



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

H.6.

8/5/2021

### Subject:

4090 Aurora Pines, LLC (Bruce Moia) requests a change of zoning classification from TR-3 to TR-1-A. (21Z00016) (Tax Account 2702879) (District 5)

### Fiscal Impact:

None

### Dept/Office:

Planning & Development

### Requested Action:

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

### Summary Explanation and Background:

The applicant is seeking a change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-family Mobile Home) in order to retain the existing mobile home park and add ten site-built single-family residences. The existing park is a nonconforming mobile home park per Sec. 62-1186, in regards to size, as it is 6.21 acres while the minimum size for a mobile home park in TR-3 is ten acres. The park has been in operation since at least 1958, prior to the adoption of the zoning code in May 1958.

The proposed TR-1-A is a single-family residential mobile home zoning classification which permits mobile homes or residences of standard construction on lots with a minimum of 5,000 square feet, with a lot width of 50 feet and a lot depth of 100 feet.

The subject property retains the RES 4 (Residential 4) FLU (Future Land Use) designation. Neither the existing TR-3, nor the proposed TR-1-A zoning classification are consistent with the RES 4 FLU designation. The applicant has submitted a Small Scale Comprehensive Plan Amendment application to change the FLU designation from RES 4 to RES 6. Should RES 6 be approved, then this request to TR-1-A can be considered to be consistent.

The developed character of the surrounding area is a mix of mobile homes, both in parks and on individual lots, and single-family homes. The proposed additional single-family homes can be considered consistent with the pattern of development in the area, but will result in an increase in density.

The subject property is served with potable water by the City of Melbourne. There is a sewer line operated by the City of Melbourne along the south side of Aurora Road. In order to obtain a residential density over four

units an acre, connection to central sewer is required.

The Board may wish to consider whether the request is consistent and compatible with the surrounding area.

On July 26, 2021, the Planning and Zoning Board heard the request and unanimously recommended with a Binding Development Plan as submitted.

**Clerk to the Board Instructions:**

Upon receipt of resolution, please execute and return to Planning and Development.

**Resolution 21Z00016**

On motion by Commissioner Zonka, seconded by Commissioner Lober, the following resolution was adopted by a unanimous vote. (Commissioner Tobia absent):

**WHEREAS, 4090 Aurora Pines, LLC** has requested a change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-Family Mobile Home), on property described as Lots E, F, and I, Mosley Gardens, a subdivision according to the plat thereof, recorded in Plat Book 10, Page 40, of the Public Records of Brevard County, Florida. **Section 14, Township 27, Range 36.** (6.21 acres) Located on the north side of Aurora Rd., approx. 677 ft. west of Turtlemound Rd. (4090 Aurora Rd., Melbourne); and

**WHEREAS,** a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved; and

**WHEREAS,** the Board, after considering said application and Brevard County Planning and Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved as recommended; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from TR-3 to TR-1-A be approved. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of August 5, 2021.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

Rita Pritchett, Chair  
Brevard County Commission

As approved by the Board on August 5, 2021.

ATTEST:

  
RACHEL SADOFF, CLERK

(SEAL)

Planning and Zoning Board Hearing – July 12, 2021

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development Preliminary Development Plan expires if a final development plan is not filed within three years. **The granting of this zoning does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.**

## Resolution 21Z00016 (continued)

### Legal Description:

Part of Tracts 2 & 3, Block 7, Section 21, Indian River Park, as recorded in Plat Book 2, Page 33, Public Records of Brevard County, Florida, being more particularly described as follows: Commence at the northwest corner of said Tract 2; thence N78deg58'29"E, along the north line of said Tract 2, also being the south right-of-way line of a 30-ft. road right-of-way as shown on said Plat of Indian River Park and being vacated in Deed Book 428, Page 539 of the Public Records of Brevard County, Florida, a distance of 8 ft. to the point of beginning of this description and the NW corner of property described in ORB 4193, Page 2777, Public Records of Brevard County, Florida; thence S17deg01'31"E, along the west line of said property described in ORB 4193, Page 2777, 173 ft.; thence S1deg19'29"W, 54 ft.; thence S39deg39'01"W, 124.31 ft. to the former easterly right-of-way line of the FECRR branch line (A 100-ft. right-of-way); thence S73deg30'29"W along said right-of-way line, 17.84 ft.; thence N34deg09'31"W, along said railroad right-of-way (A 66-ft. right-of-way), 348.28 ft. to the center line of said vacated 30-ft. road right-of-way; thence N78deg58'29"E, along said center line, 242.64 ft.; thence S17deg01'31"E, 15.08 ft. to the point of beginning. **Section 21, Township 20G, Range 34.** Containing 1.26 acres, more or less. Located on the south side of Arlington Ave., approx. 0.25 mile west of Cushman Dr. (4257 Arlington Ave., Mims)

## **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 staff, 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 Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all 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 re-zoning 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:

##### **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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Building A, Room 114  
Viera, Florida 32940  
(321)633-2070 Phone / (321)633-2074 Fax  
<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS**

**21Z00016**

**4090 Aurora Pines LLC (Michael Gray)**

**Mobile Home Park (TR-3) to Single-Family Mobile Home (TR-1-A)**

Tax Account Number: 2702879  
Parcel I.D.: 27-36-14-76-E  
Location: North side of Aurora Rd. approx. 704 feet west of Turtle Mound Rd.  
(District 5)  
Acreage: 6.21 acres

Planning and Zoning Board: 07/12/2021

Board of County Commissioners: 08/05/2021

**Consistency with Land Use Regulations**

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

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>Zoning</b>	TR-3	TR-1-A
<b>Potential*</b>	Nonconforming mobile home park	Existing nonconforming mobile home park with 22 units and 10 additional single-family homes**
<b>Can be Considered under the Future Land Use Map</b>	NO, requires RES 6	YES, RES 6***

\* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

\*\*Based on concept plan provided by applicant on June 4, 2021

\*\*\*The applicant has submitted a companion Small Scale Comprehensive Plan Amendment application to change the Future Land Use Map (FLUM) from RES 4 (Residential 4) to RES 6 (Community Commercial) under **21PZ00030**.

**Background and Purpose of Request**

The applicant is seeking a change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-family Mobile Home) in order to retain the existing mobile home park and eventually add ten site-built single-family residences. The existing mobile home park is a nonconforming mobile home

park per Sec. 62-1186. Per the nonconforming mobile home park file (**NMH-8**), the mobile home park is nonconforming in regards to size, as it is 6.21 acres while the minimum size for a mobile home park in TR-3 is ten acres. The park has been in operation since at least 1958, prior to the adoption of the zoning code on May 22, 1958.

The original zoning of the property was RU-1. The property was rezoned to Trailer Park zoning, the predecessor to TR-3 zoning, on June 29, 1964 as part of zoning action **Z-1479**.

In order to divide part of the parcel into new lots, the applicant would be required to submit a plat should this request be approved. The retained nonconforming mobile home park would need to meet the requirements in Sec. 62-1186, including structures being 15 feet from the property lines of the park.

### **Land Use**

The subject property retains the RES 4 (Residential 4) Future Land Use designation. The existing zoning classification TR-3 is not consistent with the Future Land Use Designation. The proposed zoning classification of TR-1-A is not consistent with the current RES 4 Future Land Use Designation.

The applicant has submitted a Small Scale Comprehensive Plan Amendment application to change the FLU designation from RES 4 to RES 6 under **21PZ00030**. Should the proposed Future Land Use designation of RES 6 be approved, then this request to TR-1-A can be considered to be consistent with Exhibit A of Section 62-1255.

