



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.6.

10/6/2022

Subject:

Andrea Bedard and Nicholas Boardman (Kim Rezanka) request a change of zoning classification from AU to RU-2-4 and RU-2-6. (22Z00015) (Tax Account 2511124) (District 2)

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 zoning classification from AU (Agricultural Residential) to RU-2-4 (Low Density Multi-Family Residential) and RU-2-6 (Low Density Multi-Family Residential).

Summary Explanation and Background:

The applicant requests to rezone the entire 1.01 acre subject property from AU to RU-2-4 on the 0.34-acre portion of the site designated as Residential 4 Future Land Use and RU-2-6 on the 0.67-acre portion of the site designated as Neighborhood Commercial Future Land Use.

Both RU-2-4 and RU-2-6 are multi-family residential zoning classifications. The primary difference between the two zoning classifications is the allowable density. It permits multi-family residential development or single-family residences at a density of up to four/six units per acre on 7,500 square-foot lots. The minimum living area for a single-family dwelling unit is 1,100 square feet. For a duplex, the minimum living area 1,150 square feet, and for an apartment, the minimum living area is 500 square feet.

The area between the East side of US Highway 1 and Indian River Lagoon largely consists of commercial (BU-1 & BU-2), estate residential (EU & EU-2) and agricultural (AU) zoning classifications, with the commercial zoning classifications fronting US Highway 1 and the estate zoning classification along Rockledge Drive. The closest multi-family zoning is a located approximately 1,800 feet south of the subject site and is developed as a duplex with RU-2-10 zoning. Resort dwellings and apartments are allowed as a permitted use in both RU-2-4 and RU-2-6 zoning classifications.

The Board may wish to consider whether the introduction of multi-family zoning classifications is consistent and compatible with the surrounding area.

On September 12, 2022, the Planning and Zoning Board heard the request. A motion to approve resulted in a tie vote; therefore, the motion failed.

Clerk to the Board Instructions:

Once resolution is received, 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

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

22Z00015

Nicholas Boardman & Andrea Bedard

**AU (Agricultural Residential) to RU-2-4 (Low-density Multiple-family Residential)
and RU-2-6 (Low-density Multiple-family Residential)**

Tax Account Number: 2511124
Parcel I.D.: 25-36-23-00-506
Location: North side of Coquina Road, approximately 200 feet east of Highway 1
(District 2)
Acreage: 1.01 acres

Planning and Zoning Board: 09/12/2022

Board of County Commissioners: 10/06/2022

Consistency with Land Use Regulations

- Current zoning can 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)

	CURRENT	PROPOSED
Zoning	AU	RU-2-4 and RU-2-6
Potential*	1 SF unit	RU-2-4 portion: 1 SF units RU-2-6 portion: 4 SF units
Can be Considered under the Future Land Use Map	YES NC & RES 4	YES NC & RES 4

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

Background and Purpose of Request

The applicant requests to rezone the entire 1.01 acre subject property from AU (Agricultural Residential) to RU-2-4 (Low-density Multiple-family Residential) on the 0.34-acre portion of the site designated as RES 4 FLU and RU-2-6 (Low-density Multiple-family Residential) on the 0.67-acre portion of the site designated as NC FLU.

According to the Property Appraiser's record, the parcel is developed with a single-family residence built in 1951 and an accessory building. AU is the original zoning classification.

Land Use

The subject property has split Future Land Use. The subject property is currently designated as Neighborhood Commercial (NC) and Residential 4 (RES 4). The existing AU zoning can be considered consistent with the Neighborhood Commercial (NC) and Residential 4 (RES 4) Future Land Use designations.

The proposed RU-2-4 zoning can be considered consistent with the Residential 4 (RES 4) Future Land Use designation and the proposed RU-2-6 zoning can be considered consistent with the Neighborhood Commercial (NC) Future Land Use designation.

Applicable Land Use Policies

FLUE Policy 1.7 - Residential 4 (maximum of 4 dwelling units per acre)

The Residential 4 land use designation affords an additional step down in density from more highly urbanized areas. This land use designation permits a maximum density of up to four (4) units per acre, except as otherwise may be provided for within the Future Land Use Element.

FLUE Policy 2.5 – Activities Permitted in Neighborhood Commercial (NC) Future Land Use Designations

Neighborhood Commercial (NC) development activities are intended to be low-impact in nature and serve the needs of the immediate residential area. Intrusion of these land uses into surrounding residential areas shall be limited. Existing BU-1-A uses, which were established as of the adoption date of this provision shall be considered consistent with this policy. Development activities which may be considered within Neighborhood Commercial (NC) Future Land Use designation, provided that listed criteria are met, include the following:

- a) Professional offices (no drive through lanes permitted);
- b) Personal Services (no drive through lanes permitted);
- c) Convenience stores (no drive through lanes permitted);
- d) Residential uses;
- e) Institutional uses;
- f) Recreational uses;
- g) Public facilities; and
- h) Transitional uses pursuant to Policy 2.12.

FLUE Policy 2.10 – Residential Development in Neighborhood Commercial and Community Commercial Land Use Designations

Residential development or the integration of residential development with commercial development shall be permitted in the Neighborhood Commercial and Community Commercial land use designations, provided that the scale and intensity of the residential/mixed use development is compatible with abutting residential development and areas designated for residential use on the Future Land Use Map. Residential development is permissible in these commercial land use designations at density of up to one category higher than the closest residentially designated area on the Future Land Use Map (FLUM) which is on the same side of the street. Increases in density beyond this allowance may be considered through a public hearing. In the CHHA, however, residential development is strictly limited to the density of the closest residentially designated area on the FLUM that is on the same side of the street. Such residential development, as described above, shall be allowed to utilize the following characteristics:

Criteria:

- A. Residential uses within Neighborhood Commercial and Community Commercial designations shall be encouraged to utilize neo-traditional neighborhood development techniques, such as narrower road rights-of-way, mid-block pedestrian pass-throughs, alleys, smaller lot sizes, on-street parking, reduced lot line setbacks and public transit facilities.
- B. Residential density bonuses as set forth in Policy 11.2 may be considered in addition to the bonus stated in the above policy within Neighborhood Commercial and Community Commercial designations as an incentive for redevelopment and regentrification if the proposed development will address serious incompatibility with existing land uses, is adequately buffered from other uses, is located along major transportation corridors, and meets the concurrency requirements of this Comprehensive Plan.

FLUE Policy 1.2 - Public Facilities and Services Requirements

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

Criteria:

- C. In the Residential 30, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.
- 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.
- E. Where public water service is not available, residential development proposals with densities greater than two units per acre shall be required to connect to a centralized sewer system.
- F. The County shall not extend public utilities and services outside of established service areas to accommodate new development in Residential 2, Residential 1 and Residential 1:2.5 land use designations, unless an overriding public benefit can be demonstrated. This criterion is not intended to preclude acceptance of dedicated facilities and services by the County through MSBU's, MSTU's and other means through which the recipients pay for the service or facility.

The subject site is within the City of Cocoa's service area for potable water and within the City of Rockledge's service area for centralized sewer. Connection to centralized sewer and potable water is required under Criterion C, above.

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.

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 applicant proposes to develop multi-family residential units on the subject property. Proposed development will be reviewed at the site plan review stage.

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 request.

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 subject site fronts Coquina Road, an east to west local roadway that serves the residential community to the east along the Indian River Lagoon. There are CC Future Land Uses at the intersection of Coquina Road and S. U.S. Highway 1.

During an update to the Comprehensive Plan in 2001, the Future Land Use designation of mixed use was removed county-wide and replaced with either NC or CC based upon the densities and intensities of the underlying zoning classification. At the time of the Future Land Use change, CC was designated along this segment of S. U.S. Highway 1 with approximately two hundred feet (200') of NC to the east.

Currently, the NC Future Land Use designation serves as a transitional buffer between the single-family residences to the east and the commercial development to the west along S. U.S. Highway 1. In order for FLUE Policy 2.10 to apply, the scale and intensity of residential/mixed use development in commercial land use designations must be compatible with abutting residential development which is EU. The closest multi-family zoning is RU-2-10 located approximately 1,800 feet south of the subject site.

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

It appears no changes to the immediate area have occurred within the last three years.

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

A small-scale comprehensive plan amendment to change the future land use to CC (Community Commercial) and a rezoning to BU-2 with a BDP (Binding Development Plan) for a proposed self-storage facility were approved March 5, 2022 on approximately 12 acres adjacent to the subject property on the north side. Site plan review and approval are the next steps for the proposed development.

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.

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

East of the subject property is primarily single-family residences with zoning classifications of EU and EU-2. There is also limited commercial development along US Highway 1 with zoning classifications of BU-1 and BU-2, and a motel with a zoning classification of TU-1(16). North of the subject property is vacant commercial land (proposed self-storage facility) and a portion of a developed single-family residential lot; to the east are single-family residences; to the south is a retail store and a single-family residence; and to the west is a motor court. This request may be considered an introduction of multi-family zoning into the area.

The current AU zoning classification on the property is substandard as it is only 1.01 acres in size. AU zoning permits single-family residences and agricultural uses on 2.5 acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification permits all agricultural pursuits including the packing and processing, and sale of commodities raised on the property as well as allowing the grazing of animals, fowl and beekeeping.

Both RU-2-4 and RU-2-6 zoning classifications are multi-family residential zoning classifications. The only difference between the two zoning classifications is the allowable density. It permits multi-family residential development or single-family residences at a density of up to four/six units per acre on 7,500 square foot lots. Resort dwellings and apartments are allowed as a permitted use in both zoning classifications. In multi-family zoning classifications, the minimum living area for a single-family dwelling unit is 1,100 square feet. For a duplex, the minimum living area 1,150 square feet, and for an apartment, the minimum living area is 500 square feet. The closest multi-family zoning is a located approximately 1,800 feet south of the subject site and is developed as a duplex with RU-2-10 zoning.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Vacant Land (proposed self-storage facility) & a Single-Family Residence	BU-2 & AU	CC & RES 4
South	Retail Store & a Single-Family Residence	BU-1, AU & EU	CC, NC & RES 4
East	Single-Family Residences	EU & EU-2	RES 4
West	Bonsai Motor Court	TU-1(16)	CC

BU-1 zoning classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling. Resort dwelling use is allowed as a permitted use in the BU-1 classification.

EU zoning classification is an estate single family residential zoning classification. The minimum lot size is 15,000 square feet with a minimum lot width and depth of 100 feet. The minimum living area is 2,000 square feet.

EU-2 zoning classification is an estate single family residential zoning classification. The minimum lot size is 9,000 square feet with a minimum lot width of 90 feet and depth of 100 feet. The minimum living area is 1,500 square feet.

TU-1 is a general tourist commercial zoning classification which permits hotels and motels among its listed uses. It also permits BU-1-A type retail uses in conjunction with and accessory to a hotel or motel with a minimum of 25 rooms. The minimum lot size is 15,000 with a minimum width of 100' and minimum depth of 150'. Maximum density allowances range from 8 units per acre (in the South Beaches area) to 30 units per acre (in the North Beaches, Mainland and Merritt Island Redevelopment Area). Resort dwelling use is allowed as a permitted use in the TU-1 classification.

Three development actions have been approved within a half-mile radius of the subject property within the last three years. **20PZ00042** was approved for rezoning 1.2 acres to EU approximately 0.4 miles south of the subject property. The property has been developed with a single-family residence. **21PZ00083** for a small-scale comprehensive plan amendment to CC (Community Commercial), and **22Z00004** for a rezoning to BU-2 with a BDP (Binding Development Plan) have also been approved for approximately 12 acres adjacent to the subject property on the north side. A self-storage facility is proposed for the site. Conditions of the BDP, recorded July 14, 2022 in ORB 9560, Pages 520-529, include the following:

- Developer/Owner shall limit the use of the property to self-storage use only
- Developer/Owner agrees not the use the Property for outdoor storage and, therefore, such use shall be prohibited on the Property
- Developer/Owner agrees to limit the height of any buildings on the Property to single-story and, therefore, no building shall exceed single-story height
- Developer/Owner agrees and shall ensure that no lighting elements shall face residential properties
- Developer/Owner shall provide a 20 foot landscape buffer in accordance with Code requirements
- A finished 8-foot masonry wall shall be required along the edge of the improvements, such wall to be in accordance with Code requirements.

