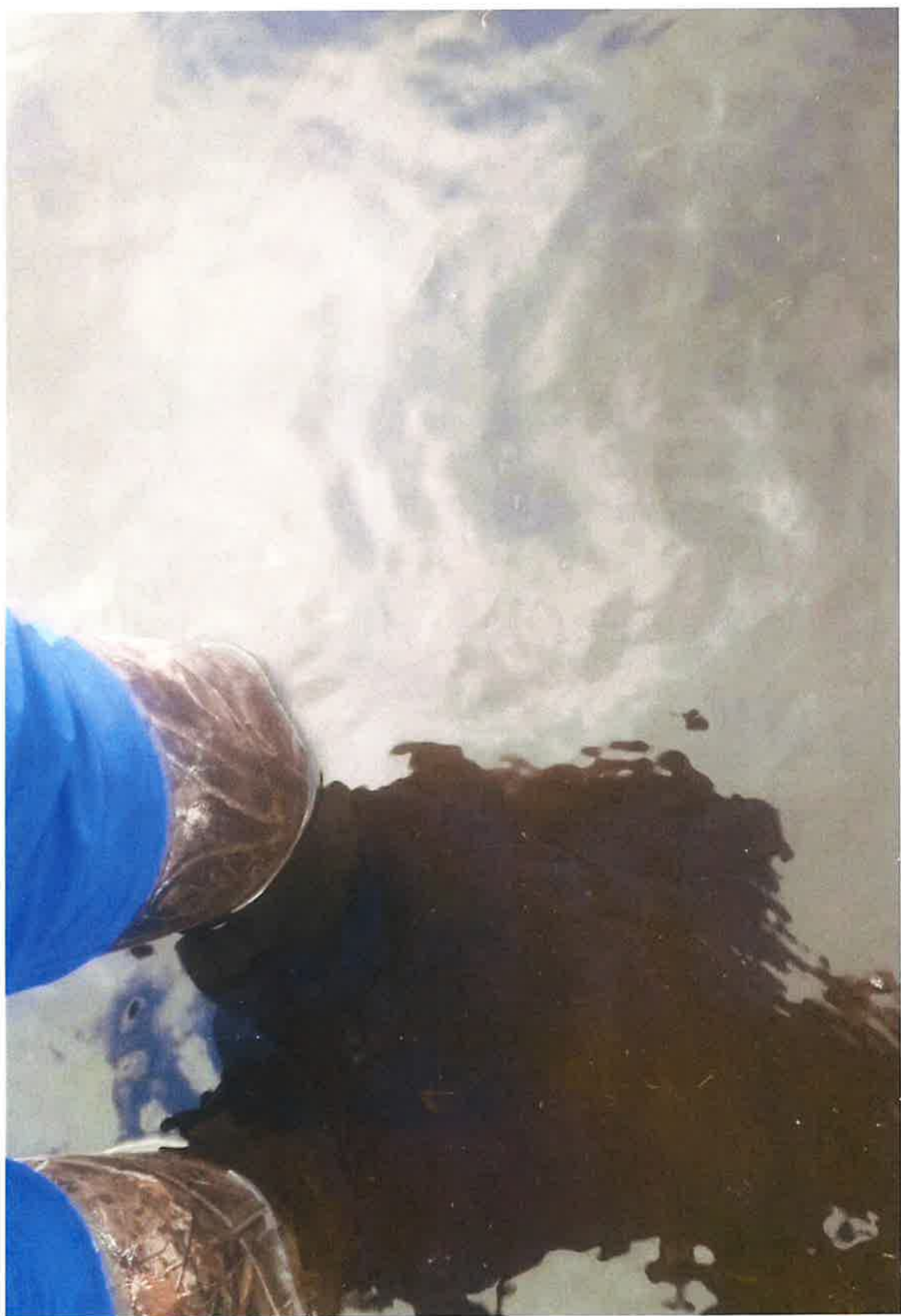
Moving along, our roadways will be severely Affected as well. We have one way in and one way out of our neighborhood. If there were flooding or fires, we have no way out. With 30 homes being suggested by Aaron would add 60 vehicles making it two per household, which is the common number. Gandy Road is 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 an 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



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