### **Land Use**

**Proposed Future Land Use: FLUE Policy 1.6** – The Residential 6 land use designation affords a transition in density between the higher urbanized areas and lower intensity land uses. This land use designation permits a maximum density of up to six (6) units per acre, except as otherwise may be provided for within this element. The Residential 6 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

#### **Criteria:**

- A. Areas adjacent to existing Residential 6 land use designation; or
- B. Areas which serve as a transition between existing land uses or land use designations with density greater than six (6) units per acre and areas with density of less than six (6) units per acre; or
- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 6.
- D. Up to a 25% density bonus to permit up to 7.5 dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to

maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

**FLUE Policy 1.2.D** – Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.

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

**Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area.**

This parcel is located on the north side of Aurora Road, 700 feet west of Turtle Mound Road. The parcels to the west and east both have a Future Land Use (FLU) designation of RES 4. The parcel to the north across White Road also contains a nonconforming mobile home park with a FLU designation of RES 4, while the parcels to the south across Aurora Road have FLU designations of RES 6 and RES 15.

1. The historical land use pattern in the area is characterized by the development of single-family homes surrounding mobile home parks. Three of the four mobile home parks in the area are nonconforming, indicating they were developed prior to the zoning code in 1958, while much of single-family residential uses have emerged more recently.
2. There has been no development over the past three years, with much of the single-family residential uses developed in the 2000's. Most of the parcels have been developed, leaving few vacant parcels.
3. There has not been any development approved within the past three years that has not been constructed.

**Analysis of Administrative Policy #4 - Character of a neighborhood or area.**

The developed character of the surrounding area is a mix of mobile homes, both in parks and on individual lots, and single-family homes. The proposed additional single-family homes can be considered consistent with the pattern of development in the area, but will result in an increase in density. The addition of ten single-family homes is not projected to introduce traffic that would create a drop in the Level of Service (LOS).

**Surrounding Area**

There have been no zoning actions within a half-mile of the subject property within the last three years.

The zoning to the west is a combination of TR-1 and RR-1 lots containing single-family homes. To the east is an RR-1 lot with a single-family home. The subject parcel is bordered by White Road to the north and Aurora Road to the south. Across White Road is a nonconforming mobile home park zoned TR-3; across Aurora Road are two RR-1 lots containing single-family homes, as well as a single-family home on an AU lot and a church zoned Institutional (IN(L)). If this request is granted, it would be an introduction of a new zoning classification.

The proposed TR-1-A is a single family residential mobile home zoning classification which permits mobile homes or residences of standard construction on lots of 5,000 square feet (minimum) with a lot width of 50 feet and a lot depth of 100 feet.

TR-1 is a single family residential mobile home zoning classification which permits mobile homes or residences of standard construction on lots of 7,500 square feet (minimum) with lot width of 65 feet and lot depth of 100 feet.

RR-1 classification permits single-family residential land uses on a minimum one acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet.

## **Environmental Constraints**

### **Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Hydric Soils/Wetlands
- Aquifer Recharge Soils
- Floodplain
- Protected and Specimen Trees
- Protected Species

The subject parcel contains mapped hydric soils, an indicator that wetlands may be present on the property. Per Section 62-3694(c)(2), 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 would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. Application of the one unit per five acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property acreage. 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. A wetland determination will be required. The applicant is encouraged to contact NRM at (321) 633-2016 prior to any to any land clearing activities, site plan design or building permit submittal.

Per Section 62-3724(4) of the floodplain ordinance, the parcel may be subject to compensatory storage for fill brought onto the parcel. Please see floodplain section in NRM comments for more information.

The subject property contains a mapped polygon of SJRWMD FLUCCS code 4110-Pines Flatwoods forest. Per Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. A tree survey will be required a time of site plan submittal. Land clearing is not permitted without prior authorization by NRM.

## **Preliminary Concurrency**

The closest concurrency management segment to the subject property is Aurora Road, between John Rhodes Boulevard and Turtle Mound Road, which has a Maximum Acceptable Volume of 15,600 trips per day, a Level of Service (LOS) of E, and currently operates at 45.51% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of

MAV utilization from 45.51% to 46.12% (LOS C). The proposal is not anticipated to create a deficiency in LOS.

A school concurrency letter from the Brevard County School Board dated May 12, 2021, indicates there is enough capacity for the total of projected and potential students from the Aurora Pines development.

The subject property is served with potable water by the City of Melbourne. There is central sewer on the south side of Aurora Road serviced by the City of Melbourne.

#### **For Board Consideration**

The Board may wish to consider whether the request is consistent and compatible with the surrounding area.



**NATURAL RESOURCES MANAGEMENT DEPARTMENT  
Zoning Review & Summary**

**Item # 21Z00016**

**Applicant:** Moia for Gray

**Zoning Request:** TR-3 to TR-1-A

**Note:** Applicant wants to retain trailer park use and include a single-family residence.

**P&Z Hearing Date:** 07/12/21; **BCC Hearing Date:** 08/05/21

**Tax ID No:** 2702879

- 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:**

- Hydric Soils/Wetlands
- Aquifer Recharge Soils
- Floodplain
- Protected and Specimen Trees
- Protected Species
- 

The subject parcel contains mapped hydric soils, an indicator that wetlands may be present on the property. Per Section 62-3694(c)(2), 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 would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. Application of the one unit per five acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property acreage. 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. A wetland determination will be required. The applicant is encouraged to contact NRM at (321) 633-2016 prior to any to any land clearing activities, site plan design or building permit submittal.

Per Section 62-3724(4) of the floodplain ordinance, the parcel may be subject to compensatory storage for fill brought onto the parcel. Please see floodplain section in NRM comments for more information.

The subject property contains a mapped polygon of SJRWMD FLUCCS code 4110-Pines Flatwoods forest. Per Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. A tree survey will be required a time of site plan submittal. Land clearing is not permitted without prior authorization by NRM.

### **Land Use Comments:**

#### **Hydric Soils/Wetlands**

The subject parcel contains mapped hydric soils (Eau Gallie sand and Valkaria sand) as shown on the USDA Soil Conservation Service Soils Survey map, an indicator that wetlands may be present on the property. Per Section 62-3694(c)(2), 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 would render a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. Application of the one unit per five acres limitation shall limit impacts to wetlands for single family residential development on a cumulative basis, to not more than 1.8% of the total property acreage. 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. A wetland determination will be required. The applicant is encouraged to contact NRM at (321) 633-2016 prior to any to any land clearing activities, site plan design or building permit submittal.

#### **Aquifer Recharge Soils**

Valkaria sand may also function as an aquifer recharge soil. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

#### **Floodplain**

Portions of the subject parcel are located within a mapped isolated floodplain as identified by FEMA, and as shown on the FEMA Flood Map. Per Section 62-3724(4) of the floodplain ordinance, any development, land alteration, or grading on North Merritt Island in the area from Hall Road, north to State Road 405, herein after referred to as "Area," is subject to compensatory storage, and written certification from the engineer of record that there will be no adverse flooding impacts upon properties within the Area resulting from the proposed development. The engineer shall provide a report that includes full engineering data and analysis, including the hydraulic and hydrologic modelling and analysis demonstrating that there is no impact. Sealed pre-existing topographic survey or engineered site plan delineating floodplain limits on the property, if any, with base flood elevation using best available flood elevation data. Delineation of floodplains shall use best available pre-alteration ground elevation data. Any engineered compensatory storage shall be maintained by the owner in perpetuity. Please call NRM prior to any grading, filling or land alteration activities.