Preliminary Concurrency

The closest concurrency management segment to the subject property is US 1 between Barnes Boulevard and Eyster Boulevard, which has a Maximum Acceptable Volume (MAV) of 41,790 trips per day, a Level of Service (LOS) of D, and currently operates at 61.92% of capacity daily. The maximum development potential from the proposed rezoning does increase the percentage of MAV utilization by 0.09%. Based on proposed use provided by the applicant, the corridor is anticipated to operate at 62.01% of capacity daily. The maximum development potential of the proposal is not anticipated to create a deficiency in LOS. This is only a preliminary review and is subject to change.

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

The parcel is within the City of Cocoa's service area for potable water and within the City of Rockledge's service area for centralized sewer.

Environmental Constraints

- Protected Species
- Protected and Specimen Trees

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

For Board Consideration

The Board may wish to consider whether the introduction of multi-family zoning classification (RU-2-4 and RU-2-6) request is consistent and compatible with the surrounding area.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item #22Z00015

Applicant: Treharne for Bedard

Zoning Request: AU to RU-2-4 and RU-2-6

Note: Applicant wants to expand hotel use to the east

P&Z Hearing Date: 07/18/22; **BCC Hearing Date:** 8/04/22

Tax ID No: 2511124

- 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:

- Protected Species
- Protected and Specimen Trees

No noteworthy land use issues were identified. NRM reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

Land Use Comments:

Protected Species

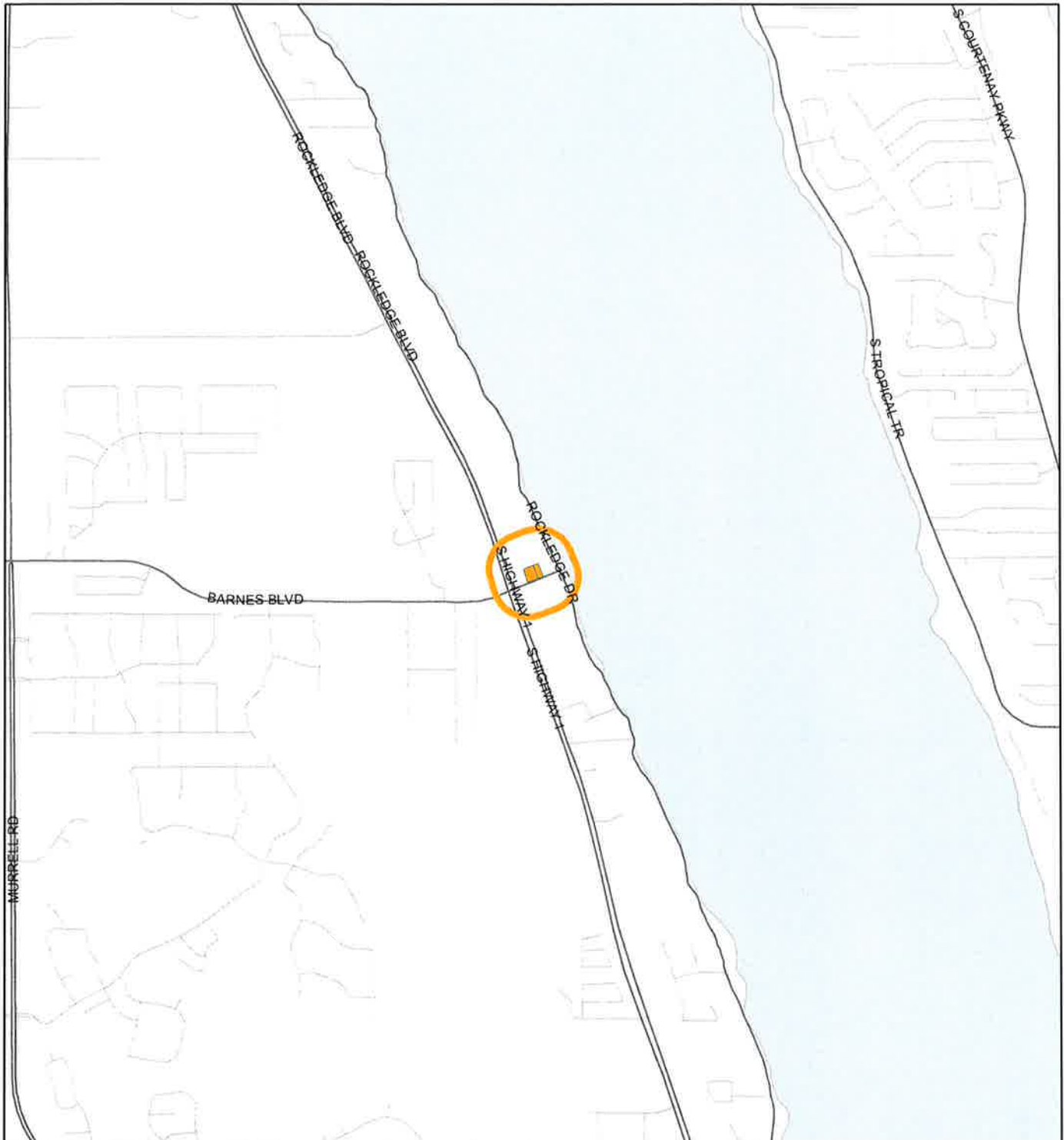
Information available to NRM indicates that federally and/or state protected species may be present on the property. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

Protected and Specimen Trees

Protected (≥ 10 inches in diameter) and Specimen (≥ 24 inches in diameter) trees may exist on the parcel. A tree survey will be required at time of a site plan submittal. The applicant is encouraged to perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. 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. 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. Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.

LOCATION MAP

BEDARD, Andrea and BOARDMAN, Nicholas
22Z00015



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

Buffer Distance: 500 feet

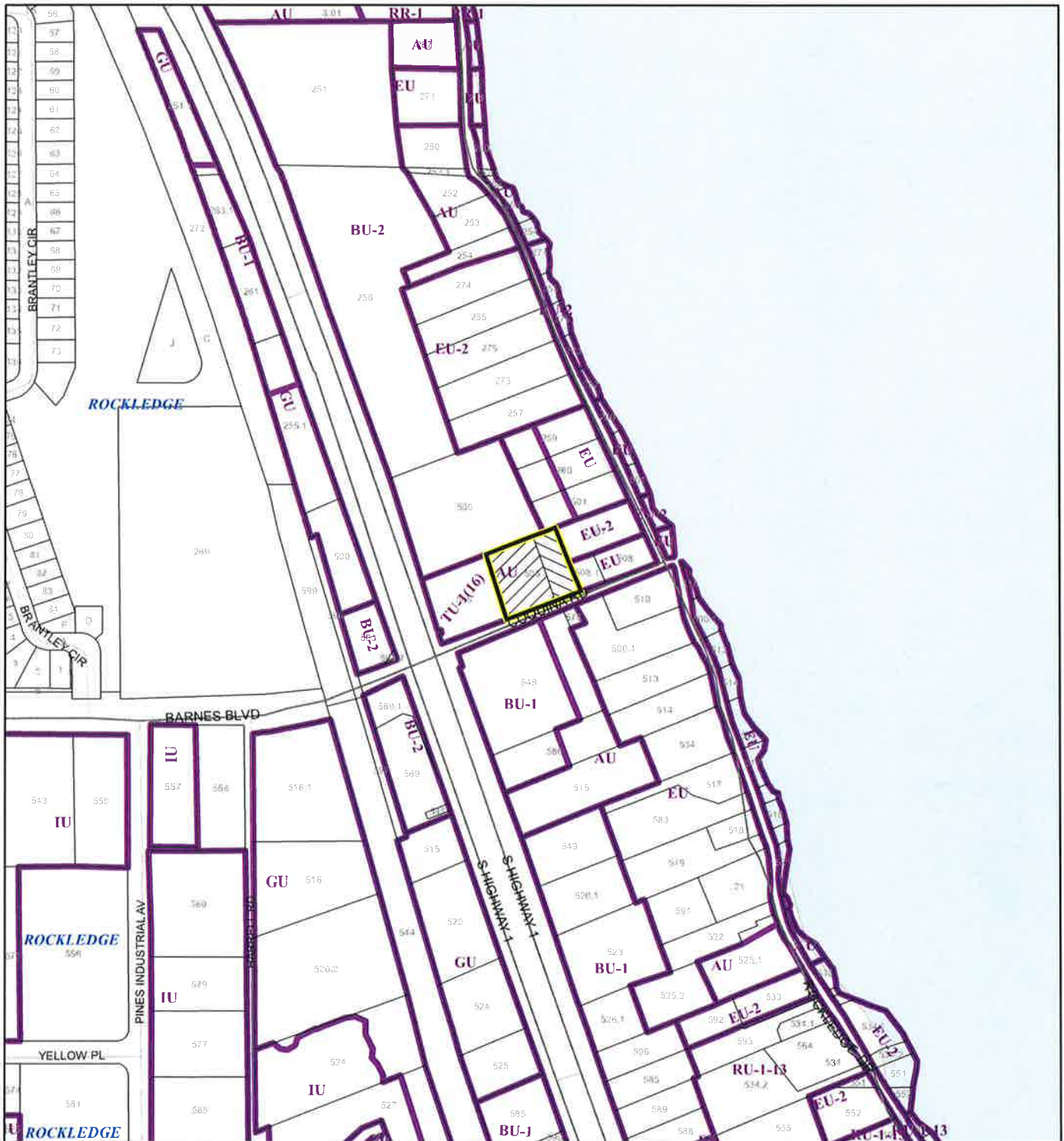
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 8/22/2022

- Buffer
- Subject Property

ZONING MAP

BEDARD, Andrea and BOARDMAN, Nicholas
22Z00015



1:4,800 or 1 inch = 400 feet

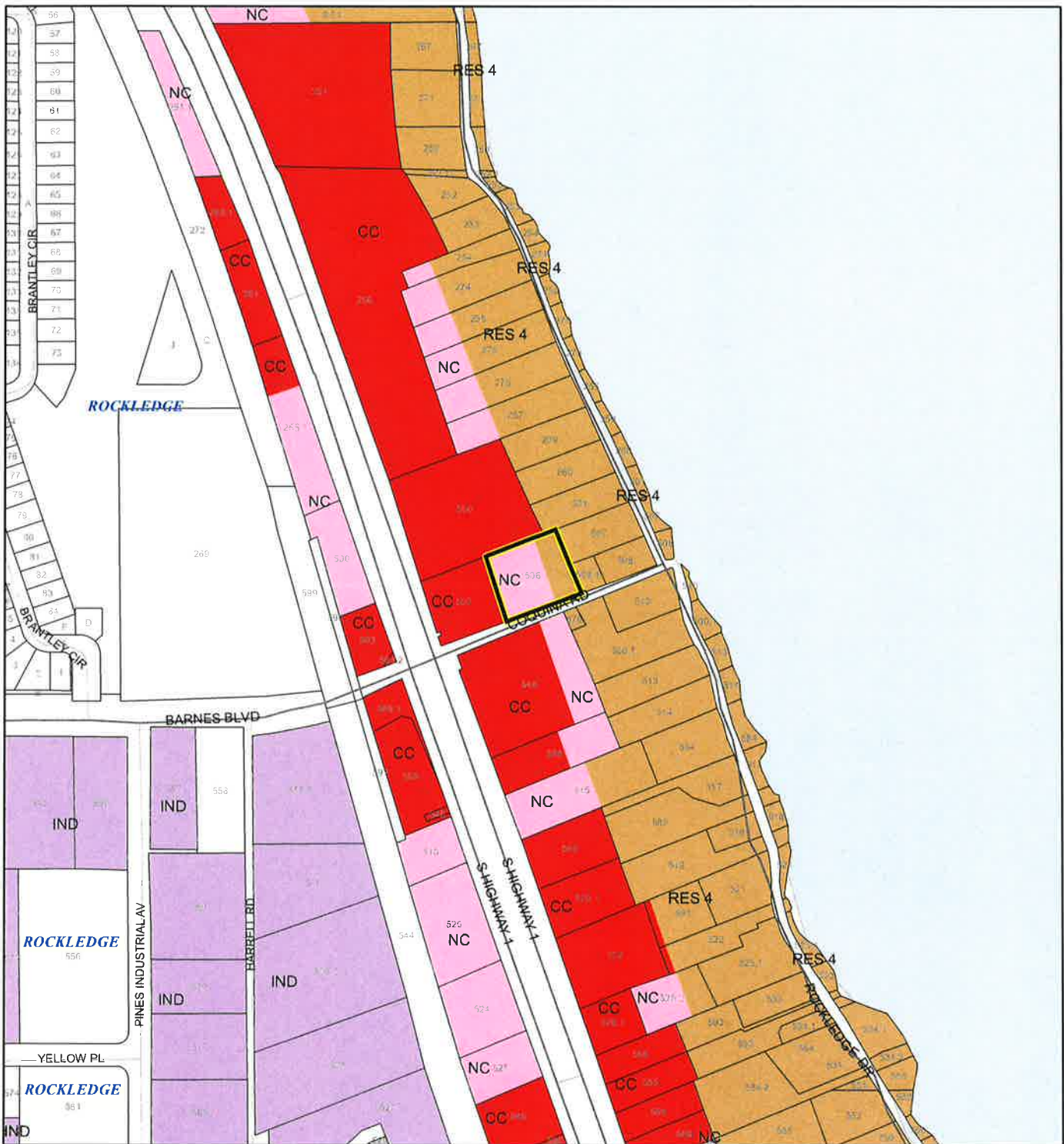
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 8/24/2022

- Subject Property
- Parcels
- Zoning to RU-2-6
- Zoning to RU-2-4

FUTURE LAND USE MAP

BEDARD, Andrea and BOARDMAN, Nicholas
22Z00015



1:4,800 or 1 inch = 400 feet

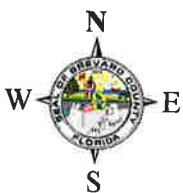
Subject Property
Parcels

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: 8/22/2022

AERIAL MAP

BEDARD, Andrea and BOARDMAN, Nicholas
22Z00015





1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2021

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.

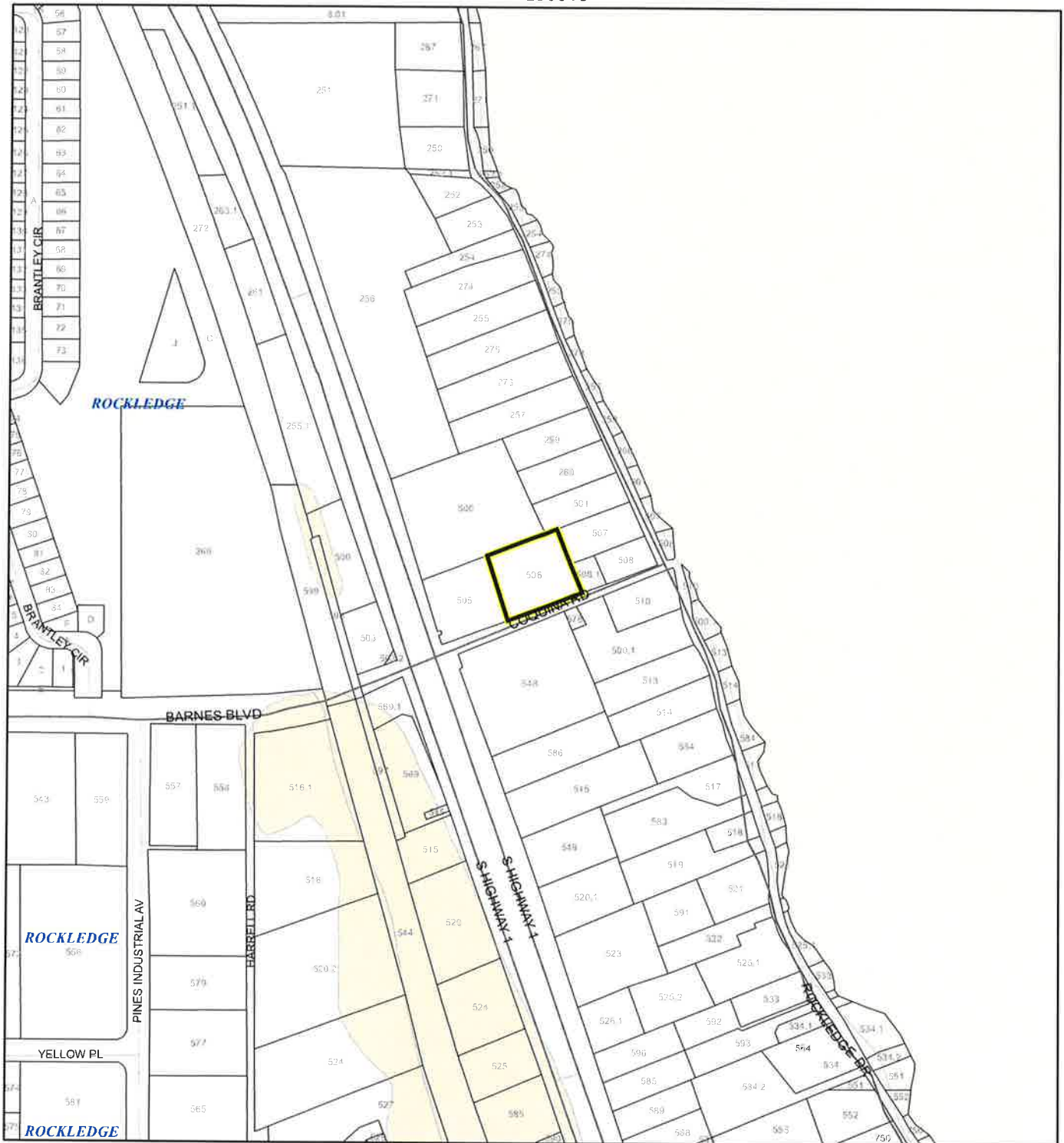
Produced by BoCC - GIS Date: 8/22/2022

 Subject Property
 Parcels

NWI WETLANDS MAP

BEDARD, Andrea and BOARDMAN, Nicholas

22Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/22/2022

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

BEDARD, Andrea and BOARDMAN, Nicholas

22Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/22/2022

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

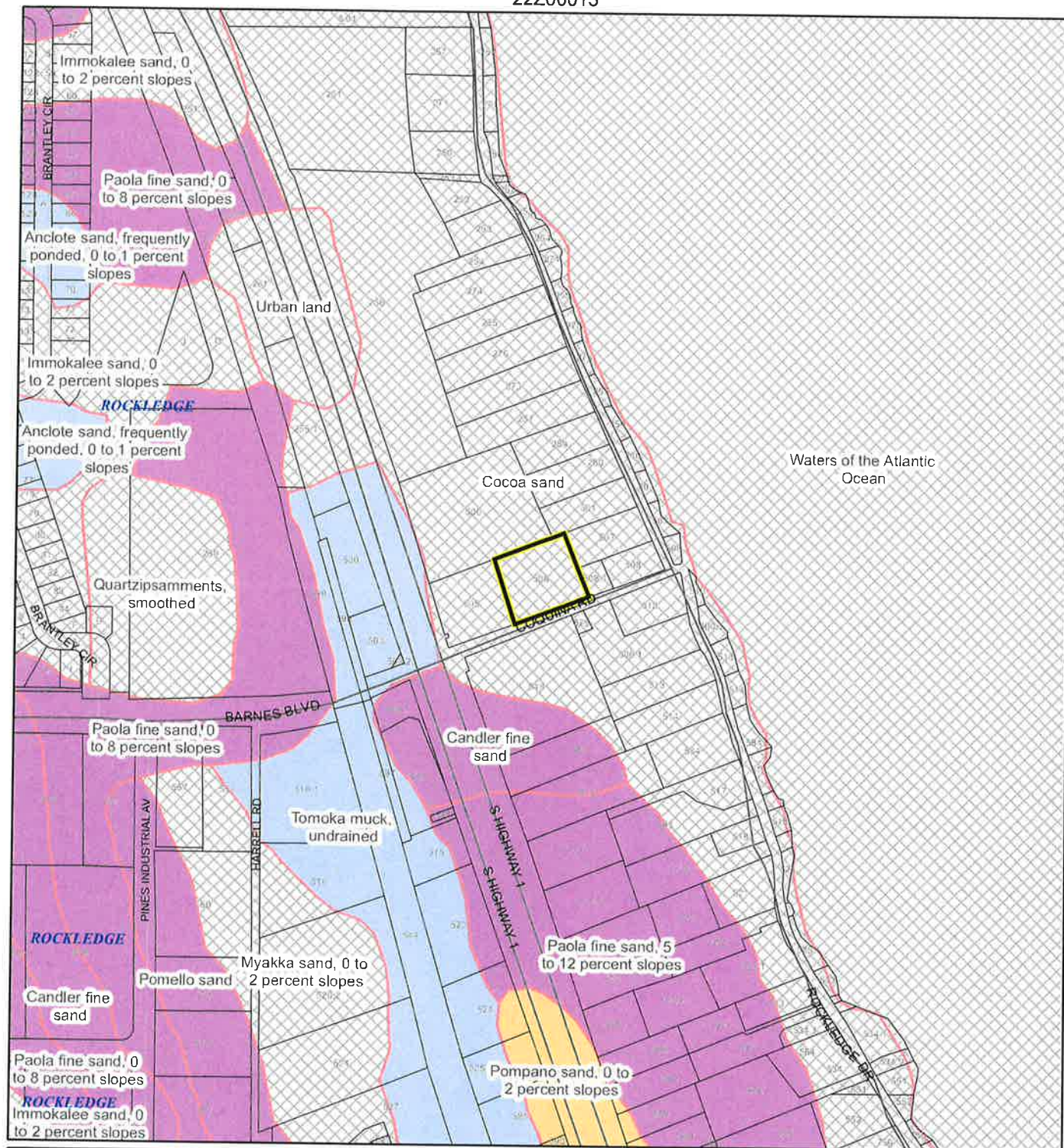
Subject Property

Parcels

USDA SCSSS SOILS MAP

BEDARD, Andrea and BOARDMAN, Nicholas

22Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/22/2022

USDA SCSSS Soils

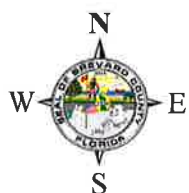
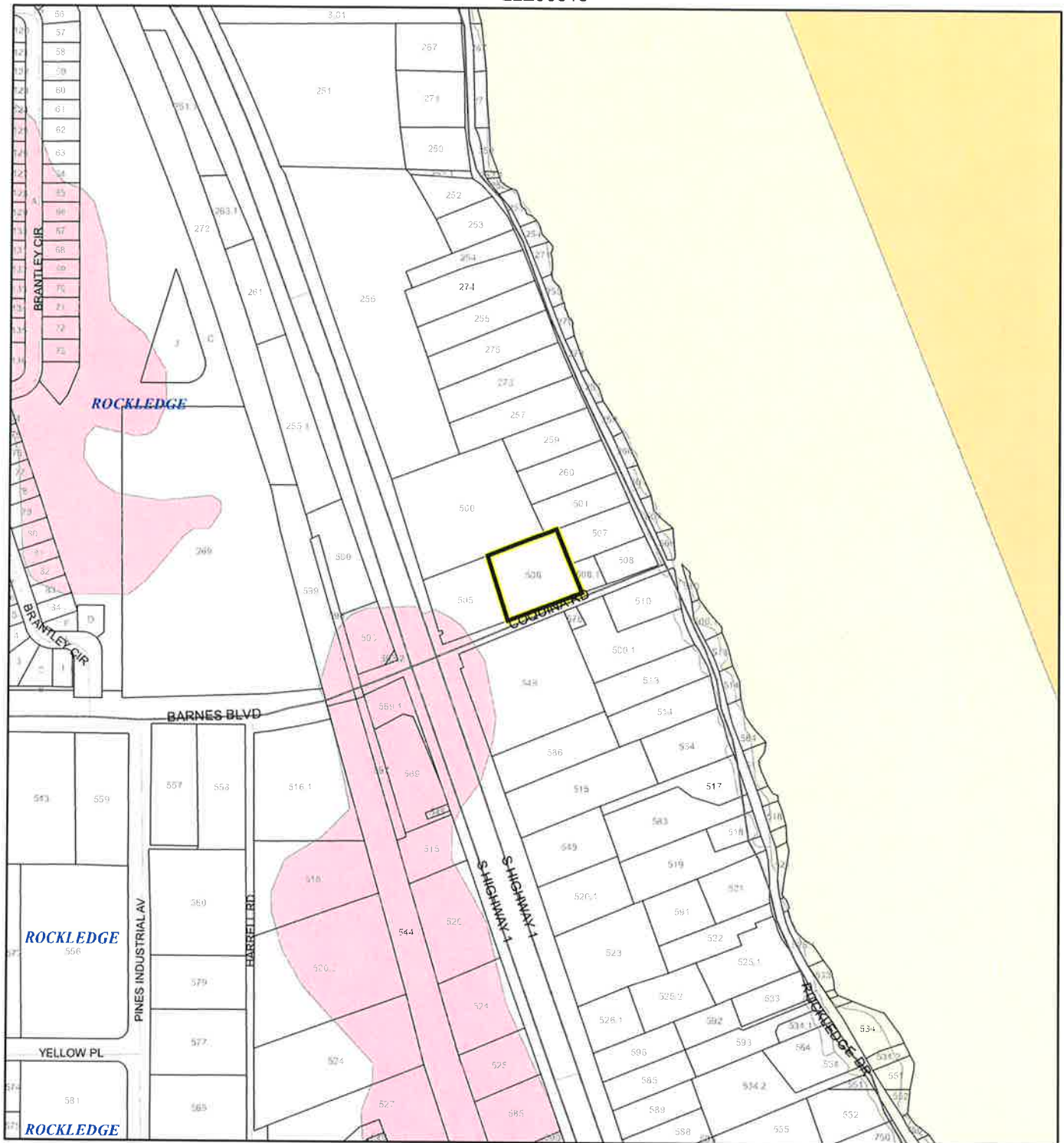
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