## **Protected and Specimen Trees**

The subject property contains a mapped polygon of SJRWMD FLUCCS code 4110-Pines Flatwoods forest. Protected Trees (greater than or equal to 10 inches in diameter) and Specimen Trees (greater than or equal to 24 inches in diameter) are included in this FLUCCS code and may be found on the property. Per Section 62-4341(18), Protected and Specimen Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Per Section 62-4332, Definitions, Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. A tree survey will be required a time of site plan submittal. Per Section 62-4339, parcels greater than 2.5 acres shall meet canopy preservation requirements. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM. The applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

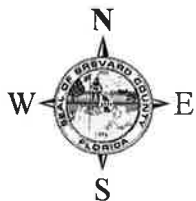
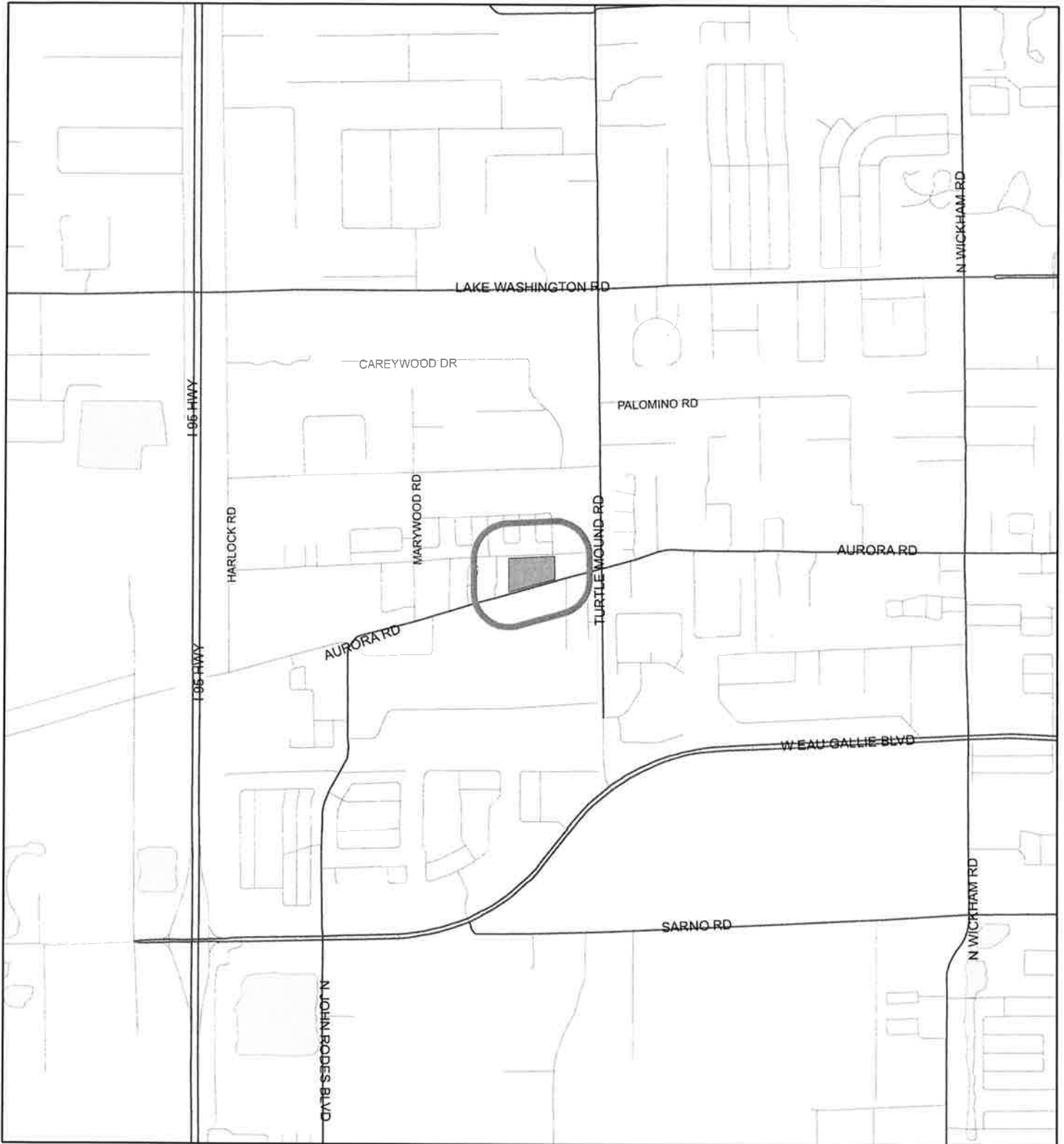
## **Protected Species**

Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, 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, as applicable.

# LOCATION MAP

4090 AURORA PINES, LLC

21Z00016





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.

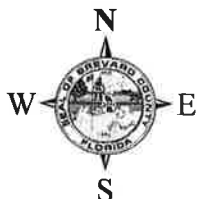
Produced by BoCC - GIS Date: 5/7/2021

-  Buffer
-  Subject Property

# ZONING MAP

4090 AURORA PINES, LLC

21Z00016



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: 5/7/2021

**Subject Property**

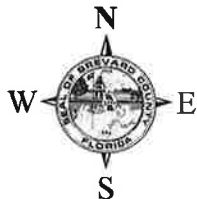
**Parcels**

**Zoning**

# FUTURE LAND USE MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet

**Subject Property**  
**Parcels**

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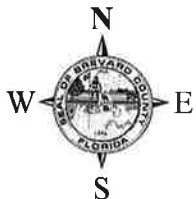
Produced by BoCC - GIS Date: 5/7/2021



# AERIAL MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2020

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: 5/7/2021

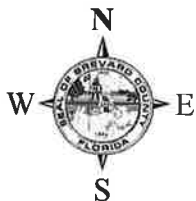
— Subject Property

□ Parcels

# NWI WETLANDS MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/7/2021

## National Wetlands Inventory (NWI)

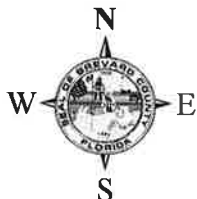
	Estuarine and Marine Deepwater		Freshwater Pond
	Estuarine and Marine Wetland		Lake
	Freshwater Emergent Wetland		Other
	Freshwater Forested/Shrub Wetland		Riverine
	Subject Property		Parcels