BEDARD, Andrea and BOARDMAN, Nicholas

22Z00015





1:4,800 or 1 inch = 400 feet


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Produced by BoCC - GIS Date: 8/22/2022


FEMA Flood Zones


 A


 AO


 X


 AE


 Open Water




 AH

 VE



 Subject Property

 Parcels

COASTAL HIGH HAZARD AREA MAP

BEDARD, Andrea and BOARDMAN, Nicholas

22Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/22/2022

— Subject Property

□ Parcels

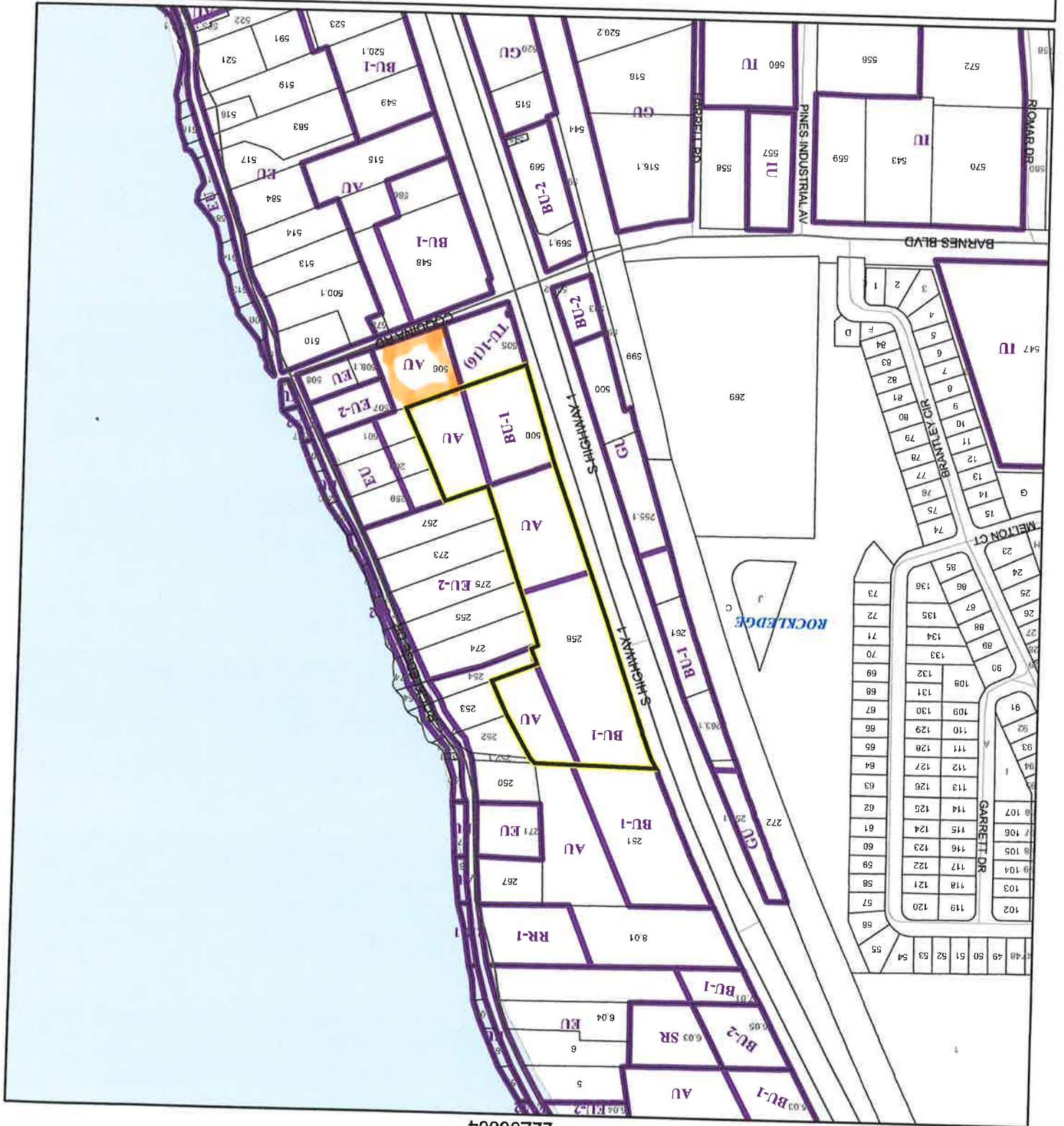
Coastal High Hazard Area

■ SurgeZoneCat1

ZONING MAP

HARVEY REALTY CORPORATION, AND HARVEY'S INDIAN RIVER GROVES, INC.

22200004



Subject Property
Parcels
Zoning

1:4,800 or 1 inch = 400 feet



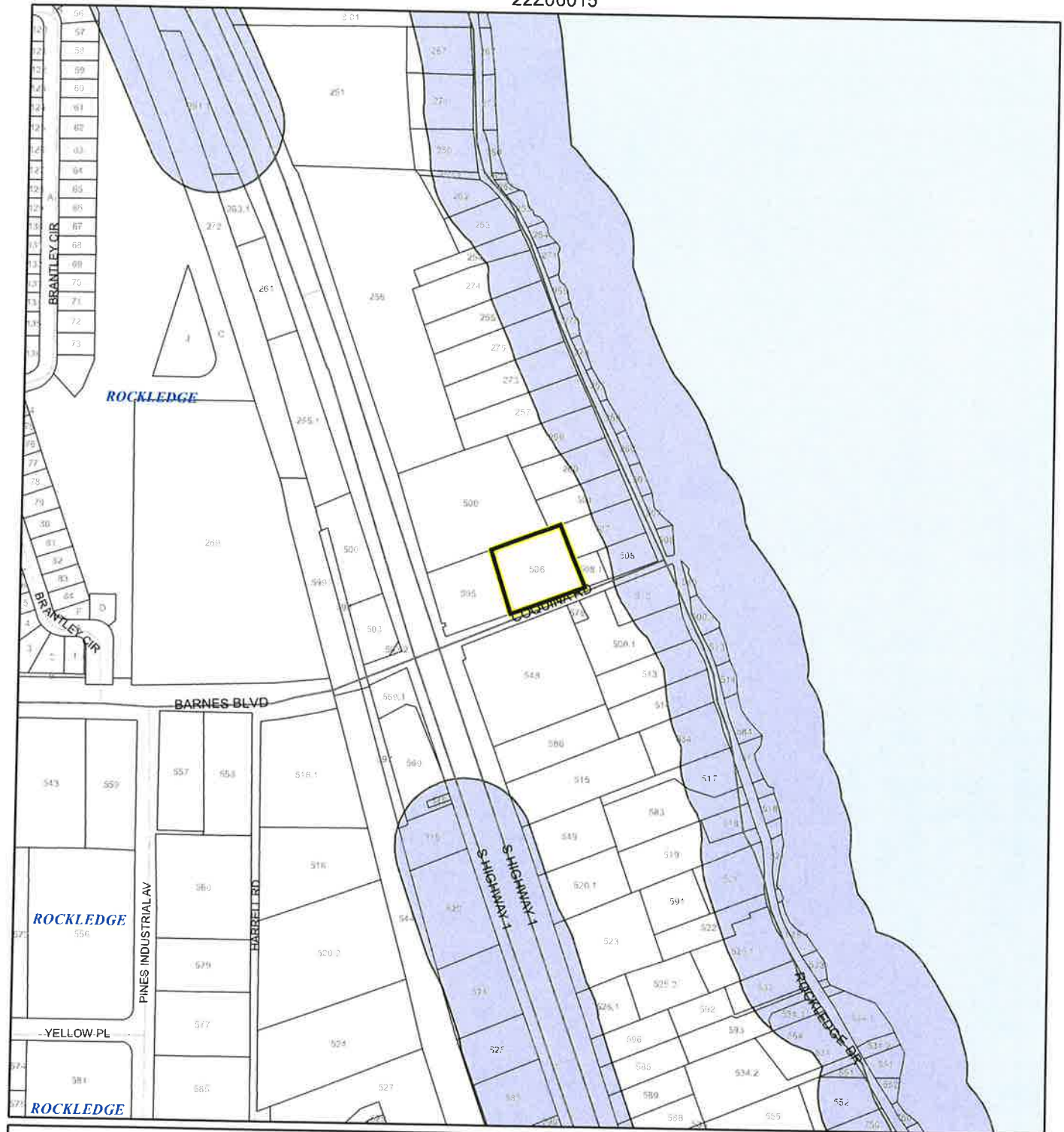
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/19/2022

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

BEDARD, Andrea and BOARDMAN, Nicholas

22Z00015



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: 8/22/2022

— Subject Property

□ Parcels

Septic Overlay

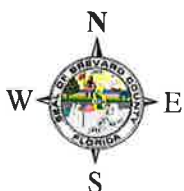
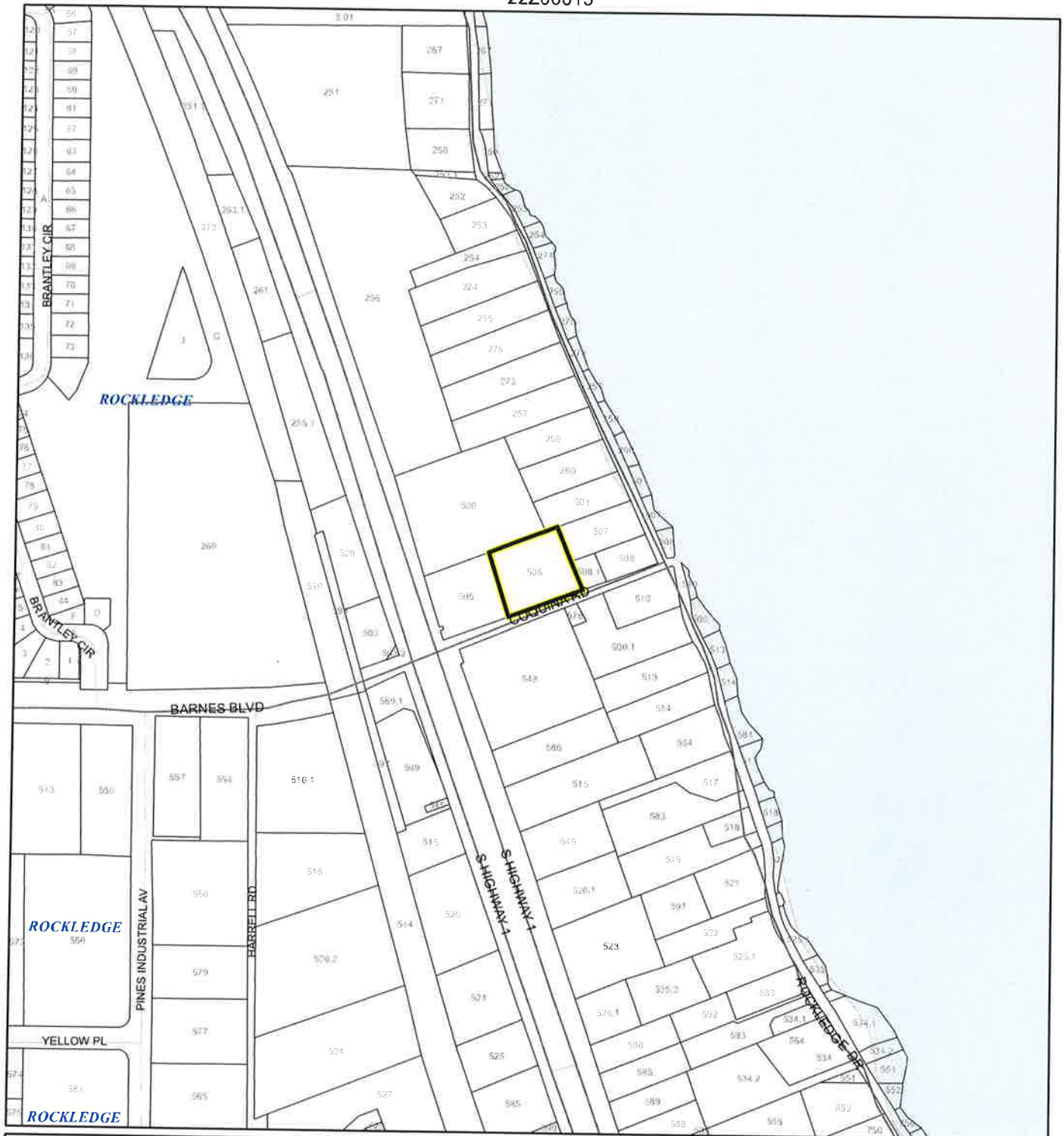
40 Meters

60 Meters

All Distances

EAGLE NESTS MAP

BEDARD, Andrea and BOARDMAN, Nicholas
22Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/22/2022

 Subject Property

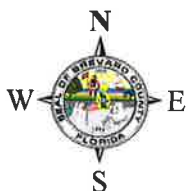
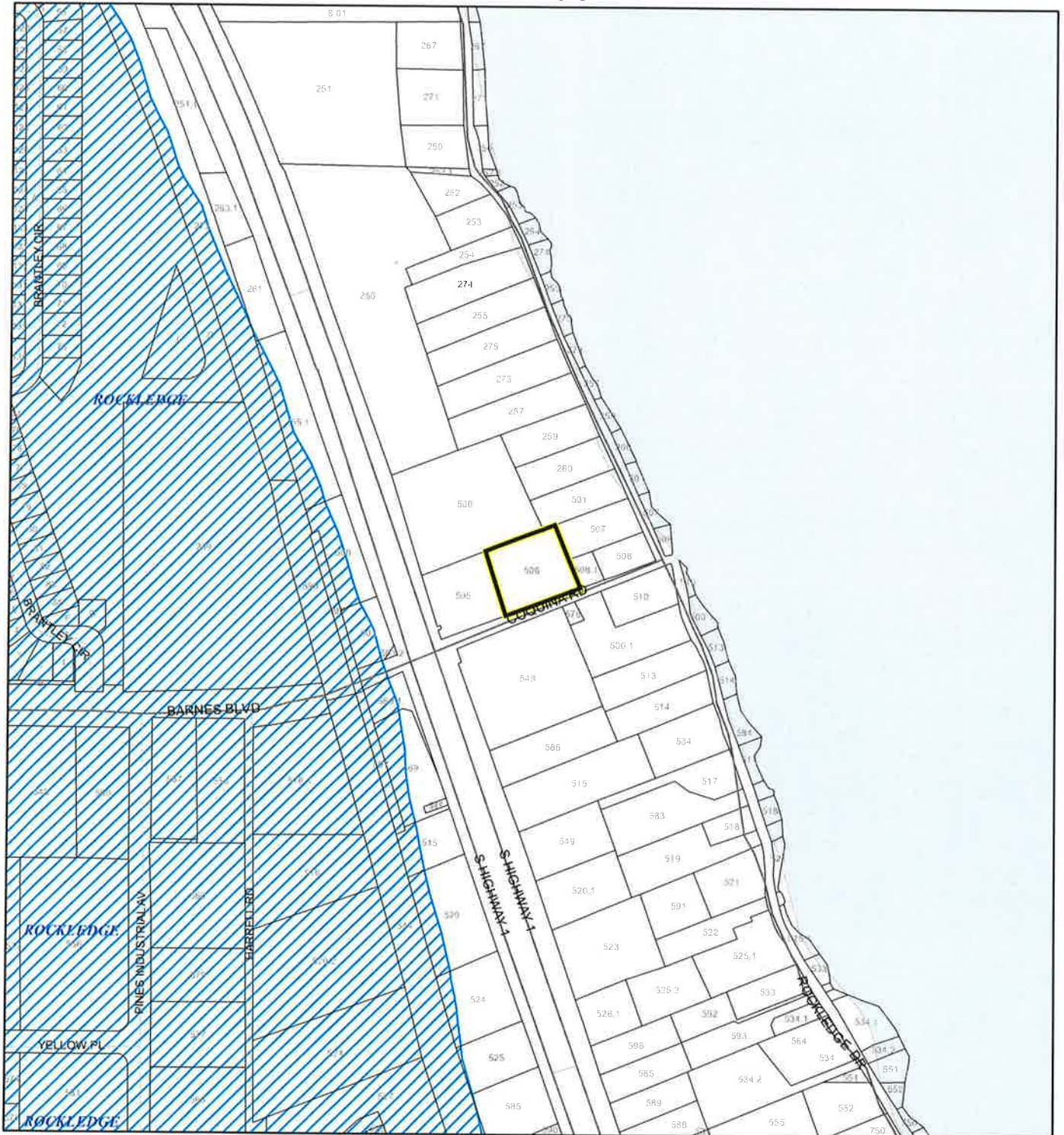
 Parcels

 Eagle Nests
FWS 2010

SCRUB JAY OCCUPANCY MAP

BEDARD, Andrea and BOARDMAN, Nicholas




22Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/22/2022

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

BEDARD, Andrea and BOARDMAN, Nicholas

22Z00015



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 8/22/2022

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

From: [Ed Johnson](#)
To: [Jones, Jennifer](#)
Subject: Opposition to rezoning request ID# 22Z00015 – Please add to the public record
Date: Monday, September 12, 2022 1:04:07 PM

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

Good afternoon Ms. Jones could you please add our opposition to this rezoning request to the public record and make it available to the advisory board for the meeting this afternoon. Thank you!

Ed and Claudia Johnson

Opposition to rezoning request ID# 22Z00015 – Please add to the public record

My wife and I and our 7 neighbors listed below oppose this rezoning request because it is not within the character of the neighborhood and as Mr. Minneboo said at the first Advisory Board meeting: "It is a difficult situation in that area, and he cannot support anything on that road more than what is there today. The neighborhood doesn't deserve any more impact.". We all agree with this statement 100%.

The neighborhood in this area is composed of almost all AU, EU and EU-2 zoning. All the property in this area that are currently zoned with a higher density have road frontage on Route 1 and does not affect traffic on Coquina Rd. We would not oppose rezoning to EU or EU-2.

Sincerely,

Ed and Claudia Johnson

1945 Rockledge Dr

Rockledge, Fl, 32955

Steve and Michele Brady

1941 Rockledge Dr

Rockledge, Fl, 32955

Teri and Ronda Graham

1937 Rockledge Dr

Rockledge, Fl, 32955

Eric and Laura Geier

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Rockledge, Fl, 32955

Bryan and Jamie Bennell

1955 Rockledge Dr

Rockledge, Fl, 32955

Susan Mills

21 Coquina Rd

Rockledge, Fl, 32955

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, September 12, 2022**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were: Board members present were: Henry Minneboo (D1); Ron Bartcher (D1); Brian Hodgers (D2); Robert Sullivan (D2); Lorraine Koss (Alt. D2); Ben Glover, Vice Chair (D3); Mark Wadsworth, Chair (D4); Logan Luse (Alt. D4); Bruce Moia (D5); Peter Filiberto (D5); and John Hopengarten (BPS). *Per Section 62-183(2), the District 2 Alternate member was not eligible to vote.*

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; Melissa Wilbrandt, Associate Planner; Jane Hart, Planner III; Alex Esseeesse, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

Excerpt of Complete Agenda

Andrea Bedard and Nicholas Boardman (Kim Rezanka)

A change of zoning classification from AU (Agricultural Residential) to RU-2-4 (Low Density Multi-Family Residential) and RU-2-6 (Low Density Multi-Family Residential). The property is 1.02 acres, located on the north side of Coquina Rd., approx. 214 ft. east of U.S. Highway 1. (23 Coquina Rd., Rockledge) (22Z00015) (Tax Account 2511124) (District 2)

Kim Rezanka, Lacey Lyons Rezanka, 1290 U.S. Highway 1, Rockledge, stated the subject property was before the board on July 18, 2022. Mr. Boardman owns the Bonsai Lodging Motel on U.S. 1, and he had hoped in July to expand that use. There was a lot of adverse reaction from the neighborhood, so he has come back to change the zoning request to RU-2-4 and RU-2-6, to taper from the Bonsai Motel. The .67-acre portion with the NC Future Land Use is proposed to be RU-2-6, and the .34-acre portion to RU-2-4. She said there is currently a home on the .34-acre portion, and it will remain; what would be developed is the RU-2-6 portion, and that will allow possibly five units, versus what was sought in July, which was 10 - 12 units with the expansion of the motel. She said the request is consistent and compatible with the Future Land Use and with what is in the neighborhood, going from a motel, to one house, and then EU single-family zoning in the RES 4 FLU further to the east and along Rockledge Drive. She said after listening to the neighbors in July, they have come back with a different proposal for consideration.

Bruce Moia stated he appreciates the revised request, it is a more compatible transition between the two zonings.

Public comment:

Jerilynn Bird stated she owns 1971 Rockledge Drive and 1983 Rockledge Drive, which is her home that will be worth close to \$2 million after the current renovations are complete. She said there are other people who are concerned, but they could not attend the meeting today. She stated Coquina Road is not a full-size road, it is a little skinny road that when two cars are on it at the same time, going in opposite directions, it's very hard to maneuver. There used to be a furniture store on the southeast corner of U.S. 1 and Coquina Road with egress to U.S. 1 only. The furniture store was sold to Hounds Town, and somehow they built egress onto Coquina Road. She said adding homes will add more cars trying to traverse on Coquina Road. She said Rockledge Drive is a documented historic road, it is all residential single-family homes, and she would like it to stay that way.

Mr. Hopengarten asked the applicant to clarify the difference between the proposal in July and the proposal today, as far as the impact on Coquina Road and the access into the site.

Ms. Rezanka replied, in July, Mr. Boardman was looking to put up to 10 units for transient use, a motel. What he is proposing today is duplexes for rental, but not transient. With the July proposal there could have been up to 20 cars per day on the site, and with today's proposal there will be approximately 5 to 10, but it is still a residential use in a residential zoning. She noted Ms. Bird emailed the board in July and said she wanted the property to remain residential and she was opposed to commercial, and now the request is for only residential and the neighbors are still opposed.

Mr. Hopengarten asked if the units could be used as an Airbnb. Ms. Rezanka replied yes, but it's not the intent. The intent is for duplex rentals with long-term leases.

Mr. Hopengarten stated he's concerned because of the board's rejection of the previous request, and he doesn't see a major shift from what the applicant wanted in July.

Henry Minneboo stated there are people who have been in that area for 50 - 70 years, and they have expressed to everyone their dissatisfaction of doing anything on that property. He said he agrees Coquina Road is substandard, and this kind of development is not conducive to the area.

Brian Hodgers asked if the single-family home on the property is being rented. Ms. Rezanka replied yes, on an annual basis. Mr. Hodgers asked if the request is for four additional units. Ms. Rezanka replied yes, if they will fit on the property. Mr. Hodgers asked for clarification that the applicant is asking for four additional units to have access onto Coquina Road. Ms. Rezanka replied yes.

Mr. Hodgers stated that is what Henry is concerned about and what the board was concerned about in July. Coquina Road is not built for it. He said at the last meeting there was discussion about the possibility of bringing access from the hotel to the subject property, and asked if that is not an option.