# SJRWMD FLUCCS WETLANDS - 6000 Series MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/7/2021

## 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

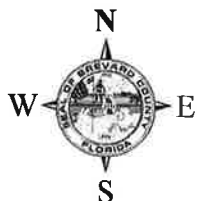
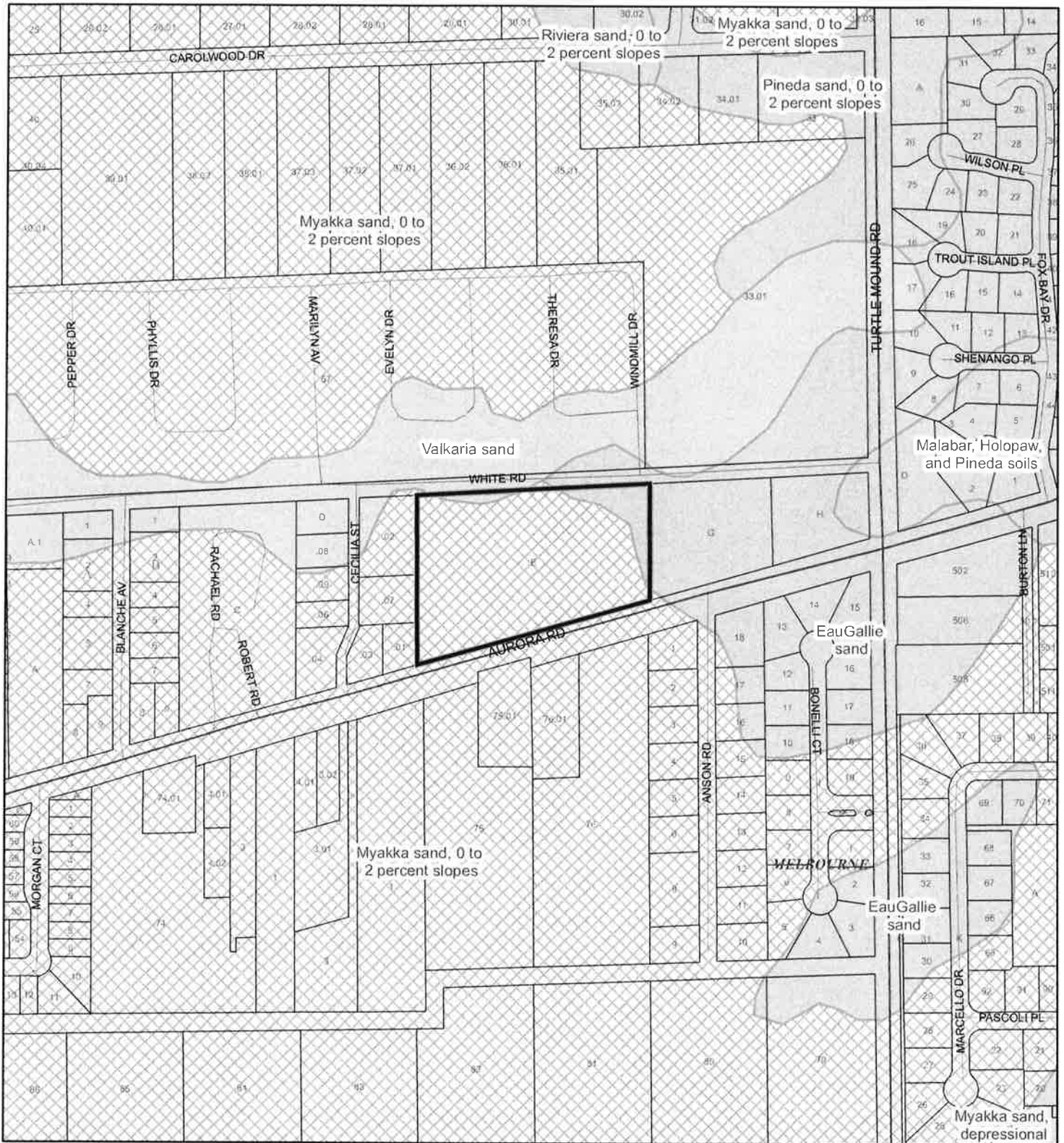
 Subject Property

 Parcels

# USDA SCSSS SOILS MAP

4090 AURORA PINES, LLC

21Z00016



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: 5/7/2021

## USDA SCSSS Soils

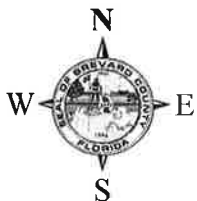
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

# FEMA FLOOD ZONES MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/7/2021

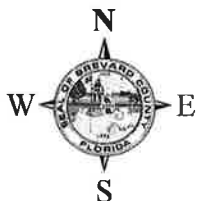
## FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

# COASTAL HIGH HAZARD AREA MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet


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Produced by BoCC - GIS Date: 5/7/2021

 Subject Property

 Parcels

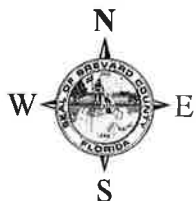
**Coastal High Hazard Area**

 SurgeZoneCat1

# INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/7/2021

— Subject Property

□ Parcels

## Septic Overlay

■ 40 Meters

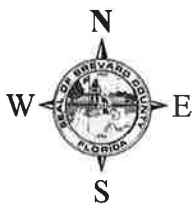
■ 60 Meters

■ All Distances

# EAGLE NESTS MAP

4090 AURORA PINES, LLC

21Z00016



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 5/7/2021

 Subject Property

 Parcels



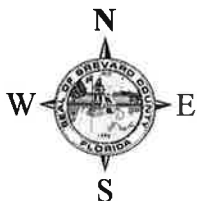
Eagle Nests  
FWS 2010



# SCRUB JAY OCCUPANCY MAP

4090 AURORA PINES, LLC




21Z00016



1:4,800 or 1 inch = 400 feet

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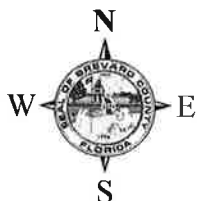
Produced by BoCC - GIS Date: 5/7/2021

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

# SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

4090 AURORA PINES, LLC

21Z00016



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 herein.

Produced by BoCC - GIS Date: 5/7/2021

## 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





BOARD OF COUNTY COMMISSIONERS

Application Pages  
21Z00016  
Aurora Pines

**Planning and Development**

2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940  
321-633-2070

**Application for Zoning Action, Comprehensive Plan Amendment, or  
Variance**

Applications must be submitted in person. Please call 321-633-2070 for an appointment at least 24 hours in advance. Mailed, emailed, or couriered applications will not be accepted.

PZ # 21Z00016

Existing FLU: RES 4 Existing Zoning: TR3

Proposed FLU: \_\_\_\_\_ Proposed Zoning: TR-1-A

**PROPERTY OWNER INFORMATION**

If the owner is an LLC, include a copy of the operating agreement.

Michael Gray 4090 Aurora Pines LLC  
Name(s) Company  
457 Montreal Avenue Melbourne FL 32935  
Street City State Zip Code  
mgray@gmx.com 412-303-5872  
Email Phone Cell

**APPLICANT INFORMATION IF DIFFERENT FROM OWNER:**

☐ Attorney ☐ Agent ☐ Contract Purchaser ☒ Other EOR

Bruce Moia, P.E. MBV Engineering, Inc.  
Name(s) Company  
1250 W Eau Gallie Blvd, Ste H Melbourne FL 32935  
Street City State Zip Code  
brucem@mbveng.com 321-253-1510  
Email Phone Cell

## APPLICATION NAME

- ☐ Large Scale Comprehensive Plan Amendment (CP) (greater than 10 acres)
- ☐ Small Scale Comprehensive Plan Amendment (CP) (less than 10 acres)
- ☐ Text Amendment (CP): Element \_\_\_\_\_
- ☐ Other Amendment (CP): \_\_\_\_\_
- ☒ Rezoning Without CUP (RWOC)
- ☐ Combination Rezoning and CUP (CORC)
- ☐ Conditional Use Permit (CUP)
- ☐ Binding Development Plan (BDP)
- ☐ Binding Development Plan (BDP) (Amendment)
- ☐ Binding Development Plan (BDP) (Removal)
- ☐ Variance(s) (V) (building permits will not be approved until 30 days after the date the order is signed)
- ☐ Administrative Approval of Setbacks, Lot Size, or Accessory Structures
- ☐ Administrative Approval of Flag Lot or Easement
- ☐ Administrative Approval of On-Premises Consumption of Alcoholic Beverages for Restaurants / Snack Bars
- ☐ Other Action: \_\_\_\_\_

Acreage of Request: 6.21

Reason for Request:

To retain existing trailer park use and include SFR.

*TR-3 → TR-1-A*

The undersigned understands this application must be complete and accurate prior to advertising a public hearing:

- ☒ I am the owner of the subject property, or if corporation, I am the officer of the corporation authorized to act on this request.
- ☐ I am the legal representative of the owner of the subject property of this application. (Notarized Authorization to Act must be submitted with application)
- ☒ An approval of this application does not entitle the owner to a development permit.
- ☐ For Variances, I understand that building permits will not be approved until 30 days after the date the order is signed, in order to comply with the appeal procedure.
- ☒ I certify that the information in this application and all sketches and data attached to and made part hereof are true and accurate to the best of my knowledge.

[Signature]  
Signature of Property Owner or  
Authorized Representative

4/13/21  
Date

State of Florida

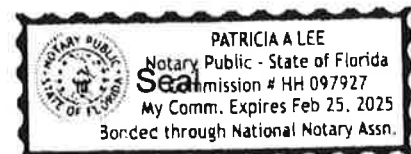
County of Brevard

Subscribed and sworn before me, by ☒ physical presence or \_\_\_\_\_ online notarization,

this 13<sup>th</sup> day of, April, 20 21, personally appeared

Michael Gray, who is personally known to me or produced  
well known as identification, and who did / did not take an oath.

[Signature]  
Notary Public Signature



**Office Use Only:**

Accela No. 21200016 Fee: \$1,173.00 Date Filed: 5/4/21 District No. 5

Tax Account No. (list all that apply) 2702879

Parcel I.D. No.

27 36 14 76 E  
Twp Rng Sec Sub Block Lot/Parcel

Planner: KH Sign Issued by: \_\_\_\_\_ Notification Radius: \_\_\_\_\_

**MEETINGS**

**DATE**

**TIME**

<input checked="" type="checkbox"/> P&Z	<u>7/12/21</u>	<u>3:00 p.m.</u>
<input type="checkbox"/> PSJ Board	_____	_____
<input type="checkbox"/> NMI Board	_____	_____
<input type="checkbox"/> LPA	_____	_____
<input type="checkbox"/> BOA	_____	_____
<input checked="" type="checkbox"/> BCC	<u>5/5/21</u>	<u>5:00 p.m.</u>

Wetland survey required by Natural Resources ☐ Yes ☐ No Initials \_\_\_\_\_

Is the subject property located in a JPA, MIRA, or 500 feet of the Palm Bay Extension?

☐ Yes ☒ No If yes, list \_\_\_\_\_

Location of subject property:

North side of Aurora Rd approx. 704 feet west of  
Turtle Mand Rd.

Description of Request:

Rezone TR-3 → TR-1-A



## School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699  
Mark W. Mullins, Ed.D., Superintendent

May 12, 2021

Mr. Kyle Harris  
Associate Planner  
Planning & Development Department  
Brevard County Board of County Commissioners  
2726 Judge Fran Jamieson Way  
Viera, Florida 32940

**RE: Proposed Aurora Pines Development  
School Impact Analysis – Capacity Determination CD-2021-11**

Dear Mr. Harris,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account 2702879 (Parcel ID: 27-36-14-76-E) containing approximately 6.21 acres in District 5, Brevard County, Florida. The proposed single-family development includes 10 homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2020-21 to 2025-26 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2020-2021 to 2025-26* which is attached for reference.

Single-Family Homes		10	
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students
Elementary	0.28	2.8	3
Middle	0.08	0.8	1
High	0.16	1.6	2
<b>Total</b>	0.52		<b>6</b>

Planning & Project Management  
Facilities Services  
Phone: (321) 633-1000 x11418 • FAX: (321) 633-4646



**FISH Capacity (including relocatables) from the  
Financially Feasible Plan (FFP) Data and Analysis for School Years 2020-21 to  
2025-26**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Sabal	785	785	785	785	785
Johnson	997	997	997	997	997
Eau Gallie	2,221	2,221	2,221	2,221	2,221

**Projected Student Membership**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Sabal	564	584	594	580	581
Johnson	710	694	727	773	805
Eau Gallie	1,642	1,726	1,741	1,758	1,783

**Students Generated by Newly Issued SCADL Reservations Since FFP**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Sabal	-	-	-	-	-
Johnson	-	-	-	-	-
Eau Gallie	-	-	-	-	-

**Cumulative Students Generated by  
Proposed Development**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Sabal	3	3	3	3	3
Johnson	1	1	1	1	1
Eau Gallie	2	2	2	2	2

**Total Projected Student Membership (includes  
Cumulative Impact of Proposed Development)**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Sabal	567	587	597	583	584
Johnson	711	695	728	774	806
Eau Gallie	1,644	1,728	1,743	1,760	1,785

**Projected Available Capacity =  
FISH Capacity - Total Projected Student Membership**

School	2021-22	2022-23	2023-24	2024-25	2025-26
Sabal	218	198	188	202	201
Johnson	286	302	269	223	191
Eau Gallie	577	493	478	461	436

At this time, Sabal Elementary School, Johnson Middle School and Eau Gallie High School are projected to have enough capacity for the total of projected and potential students from the Aurora Pines development.

This is a **non-binding** review; a *Concurrency Determination* must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of Nondeficiency by the Local Government.

We appreciate the opportunity to review this proposed project. Please let us know if you require additional information.

Sincerely,



Karen M. Black, AICP Candidate  
Manager – Facilities Planning & Intergovernmental Coordination  
Planning & Project Management, Facilities Services

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School Years 2020-2021 to 2025-26*

Copy: Susan Hann, Assistant Superintendent of Facility Services  
File CD-2021-11

David G. Lindemann, AICP, Director of Planning & Project Management,  
Facilities Services  
File CD-2021-11

# Brevard County Public Schools

## Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service Data and Analysis for School Years 2020-21 to 2025-26



Summary		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
Highest Utilization Elementary Schools:		87%	90%	100%	100%	100%	100%
Highest Utilization Middle Schools:		87%	89%	90%	93%	98%	98%
Highest Utilization Jr / Sr High Schools:		81%	81%	80%	89%	94%	96%
Highest Utilization High Schools:		93%	99%	99%	99%	99%	100%