Nicholas Boardman, 26 Park Avenue, Rockledge, stated from the initial research he's done, the cost would be very prohibitive. He said there is a dire need for housing in Brevard County, and he listened to the comments in July and downgraded the request. He said he just want two duplexes on the western portion of the land, and it would only be a handful of cars per day, but it will provide a need for the community of smaller housing.

Ms. Rezanka stated in July there was a concern about a commercial use, and there was also discussion about dedicating right-of-way if necessary. She said she doesn't know if that is necessary or if it would be accepted. She said the owners could offer a BDP to address the concerns of short term rentals. She said according to the minutes it was more about an encroachment of commercial into residential, and this request is residential in residential.

Mr. Moia stated he agrees, in July the board did not want commercial against single-family. This new request is classic transitional zoning and knowing the County, Coquina Road will be required to be upgraded, they will have to dedicate right-of-way and widen the roadway if it's substandard.

Motion by Bruce Moia, seconded by Ben Glover, to recommend approval of the change of zoning classification from AU to RU-2-4 and RU-2-6. The motion resulted in a tie vote, with Robert Sullivan,

Brian Hodggers, Mr. Hopengarten, Peter Filiberto, and Henry Minneboo, voting nay; therefore, the request is denied.

Opposition to rezoning request ID# 22Z00015 – Please add to the public comments/record

To: Brevard County Commissioners

From: Residents of Rockledge Drive and Coquina Rd

My wife and I and our 7 neighbors listed below oppose this rezoning request because it is not within the character of the neighborhood and as Mr. Minneboo said at the first Advisory Board meeting: "It is a difficult situation in that area, and he cannot support anything on that road more than what is there today. The neighborhood doesn't deserve any more impact." Mr. Minneboo made a similar statement at the second Advisory Board meeting. We all agree with his statements 100%. This rezoning request was denied both times by the Advisory Board.

The neighborhood in this area is composed of almost all AU, EU and EU-2 zoning. All the properties in this area that are currently zoned with a higher density have road frontage on Route 1 and do not affect traffic on Coquina Rd. Coquina Rd is very narrow and already restricts truck traffic due to its size. We however would not oppose rezoning to EU or EU-2 with a BDP restricting short term rentals. We ask for the BDP because we are concerned even a single structure with many rooms could be used as an Airbnb and operate much like a Motel. Thank you for taking the time to hear our concerns.

Sincerely,

Ed and Claudia Johnson

1945 Rockledge Dr

Rockledge, FL, 32955

Steve and Michele Brady

1941 Rockledge Dr

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Teri and Ronda Graham

1937 Rockledge Dr

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1951 Rockledge Dr

Rockledge, Fl, 32955

Bryan and Jamie Bennell

1955 Rockledge Dr

Rockledge, Fl, 32955

Susan Mills

21 Coquina Rd

Rockledge, Fl, 32955

From: Alward, Keith A
To: Jones, Jennifer
Cc: Bellak, Christine
Subject: FW: Opposition to rezoning request ID# 22Z00015 – Please add to the public comments/record
Date: Tuesday, October 4, 2022 11:54:52 AM
Attachments: Letter to Zoning 20221004.docx

Jennifer even thou this was sent to you as well I thought our office should send it to you for the disclosure record for 22Z00015.

Thanks

Keith Alward



Keith Alward
Legislative Aide
Brevard County Commission, District 4
Commissioner Curt Smith
[321.350.9249](tel:321.350.9249) | Keith.Alward@Brevardfl.Gov
2725 Judge Fran Jamieson Way, Bldg. C - Suite
214,
Viera, FL 32940

Please note:

Florida has a very broad public records law. Most written communications to or 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: Ed Johnson <ejohn44@gmail.com>
Sent: Tuesday, October 04, 2022 11:46 AM
To: Jones, Jennifer <jennifer.jones@brevardfl.gov>; Smith, Curt <Curt.Smith@brevardfl.gov>; Pritchett, Rita <Rita.Pritchett@brevardfl.gov>
Subject: Opposition to rezoning request ID# 22Z00015 – Please add to the public comments/record

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

Good morning Ms. Jones, could you please add our letter of opposition for this rezoning request to the public comments/record and make it available to the commissioners for the meeting this Thursday 10/06/2022. I also attached a copy of the letter to this email. Thank you!

Ed and Claudia Johnson

Opposition to rezoning request ID# 22Z00015 – Please add to the public comments/record

To: Brevard County Commissioners

From: Residents of Rockledge Drive and Coquina Rd

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Sincerely,
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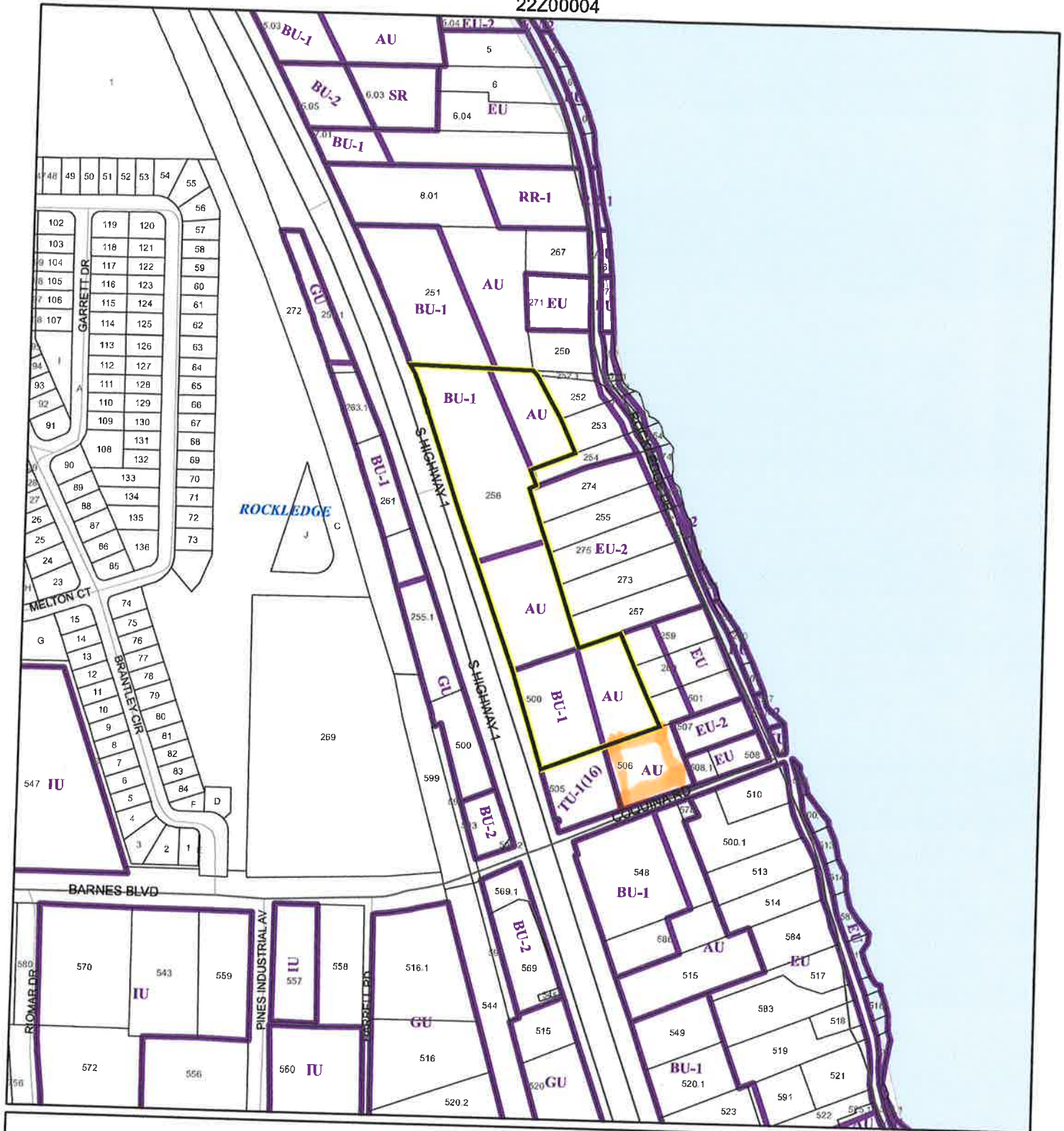
Bryan and Jamie Bennell

1955 Rockledge Dr
Rockledge, FL 32955

Susan Mills
21 Coquina Rd
Rockledge, FL 32955

ZONING MAP

HARVEY REALTY CORPORATION, AND HARVEY'S INDIAN RIVER GROVES, INC.
22Z00004



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: 1/19/2022

- Subject Property
- Parcels
- Zoning

H.6

Brevard County Board of County Commissioners

10.6.2022

- PRESENTED ON BEHALF OF -

Andrea Bedard and Nicholas Boardman

**Item # H.6. Requests a change of classification from AU to RU-2-4 and
RU-2-6.**

(22Z00015) (Tax Account 2511124) (District 2)

**KIMBERLY BONDER REZANKA, ESQ.
LACEY LYONS REZANKA
U.S. Highway 1, Suite 201
Rockledge, FL 32955**



Account: 2511124 Parcel ID: 25-36-23-00-506
Sale: 5/8/2020 \$260,000
BCPAO Market Value: \$228,650
Owners: BEDARD, ANDREA; BOARDMAN, NICHOLAS
Address: 23 COQUINA RD ROCKLEDGE FL 32955



Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account 2511124
 Owners BEDARD, ANDREA; BOARDMAN, NICHOLAS
 Mailing Address 23 COQUINA RD ROCKLEDGE FL 32955
 Site Address 23 COQUINA RD ROCKLEDGE FL 32955
 Parcel ID 25-36-23-00-506
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Taxing District 2300 - UNINCORP DISTRICT 2
 Total Acres 1.01
 Subdivision --
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Land Description PART OF LOT 3 AS DES IN DB 368 PG 583



VALUE SUMMARY

Category	2022	2021	2020
Market Value	\$228,650	\$206,510	\$92,070
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$197,000	\$191,270	\$92,070
Assessed Value School	\$197,000	\$191,270	\$92,070
Homestead Exemption	\$25,000	\$25,000	\$0
Additional Homestead	\$25,000	\$25,000	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$147,000	\$141,270	\$92,070
Taxable Value School	\$172,000	\$166,270	\$92,070

SALES/TRANSFERS

Date	Price	Type	Instrument
05/08/2020	\$260,000	TD	8745/2243
09/29/2019	--	PB	8551/1321
03/19/2019	--	PB	8496/1306
06/22/2018	--	DC	8359/2638
04/30/1993	--	WD	3281/0123
02/01/1975	\$16,500	--	1507/0608

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - SINGLE FAMILY RESIDENCE

Materials	Details	
Exterior Wall:	PAINTED EXTERIOR	Year Built 1951
Frame:	MASNRYCONC	Story Height 8
Roof:	ASPH/ASB SHNGL	Floors 1
Roof Structure:	HIP/GABLE	Residential Units 1
		Commercial Units 0

Sub-Areas	Extra Features	
Base Area (1st)	949	Patio - Concrete 421
Enclosed Por	70	Carport 260
Total Base Area	949	Outbuilding 208
Total Sub Area	1,019	Fireplace 1