School	Type	Grades	Utilization Factor	School Year 2020-21			School Year 2021-22			School Year 2022-23			School Year 2023-24			School Year 2024-25			School Year 2025-26		
				FISH Capacity	10/09/19 Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization
Elementary School Concurrency Service Areas																					
Allon	Elementary	PK-6	100%	751	596	79%	751	679	91%	751	652	87%	751	681	91%	773	758	96%	795	791	99%
Andersen	Elementary	K-6	100%	884	618	70%	884	617	70%	884	687	78%	884	696	79%	884	702	79%	884	713	81%
Apollo	Elementary	K-6	100%	902	785	87%	902	801	89%	902	777	86%	902	755	84%	902	757	84%	902	744	82%
Atlantis	Elementary	PK-6	100%	739	633	85%	739	660	89%	739	625	85%	739	624	84%	739	616	83%	739	610	83%
Audubon	Elementary	PK-6	100%	761	469	62%	761	475	62%	761	471	62%	761	476	63%	761	475	62%	761	484	64%
Cambridge	Elementary	PK-6	100%	765	519	68%	765	525	69%	765	503	66%	765	494	65%	765	469	61%	765	458	60%
Cape View	Elementary	PK-6	100%	570	302	53%	570	283	50%	570	277	49%	570	269	47%	570	253	44%	570	254	45%
Carroll	Elementary	K-6	100%	751	593	79%	751	593	79%	751	530	71%	751	553	74%	751	559	74%	751	540	72%
Challenger 7	Elementary	PK-6	100%	573	477	83%	573	493	85%	573	443	77%	573	423	74%	573	406	71%	573	398	69%
Columbia	Elementary	PK-6	100%	751	405	54%	751	400	53%	751	455	61%	751	514	68%	751	533	71%	751	547	73%
Cocquina	Elementary	PK-6	100%	711	499	70%	711	532	75%	711	475	67%	711	436	61%	711	396	56%	711	376	53%
Cree	Elementary	PK-6	100%	1,154	703	61%	1,154	746	65%	1,154	743	64%	1,154	737	64%	1,154	740	64%	1,154	741	64%
Croton	Elementary	PK-6	100%	795	480	60%	795	530	67%	795	615	77%	795	622	78%	795	627	79%	795	635	80%
Discovery	Elementary	PK-6	100%	980	560	57%	980	550	56%	980	494	50%	980	500	51%	980	507	52%	980	503	51%
Endeavour	Elementary	PK-6	100%	990	608	61%	990	646	65%	990	589	59%	990	581	59%	990	528	53%	990	527	53%
Enterprise	Elementary	K-6	100%	729	536	74%	729	584	80%	729	525	72%	729	520	71%	729	512	70%	729	492	67%
Fairglenn	Elementary	PK-6	100%	789	577	73%	789	590	75%	789	598	76%	789	630	80%	789	676	86%	789	700	89%
Gemini	Elementary	K-6	100%	711	426	60%	711	457	64%	711	401	56%	711	384	54%	711	379	53%	711	363	50%
Golfview	Elementary	PK-6	100%	777	439	56%	777	450	58%	777	528	68%	777	522	67%	777	537	69%	777	545	70%
Harbor City	Elementary	PK-6	100%	629	345	55%	629	378	60%	629	379	60%	629	416	66%	629	412	66%	629	402	64%
Holland	Elementary	PK-6	100%	605	410	68%	605	485	80%	605	429	71%	605	430	71%	605	416	69%	605	417	69%
Imperial Estates	Elementary	K-6	100%	729	605	83%	729	608	83%	729	615	84%	729	627	86%	729	644	88%	729	648	89%
Islandic	Elementary	K-6	100%	798	662	83%	798	684	87%	798	683	86%	798	675	85%	798	668	84%	798	649	81%
Jupiter	Elementary	PK-6	100%	930	679	73%	930	656	71%	930	705	76%	930	806	87%	930	876	94%	930	926	100%
Lockmar	Elementary	PK-6	100%	892	632	71%	892	609	68%	892	592	66%	892	555	62%	892	541	61%	892	518	58%
Longleaf	Elementary	PK-6	100%	790	568	72%	790	577	73%	790	585	74%	790	595	75%	790	603	76%	790	602	76%
Manatee	Elementary	K-6	100%	998	868	87%	998	896	90%	998	808	81%	998	786	79%	998	748	75%	998	714	72%
McAuliffe	Elementary	PK-6	100%	918	669	73%	918	657	72%	918	591	64%	918	584	63%	918	561	61%	918	570	62%
Meadowdale Intermediate	Elementary	3-6	100%	1,114	772	69%	1,114	839	75%	1,114	853	77%	1,114	915	82%	1,114	968	87%	1,114	998	90%
Meadowdale Primary	Elementary	K-6	100%	824	428	52%	824	442	54%	824	432	52%	824	428	51%	824	418	50%	824	408	49%
Mia	Elementary	PK-6	100%	707	428	61%	707	442	63%	707	432	61%	707	428	61%	707	418	59%	707	408	59%
Mims	Elementary	PK-6	100%	725	389	54%	725	422	58%	725	398	55%	725	408	56%	725	418	57%	725	408	59%
Oak Park	Elementary	PK-6	100%	968	603	62%	968	580	60%	968	542	56%	968	514	53%	968	484	50%	968	482	50%
Ocean Breeze	Elementary	PK-6	100%	654	508	78%	654	545	83%	654	465	71%	654	462	71%	654	455	70%	654	429	66%
Palm Bay Elem	Elementary	PK-6	100%	983	573	58%	983	596	61%	983	653	66%	983	736	75%	983	770	78%	983	773	79%
Pinewood	Elementary	PK-6	100%	569	470	83%	569	486	85%	569	493	87%	569	504	89%	569	510	90%	569	516	91%
Port Malabar	Elementary	PK-6	100%	852	648	76%	852	631	74%	852	616	72%	852	612	72%	852	617	72%	852	625	73%
Quest	Elementary	PK-6	100%	1,152	795	69%	1,152	892	77%	1,152	876	76%	1,152	951	82%	1,152	1,020	89%	1,152	1,042	91%
Riviera	Elementary	PK-6	100%	777	551	72%	777	578	74%	777	582	75%	777	612	78%	777	647	81%	777	675	84%
Roosevelt	Elementary	K-6	100%	599	263	44%	599	247	41%	599	242	40%	599	230	38%	599	207	35%	599	193	32%
Sabal	Elementary	PK-6	100%	785	549	70%	785	564	72%	785	584	74%	785	584	74%	785	580	74%	785	581	74%
Salton	Elementary	PK-6	100%	976	794	81%	976	841	86%	976	825	85%	976	1,042	110%	976	1,042	110%	976	997	103%
Sea Park	Elementary	PK-6	100%	461	272	59%	461	298	65%	461	287	62%	461	288	62%	461	294	63%	461	288	62%
Sherwood	Elementary	PK-6	100%	609	393	65%	609	416	68%	609	381	62%	609	367	60%	609	366	60%	609	379	63%
South Lake	Elementary	K-6	100%	481	367	76%	481	397	83%	481	367	76%	481	367	76%	481	367	76%	481	367	76%
Sunrise	Elementary	PK-6	100%	913	500	55%	913	693	76%	913	791	87%	913	941	103%	913	1,021	100%	913	1,096	120%
Sunrise	Elementary	K-6	100%	755	594	79%	755	616	82%	755	571	76%	755	579	77%	755	546	74%	755	535	71%
Surfside	Elementary	K-6	100%	541	438	81%	541	457	84%	541	430	79%	541	412	76%	541	398	74%	541	400	74%
Tropical	Elementary	K-6	100%	910	582	64%	910	725	80%	910	623	68%	910	603	66%	910	565	62%	910	547	60%
Turner	Elementary	PK-6	100%	874	529	61%	874	525	60%	874	602	69%	874	675	77%	874	720	82%	874	733	84%
University Park	Elementary	PK-6	100%	811	432	53%	811	471	58%	811	438	54%	811	438	54%	811	438	54%	811	438	54%
Viera Elem	Elementary	K-6	100%	1,012	384	38%	1,012	643	64%	1,012	613	61%	1,012	697	69%	1,012	738	73%	1,012	741	73%
Westside	Elementary	K-6	100%	857	671	78%	857	694	81%	857	617	72%	857	641	75%	857	663	77%	857	663	77%
Williams	Elementary	PK-6	100%	715	482	67%	715	484	68%	715	463	65%	715	444	62%	715	425	59%	715	396	55%
Elementary Totals				42,996	29,621		42,996	30,567		43,040	30,387		43,194	31,384		43,282	31,483		43,392	31,487	



Middle School Concurrency Service Areas													
	Middle	7-8	90%	1,505	1,135	75%	1,505	1,076	71%	1,505	1,167	78%	1,505
Central	Middle	7-8	90%	939	800	85%	939	846	90%	939	873	93%	939
DeLaure	Middle	7-8	90%	680	469	69%	680	480	71%	680	466	71%	680
Hoover	Middle	7-8	90%	554	566	87%	554	583	89%	554	558	85%	554
Jackson	Middle	7-8	90%	854	647	76%	854	632	74%	854	609	71%	854
Jefferson	Middle	7-8	90%	997	731	73%	997	694	70%	997	727	73%	997
Kennedy	Middle	7-8	90%	813	666	82%	813	618	76%	813	606	75%	813
Randson	Middle	7-8	90%	781	470	60%	781	445	57%	781	468	60%	781
McNair	Middle	7-8	90%	611	407	67%	611	390	64%	611	440	72%	611
Southwest	Middle	7-8	90%	1,177	804	77%	1,177	892	76%	1,177	879	75%	1,177
Stone	Middle	7-8	90%	1,024	775	76%	1,024	856	84%	1,024	927	91%	1,024
<b>Middle Totals</b>				<b>10,035</b>	<b>7,570</b>		<b>10,035</b>	<b>7,492</b>		<b>10,035</b>	<b>7,730</b>		<b>10,055</b>

Junior / Senior High School Concurrency Service Areas													
	Jr / Sr High	PK, 9-12	90%	2,084	1,572	75%	2,084	1,578	80%	2,084	1,857	89%	2,084
Cocoa	Jr / Sr High	PK, 9-12	90%	1,466	964	66%	1,466	1,000	66%	1,466	914	62%	1,466
Cocoa Beach	Jr / Sr High	7-12	90%	1,857	1,501	81%	1,857	1,492	80%	1,857	1,455	78%	1,857
Space Coast	Jr / Sr High	7-12	90%	5,407	4,037		5,407	4,083		5,407	4,226		5,407
<b>Jr / Sr High Totals</b>				<b>5,407</b>	<b>4,037</b>		<b>5,407</b>	<b>4,108</b>		<b>5,407</b>	<b>4,310</b>		<b>5,407</b>

Senior High School Concurrency Service Areas													
	High	9-12	95%	1,446	1,087	75%	1,446	1,081	75%	1,446	1,092	76%	1,446
Astronaut	High	9-12	95%	2,257	1,568	69%	2,257	1,869	83%	2,257	2,046	91%	2,257
Bayview	High	PK, 9-12	95%	2,221	1,605	72%	2,221	1,642	74%	2,221	1,741	78%	2,221
Eau Gallie	High	9-12	95%	2,314	1,899	82%	2,314	1,980	86%	2,314	2,081	90%	2,314
Heritage	High	9-12	95%	2,370	2,112	89%	2,370	2,148	91%	2,370	2,354	99%	2,370
Melbourne	High	PK, 9-12	95%	1,891	1,489	79%	1,891	1,494	79%	1,891	1,517	80%	1,891
Merritt Island	High	PK, 9-12	95%	2,602	1,336	51%	2,602	1,288	50%	2,602	1,827	70%	2,602
Palm Bay	High	9-12	95%	1,701	1,518	89%	1,701	1,624	95%	1,701	1,664	97%	1,701
Rockledge	High	9-12	95%	1,516	1,412	93%	1,516	1,411	93%	1,516	1,393	92%	1,516
Satellite	High	9-12	95%	1,848	1,230	67%	1,848	1,391	75%	1,848	1,428	77%	1,848
Titusville	High	9-12	95%	2,275	2,086	92%	2,275	2,266	98%	2,275	2,377	100%	2,275
Viera	High	PK, 9-12	95%	2,275	2,086	92%	2,275	2,266	98%	2,275	2,377	100%	2,275
<b>High Totals</b>				<b>22,441</b>	<b>17,352</b>		<b>22,441</b>	<b>17,845</b>		<b>22,441</b>	<b>19,484</b>		<b>22,701</b>

Schools of Choice (Not Concurrency Service Areas)													
	Elementary	K-6	100%	475	395	83%	475	395	83%	475	395	83%	475
Freedom 7	Elementary	K-6	100%	569	505	89%	569	488	86%	569	488	86%	569
Stevens	Elementary	K-6	100%	618	531	86%	618	531	86%	618	531	86%	618
West Melbourne	Elementary	K-6	100%	1,072	937	87%	1,072	942	88%	1,072	942	88%	1,072
Edgewood	Jr / Sr High	7-12	90%	1,264	967	77%	1,264	967	77%	1,264	967	77%	1,264
West Shore	Jr / Sr High	7-12	90%	3,998	3,317		3,998	3,323		3,998	3,323		3,998
<b>Schools of Choice</b>				<b>84,877</b>	<b>61,997</b>		<b>84,877</b>	<b>64,127</b>		<b>84,877</b>	<b>66,147</b>		<b>85,553</b>
<b>Brevard Totals</b>				<b>84,877</b>	<b>61,997</b>		<b>84,877</b>	<b>64,127</b>		<b>84,877</b>	<b>66,147</b>		<b>85,553</b>

Notes:  
1. FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2020-21 are reported from the FISH database as of August 6, 2020.  
2. Student Membership is reported from the Fall Final Membership Count (10/09/20).  
3. Davis Demographics SchoolSite Enrollment Forecasting Extension for ArcGIS estimates future student populations by analyzing the following data:  
- Development Projections from Brevard County Local Government Jurisdictions  
- Brevard County School Concurrency Student Generation Multipliers (SGM)  
- Fall Membership student addresses and corresponding concurrency service areas  
- Student Mobility Rates / Cohort Survival Rates  
- Brevard County Birth rates by zip code  
4. Davis Demographics estimates are then adjusted using the following factors:  
- PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant  
- Current From/To attendance patterns are assumed to remain constant  
- Nonrelocated student addresses are assumed to continue in their attendance schools.  
- Charter School Growth.  
5. In order to maintain utilization rates lower than the 100% Level of Service, Permanent Capacity and Relocatable Classrooms are assumed to add future student stations as necessary.  
6. A total of 30 Relocatable Classrooms are assumed to add future student stations as listed below:  
- Primary relocatable classrooms (Grades K-3) = 18 student stations, Intermediate (Grades 4-8) Relocatable classrooms = 22 student stations, and High School (Grades 9-12) relocatable classrooms = 25 student stations  
Intermediate relocatable classrooms are proposed to be added at Roy Allen Elementary, Riviera Elementary, Saturn Elementary, Sunrise Elementary, and Stone Middle School (Total 19 Classrooms)  
High school relocatable classrooms are proposed to be added at Melbourne High and Viera High (Total of 11 Classrooms)  
7. Redistricting was approved for the 2021-22 school year and the projected enrollment for 2021-22 is adjusted for those areas.