Google Maps 3880 US-1

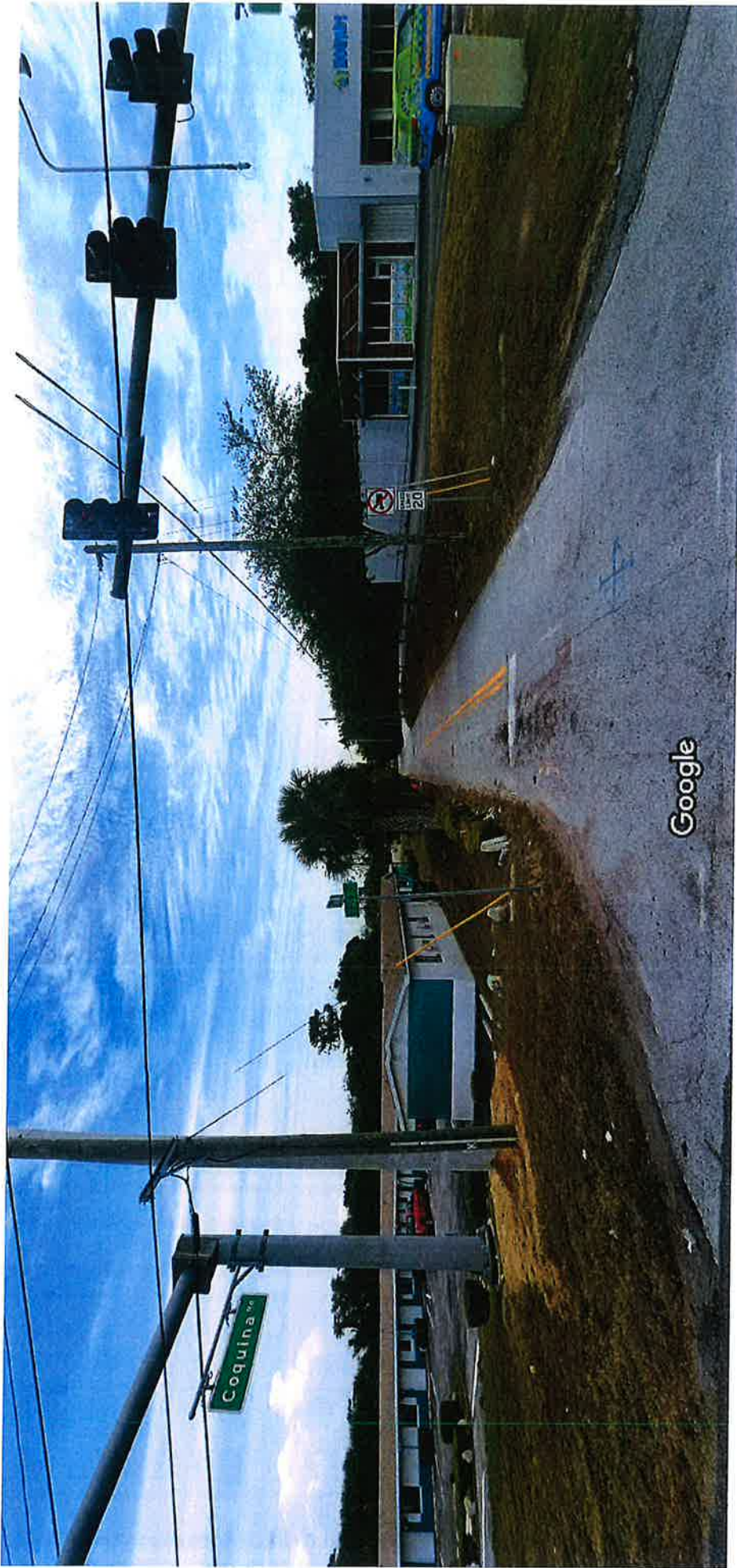


Image capture: Mar 2021 © 2022 Google

Rockledge, Florida

Google

Street View - Mar 2021



DIVISION 4. - ENGINEERING DESIGN STANDARDS FOR SUBDIVISION AND SITE PLAN REVIEW

Sec. 62-2955. - Purpose.

The purpose of this division is to preserve and protect public health, safety and welfare, through the provision of transportation technical guidelines and performance standards for land development activity. Specifically, activities regulated under article VII. and article VIII. of this Code. These guidelines and standards provide a framework for development, allowing sufficient flexibility to balance quality of development, safety, cost, environmental preservation and other important community values.

(Ord. No. 95-30, § 1, 7-11-95)

Sec. 62-2956. - Transportation technical guidelines and performance standards.

(a) *Roadway.*

- (1) *Right-of-way width* shall be sufficient to accommodate all public facilities, including, but not limited to: pavement, drainage, pedestrian ways, auxiliary lanes, medians, utilities and landscaping.

Generally, the minimum right-of-way width for local streets shall be 50 feet. Additional width may be required by the county manager or his designee if necessary to accommodate drainage or other public facilities. The minimum width may be reduced by the county development engineer, if public benefit, such as environmental preservation, can be demonstrated by the applicant.

Right-of-way requirements for all other roadway types shall be determined by an engineering analysis, prepared by the engineer-of-record, of the width required to accommodate necessary public facilities, as defined by the county development engineer.

- (2) *Pavement width.* Generally, the minimum pavement width for local streets shall be 22 feet. Additional width may be required by the county manager or his designee if necessary for public safety.

Minimum width requirements for auxiliary lanes, collector, arterials and limited access highways shall be in accordance with the Florida Department of Transportation Minimum Standards for Design Construction and Maintenance of Streets and Highways, current edition. Additional width may be required by the county manager or his designee if necessary for public safety. Shoulders are required on all collector, arterial and limited access highways in accordance with the Florida Department of Transportation Minimum Standards for Design Construction and Maintenance of Streets and Highways, current edition.

- (3) *Cul-de-sac design.* Generally, cul-de-sacs shall terminate with a circular right-of-way with a minimum diameter of 100 feet and a paved area with a minimum diameter of 84 feet. The right-of-way for the cul-de-sac shall be at least 100 feet from the nearest road or street or the nearest plat

boundary. This distance may be reduced to 50 feet where a minimum ten feet wide, four feet high opaque, vegetative buffer is provided.

Where a street is to be temporarily terminated at a property line and is to be continued when adjacent property is subdivided, either a temporary turnaround having an outside diameter of 84 feet or a "T" type turnaround shall be provided. Sufficient right-of-way shall be dedicated to accommodate the temporary cul-de-sac or turnaround.

These requirements may be modified by the county manager or his designee if public benefit has been demonstrated by the applicant.

- (4) *Auxiliary lanes.* The county manager or his designee may require auxiliary lanes in order to facilitate public safety and reduce congestion. Auxiliary lanes shall be designed and constructed in accordance with the Florida Department of Transportation Minimum Standards for Design Construction and Maintenance of Streets and Highways, current edition.
- (5) *Intersection standards.* The minimum pavement (outside edge) turning radius for intersecting local streets shall be 25 feet.

The county manager or his designee may designate turning radii for collector and arterial intersections based on engineering recommendations to be provided by the applicant's engineer-of-record.

The engineer-of-record shall provide appropriate sight distance consideration for each intersection and shall designate the sight distance triangle on the construction plans. The sight distance triangle shall not be obscured with landscaping, walls or other appurtenances.

- (6) *Accommodation of future transportation facilities.* The county manager or his designee shall advise the applicant of future transportation facilities that may affect the proposed development of the subdivision or site plan. The applicant and the county manager or his designee shall coordinate efforts to accommodate future transportation facilities through design. Dedication of future right-of-way or other improvements necessary to accommodate the impact of the applicant's project may be required, but only to the extent authorized by law.

In some cases, where the proposed development abuts existing transportation facilities, the county manager or his designee may require the extension of such facilities through the proposed development.

- (7) *Traffic control devices.* Traffic control devices, including signing, pavement markings and signalization shall be in accordance with the United States Department of Transportation Manual on Uniform Traffic Control Devices, Florida Department of Transportation Standard Specifications for Roadway and Traffic Design Standards and Brevard County Standards, current edition.

Proposed traffic control devices shall be designated on the construction plans, subject to approval by the county development engineer.

- (8) *Access management.* Access points to public or private streets shall be designed to minimize

disruption to through traffic and optimize public safety. The county traffic engineering section shall be authorized to develop and implement access management standards based on sound engineering judgment and preservation of capacity and public safety. Reference manuals, such as the Florida Administrative Code Rule 14-96, 14-97 (Access management) shall be used as guidelines in analyzing access requests. The applicant may appeal access restrictions to the board of county commissioners within 30 days from the decision of the county traffic engineering section.

- (9) *Medians.* Medians may be provided at the discretion of the applicant for local streets. The engineer-of-record shall consider public safety, speed limit, sight distance and other relevant factors in the design of the median, subject to the approval of the county traffic engineering section.

Medians may be provided at the discretion of the applicant for collector and arterial roadways only in accordance with the Florida Department of Transportation Minimum Standards for Design Construction and Maintenance of Streets and Highways, current edition.

- (10) *Landscaping.* Landscaping may be provided at the discretion of the applicant for local streets. The engineer-of-record shall consider public safety, clear zone, speed limit, sight distance and other relevant factors in the design of the landscaping, subject to the approval of the county traffic engineering section.

Landscaping may be provided at the discretion of the applicant for collector and arterial roadways only in accordance with the Florida Department of Transportation Minimum Standards for Design Construction and Maintenance of Streets and Highways, current edition.

(b) *Multi-modal transportation facilities.*

- (1) *Transit.* The applicant shall consider incorporating public transit into the design of the subdivision or site plan. Where appropriate, coordination with the director of the county transit services may be required. The applicant shall also consider incorporation of school bus stop areas where appropriate.

- (2) *Bicycle and pedestrian facilities.* The applicant shall provide sidewalks adjacent to roadways on which the development abuts and adjacent to all roadways within the development, with a minimum width of five feet. Sidewalks within the development shall be provided on both sides of the roadway. Sidewalks shall be designed and constructed in accordance with the Florida Department of Transportation Roadway and Traffic Design Standards, current edition, and Americans with Disabilities Act (ADA) standards. A width of not less than four feet may be considered where necessary to provide consistency with established widths or to address right-of-way constraints.

Where appropriate, the county manager or his designee may request additional bicycle and pedestrian facilities to link the development with commercial, school or recreational areas. Additional width may be required if justified in developed urban areas, or in the vicinity of schools, or to protect public safety and welfare.

The applicant may propose alternative bicycle and pedestrian facilities, such as recreational trails, subject to approval of the county development engineer.

In addition, the applicant shall provide additional bicycle and pedestrian facilities as may be required by the county comprehensive plan.

In areas where it can be demonstrated by the applicant that there is no current or future need for sidewalks in the immediate area, the sidewalk requirement may be administratively waived, provided that a sidewalk assessment agreement is entered into by the property owner. The administrative decision may be appealed to the county commission.

(3) *Alternative transportation.* In those cases where the applicant demonstrates alternative transportation modes can be successfully incorporated into the development, the applicant may propose a reduction in those facilities, such as parking, that typically accommodate a development primarily dependent upon the automobile for transportation. The county manager or his designee and transit services shall review the proposal and make recommendations to the board of county commissioners.

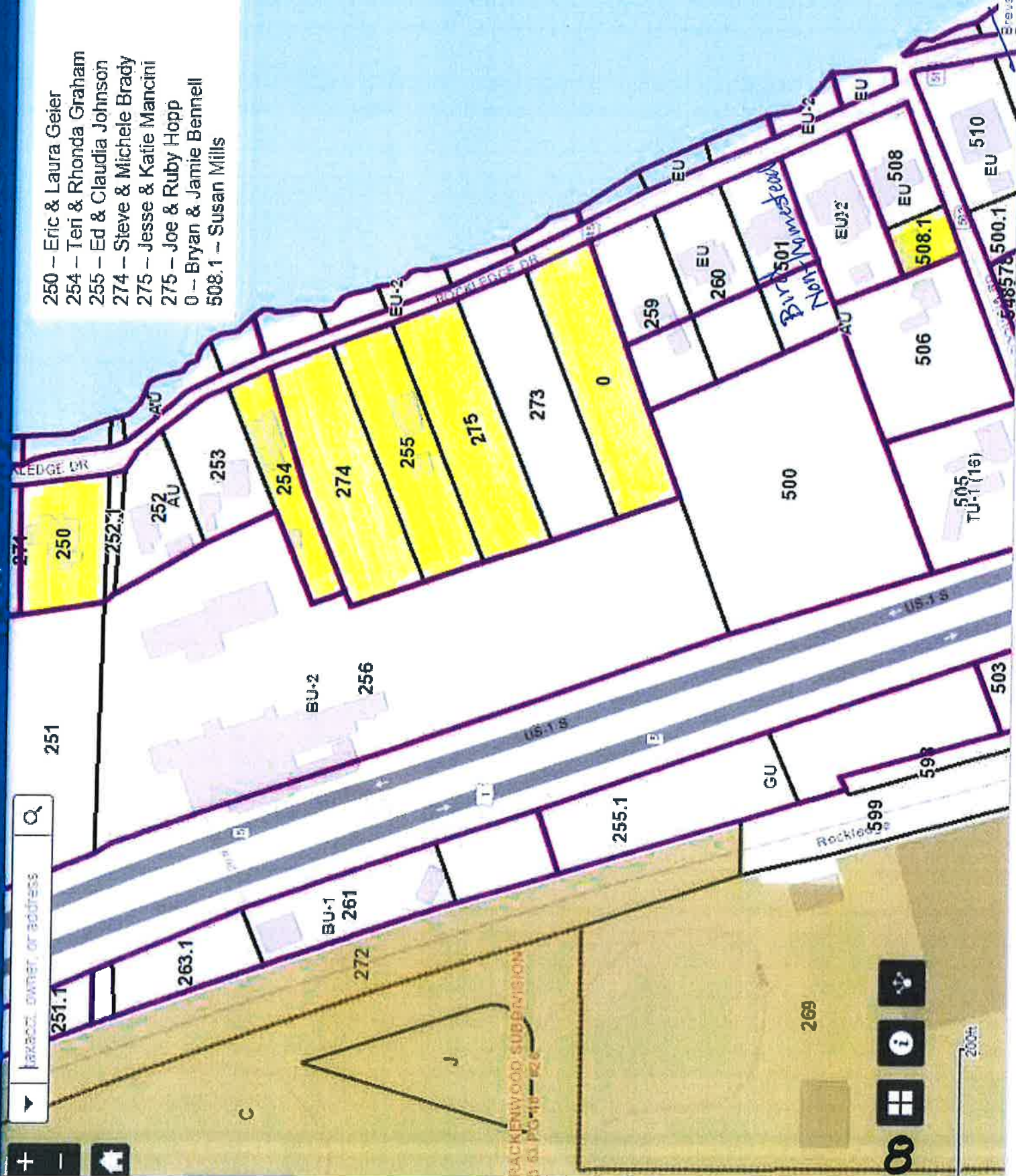
(c) *Construction specifications.* Construction of transportation facilities shall be in accordance with Exhibits 1 through 26, and when not, Florida Department of Transportation Standard Specifications for Road and Bridge Construction, Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways, and Roadway and Traffic Design Standards.