# Aurora Pines Location Map

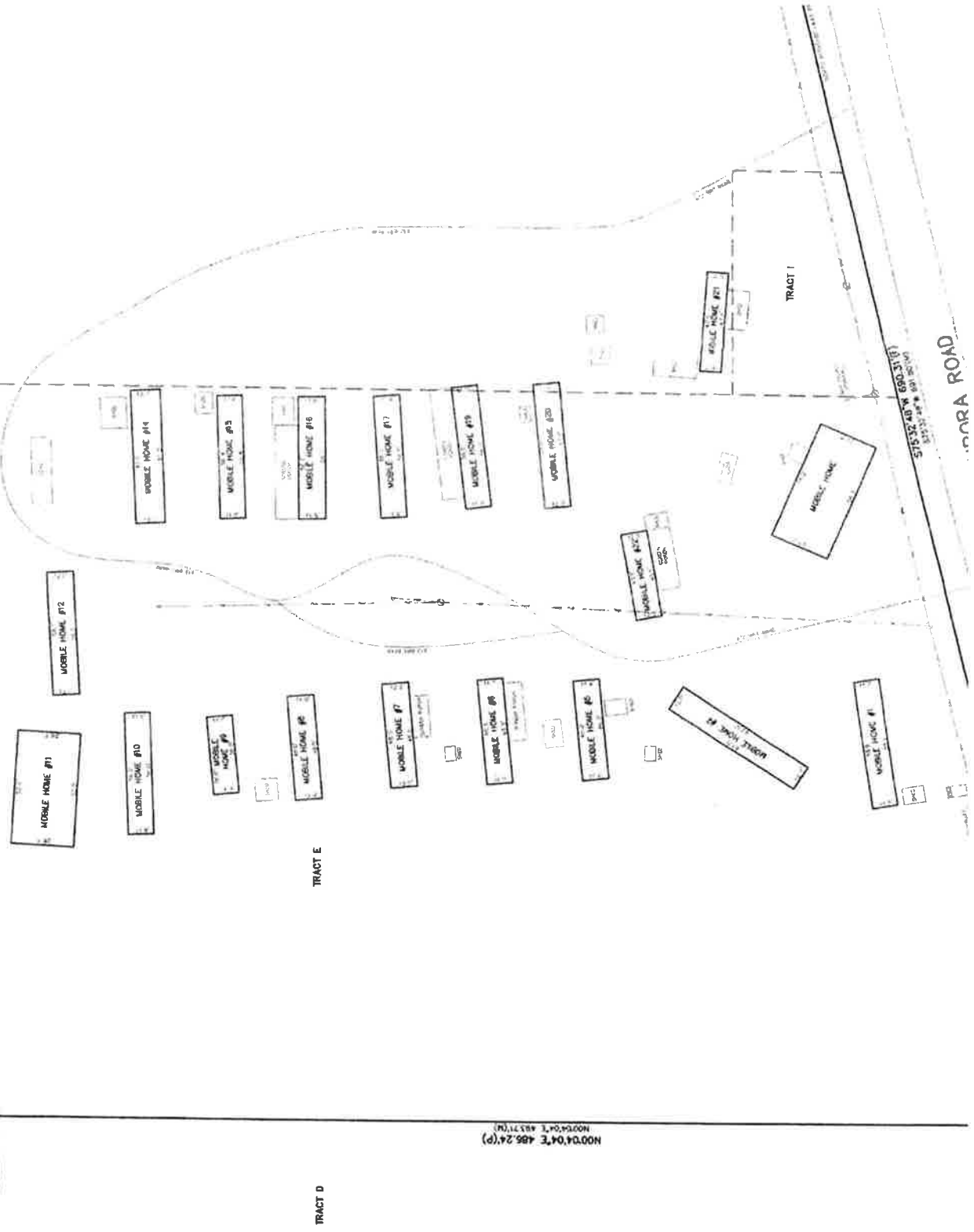


WHITE ROAD

37' ASPHALT ROAD  
(50' PUBLIC RIGHT-OF-WAY)

N85°01'00"E 888.50'(P)  
N85°01'00"E 223.82'(P)

♀



WHITE ROAD

51°32'40"W 690.31'(P)  
S27°32'40"W 690.31'(P)

N00°04'04"E 486.24'(P)  
N00°04'04"E 483.71'(P)

MOBILE  
28.31

MOE  
11.9

SET 5/8" I.R.  
"ID LS085"

## **PLANNING AND ZONING BOARD MINUTES**

The Brevard County Planning & Zoning Board met in regular session on **Monday, July 12, 2021**, 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: Ron Bartcher (D1); Brian Hodgers (D2); Mark Wadsworth, Chair (D4); Joe Buchanan (D4 Alt); Peter Filiberto (D5); and David Bassford (D5 Alt).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; George Ritchie, Planner III; Paul Body, Planner II; Kyle Harris, Planner I; Abigail Jorandby, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

At the outset of the meeting, David Bassford announced he had a conflict of interest on Items H.1., H.7., and H.8., and would need to abstain from voting.

### **Excerpt of Complete Minutes**

#### **4090 Aurora Pines, LLC (Bruce Moia)**

A Small Scale Comprehensive Plan Amendment (21S.04) to change the Future Land Use designation from RES 4 (Residential 4) to RES 6 (Residential 6). The property is 6.21 acres, located on the north side of Aurora Rd., approx. 677 ft. west of Turtlemound Rd. (4090 Aurora Rd., Melbourne) (21PZ00030) (Tax Account 2702879) (District 5)

Motion by Peter Filiberto, seconded by Joe Buchanan, to table the request to the July 26, 2021, LPA meeting, due to lack of quorum. The vote was unanimous.

#### **4090 Aurora Pines, LLC (Bruce Moia)**

A change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-Family Mobile Home). The property is 6.21 acres, located on the north side of Aurora Rd., approx. 677 ft. west of Turtlemound Rd. (4090 Aurora Rd., Melbourne) (21Z00016) (Tax Account 2702879) (District 5)

Motion by Peter Filiberto, seconded by Joe Buchanan, to table the request to the July 26, 2021, LPA meeting, due to lack of quorum. The vote was unanimous.

## LOCAL PLANNING AGENCY/PLANNING AND ZONING BOARD MINUTES

The Brevard County Local Planning Agency/Planning & Zoning Board met in regular session on Monday, July 26, 2021, at 3:00 p.m., in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order by Vice Chair Peter Filiberto, at 3:07 p.m.

Board members present were: Ron Bartcher (D1); Brian Hodgers (D2); Ben Glover (D3); William Capote (D3); Ron McLellan (D4); Joe Buchanan (D4); Peter Filiberto, Vice Chair (D5); and David Bassford.

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; George Ritchie, Planner III; Kyle Harris, Planner I; Abby Jorandby, Assistant County Attorney; Tad Calkins, Planning and Development Director; Virginia Barker, Natural Resources Management Director; and Jennifer Jones, Special Projects Coordinator.

David Bassford announced he will abstain from voting on Items H.1. through H.3. due to a conflict of interest.

### Excerpt of Complete Minutes

#### 2. 4090 Aurora Pines, LLC (Bruce Moia)

A Small Scale Comprehensive Plan Amendment (21S.04) to change the Future Land Use designation from RES 4 (Residential 4) to RES 6 (Residential 6). The property is 6.21 acres, located on the north side of Aurora Rd., approx. 677 ft. west of Turtlemound Rd. (4090 Aurora Rd., Melbourne) (21PZ00030) (Tax Account 2702879) (District 5) This item was tabled from the 07/12/21 P&Z meeting.

#### 3. 4090 Aurora Pines, LLC (Bruce Moia)

A change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-Family Mobile Home). The property is 6.21 acres, located on the north side of Aurora Rd., approx. 677 ft. west of Turtlemound Rd. (4090 Aurora Rd., Melbourne) (21Z00016) (Tax Account 2702879) (District 5). This item was tabled from the 07/12/21 P&Z meeting.

Bruce Moia, MBV Engineering, stated there is an existing trailer park on the subject property and approximately 2.6 acres that is vacant and the owns would like to put some single-family homes on the property that would be compatible with the area. The land use is compatible with the surrounding land uses as well as the zoning. He said in order to get the lot size and density they need, they are asking for more than that they think they need. He said he has done a preliminary concept plan and believes 10 lots can be placed on the property. He advised that water and sewer would be brought to the property and an internal roadway system would be constructed, as well as maintaining the mobile home park that has been in existence since the 1950's or 1960's.

Brian Hodgers asked if they will be single-family homes. Mr. Moia replied yes, they will be single-family detached homes. He noted manufactured or mobile homes would be allowed in the zoning classification, but that is not what is being proposed. He added, there are already quite a few mobile home parks in the area, so it wouldn't be out of character, but that is not the intention.

Ben Glover asked if the new lots would be on the eastern part of the property. Mr. Moia replied yes, they would be on the eastern half of the lot. Mr. Glover asked if Mr. Moia will have to put in another accessway. Mr. Moia replied they would be building a road out to Aurora Road and brining in water and sewer.

Peter Filiberto asked if the manufactured homes that are there now are already on sewer and water. Mr. Moia replied he does not believe they are.

No public comment.

Motion by Ben Glover, seconded by Joe Buchanan to approve the Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from RES 4 to RES 6. The motion passed unanimously.

Motion by Ben Glover, seconded by Joe Buchanan, to approve the change of classification from TR-3 to TR-1-A. The motion passed unanimously.