(Ord. No. 95-30, § 1, 7-11-95; Ord. No. 97-14, §§ 3, 4, 5-27-97; Ord. No. 2000-22, § 1, 4-11-00; Ord. No. 10-20, 10-12-10)

Sec. 62-2957. - Access management.

- (a) *Driveway access.* The design and location of driveway connection(s) to the county roadway system shall be consistent with the specifications of the Florida Department of Transportation (FDOT) and chapter 14-97 state highway system access classification system and access management standards unless otherwise cited in this section.
- (b) *Shared driveways and cross access.* To eliminate unnecessary driveways and to promote internal trip capture, the following standards shall apply to new development parcels where practicable.
- (1) Undeveloped parcels with less than 660 feet right-of-way frontage, the driveway shall be located along the property line of the abutting vacant property to facilitate shared driveway access.
 - (2) Undeveloped parcels with greater than 660 feet right-of-way frontage shall provide cross access easements to all adjacent properties to utilize any proposed driveway access.
 - (3) The county manager or designee may waive these requirements based upon a study prepared to accepted traffic engineering standards and approved by county staff that demonstrates public safety, traffic flow, or other conflicting issues.
- (c) *Subdivision entrances and cross access.* To provide for traffic flow and emergency ingress and egress

250 – Eric & Laura Geier
 254 – Teri & Rhonda Graham
 255 – Ed & Claudia Johnson
 274 – Steve & Michele Brady
 275 – Jesse & Katie Mancini
 275 – Joe & Ruby Hopp
 0 – Bryan & Jamie Bennell
 508.1 – Susan Mills





Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2511127
 Owners MILLS, SUSAN T
 Mailing Address 21 COQUINA RD ROCKLEDGE FL 32955
 Site Address 21 COQUINA RD ROCKLEDGE FL 32955
 Parcel ID 25-36-23-00-508.1
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Taxing District 2300 - UNINCORP DISTRICT 2
 Total Acres 0.16
 Subdivision --
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Land Description PART OF LOT 3 AS DES IN ORB 1054 PG 464



VALUE SUMMARY

Category	2022	2021	2020
Market Value	\$190,740	\$168,190	\$79,750
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$173,230	\$168,190	\$79,750
Assessed Value School	\$173,230	\$168,190	\$79,750
Homestead Exemption	\$25,000	\$25,000	\$0
Additional Homestead	\$25,000	\$25,000	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$123,230	\$118,190	\$79,750
Taxable Value School	\$148,230	\$143,190	\$79,750

SALES/TRANSFERS

Date	Price	Type	Instrument
03/24/2020	\$223,000	WD	8703/2118
08/12/2019	\$100,000	WD	8521/0278
04/13/2016	--	QC	7606/0104
06/21/2010	--	QC	6190/1742
03/01/1990	--	QC	3046/1272
12/01/1986	\$47,000	WD	2754/0439
02/28/1983	\$35,000	WD	2419/0055
12/01/1978	\$27,000	--	1975/0956

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - SINGLE FAMILY RESIDENCE

Materials	Details	
Exterior Wall:	PAINTED EXTERIOR	Year Built 1950
Frame:	MASNRCONC	Story Height 8
Roof:	SHEET METAL	Floors 1
Roof Structure:	HIP/GABLE	Residential Units 1
		Commercial Units 0

Sub-Areas	Extra Features	
Base Area (1st)	Wood Deck	192
Open Porch	Patio - Concrete	72

4.3 Evaluation of Coastal High Hazard Area Density Reduction and Property Rights

Chapter 163.3191(2)(m) states;

(m) If any of the jurisdiction of the local government is located within the coastal high-hazard area, an evaluation of whether any past reduction in land use density impairs the property rights of current residents when redevelopment occurs, including, but not limited to, redevelopment following a natural disaster. The property rights of current residents shall be balanced with public safety considerations. The local government must identify strategies to address redevelopment feasibility and the property rights of affected residents. These strategies may include the authorization of redevelopment up to the actual built density in existence on the property prior to the natural disaster or redevelopment.

Brevard County has historically been responsive to the concern of increasing densities in the Coastal High Hazard while being sensitive to property rights issues. For example, the density roll backs in the South Beaches area during the 1990's were largely based upon the County's recognition that evacuation capabilities needed to be considered when evaluating development allowances. As such, the South Beaches density reductions were principally implemented for properties that were undeveloped at that time. Density reductions for improved properties were implemented to reflect the existing development intensity of the property.

Through Small Area Studies, Brevard County proposes to continue evaluating density allowances within the CHHA. As appropriate, density reductions will be considered in order to protect the current land use character of the study areas and to respond to evacuation and minimize potential property losses due to storm events.

Alward, Keith A

From: Alward, Keith A
Sent: Thursday, October 06, 2022 1:04 PM
To: Alward, Keith A
Cc: Jones, Jennifer; Bellak, Christine
Subject: Agenda # H-6 - 22Z00015

On behalf of Commissioner Smith this email is to disclose that Commissioner Smith had a conversation with Kim Rezanka regarding H-6 (22Z00015) on 10/6/2022.

Keith Alward



Keith Alward
Legislative Aide
Brevard County Commission, District 4
Commissioner Curt Smith
321.350.9249 | Keith.Alward@Brevardfl.Gov
2725 Judge Fran Jamieson Way, Bldg. C - Suite 214,
Viera, FL 32940

Please note:

Florida has a very broad public records law. Most written communications to or 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.

H.6

STERLING HOUSE CONDOMINIUMS

6309 South Highway A1a, Melbourne Beach, FL

SIGNED PETITIONS

OPPOSING THE REZONING OF VACANT LOT:
6345 SOUTH HIGHWAY A1A, MELBOURNE BEACH, FL
FROM RR-1 – TO- RU 2-4 (LOW DENSITY MULTI-FAMILY
RESIDENTIAL)

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name

Unit #

Signature

Erre Schulze

352

Erre Schulze
Jill Lynn C. Schulze

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Kathleen VanLindt
Dominic Dalfonso

243

Kathleen VanLindt
Dominic Dalfonso

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Chad Williams

Unit #

121

Signature

Chad Williams

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Rachel Williams

Unit #

121

Signature

R Williams

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

John S Wilson
JOHN S WILSON

Unit #

252

Signature

John Wilson

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name

Unit #

Signature

Karen Parrillo

222

Karen Parrillo

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

SHELLY COX
BRIAN COX

233

Brian Cox

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Lee Schmudde

163

[Signature]

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Unit #

Signature

HERTHA DORRIS

343

[Signature]

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Bruce Grine

322

Bruce Grine

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Steven T. Hedges

143

[Signature]

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Nyra Wheelchel

231

[Signature]

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

CHRISTOPHER WESE

333

[Signature]

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Sean Ellermeyer

131

Sean Ellermeyer

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Marlene Pagel

332

Marlene Pagel

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

HOWARD KENDALL

353

Howard J. Kendall

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

ELLEN KENDALL

353

Ellen Kendall

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Terry D. McNew

153

T. D. McNew

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Christa Rainwater</u>	<u>261</u>	<u></u>

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:


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Homeowner Name	Unit #	Signature
<u>Brooks Rainwater</u>	<u>261</u>	<u></u>

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name	Unit #	Signature
<u>Steven Parrillo</u>	<u>222</u>	<u></u>

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Eric Wolfe

Unit #

323

Signature



STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name

Tom Riser

Unit #

241

Signature



STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name

Roo

Unit #

141

Signature



STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name

Unit #

Signature

JOHN E PETTIGREW, JR 123

John E Pettigrew, Jr.

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name

Unit #

Signature

Raymond + Christine
Podowski

232

Christine Podowski
Ray Podowski

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name

Unit #

Signature

BONNIE BLAGGIAN

242

Bonnie Blaggian

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:


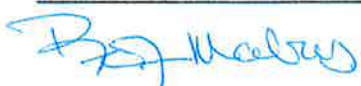
Sterling House Homeowners oppose the rezoning of adjacent vacant parcel, 6345 South Highway A1A, Melbourne Beach, FL 32951, from current zoning RR-1 to Multi-family RU-2 to 4 units, as it is not consistent with the Coastal Management Elements of the Brevard County Comprehensive Plan as well as many other issues.

Homeowner Name	Unit #	Signature
<u>Amelia Lyons and Stephen Bubar</u>	<u>142</u>	<u></u>

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:



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Homeowner Name	Unit #	Signature
<u>STEVE MABUS</u>	<u>331</u>	<u></u>
<u>Robyn Mabus</u>	<u>331</u>	<u></u>

STERLING HOUSE CONDOMINIUMS

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Homeowner Name	Unit #	Signature
<u></u>	<u>133</u>	<u></u>

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Tom Dineen

132

Tom Dineen

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Unit #

Signature

Terry Letner

251

Terry Letner

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Unit #

Signature

Cynthia Letner

251

Cynthia Letner

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name

Unit #

Signature

Patricia Tzbicki

362

Patricia Tzbicki

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Unit #

Signature

ZACHARY PETTIGREW

123

ZAP H

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Unit #

Signature

DIANNE HICKS

341

D. Hicks

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Unit #

Signature

Jackie L. Nanney

151

Jackie L. Nanney

STERLING HOUSE CONDOMINIUMS

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Homeowner Name

Unit #

Signature

Thomas Bayne

263

T. Bayne

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name	Unit #	Signature
<u>MICHAEL KOMAROWSKI</u>	<u>122</u>	<u>M. Komarowski</u>
<u>JILL SPEEG</u>		<u>Jill Speeg</u>

STERLING HOUSE CONDOMINIUMS

PETITION AGAINST REZONING:

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Homeowner Name	Unit #	Signature
<u>Charles Fasciano</u>	<u>121</u>	<u>Charles Fasciano</u>

Homeowner Name	Unit #	Signature
<u>Ann Fasciano</u>	<u>121</u>	<u>Ann Fasciano</u>

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Community Opposition to increased density/re-zoning on South Beaches: Notice # 22Z00039
Date: Friday, September 9, 2022 9:26:23 AM

FYI

From: sea <seabomds@aol.com>
Sent: Thursday, September 8, 2022 3:43 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Community Opposition to increased density/re-zoning on South Beaches: Notice # 22Z00039

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

Dear Commissioners,

This is about the **first** re-zoning request on the south beaches that we have seen in many, many years.
Subject: Increasing RR-1 zoning to a RU-2-4 zoning (22Z00039).
Location: 6345 S. A1A

Public Zoning Hearing: **Monday , Sept. 12th at 3 pm**

FINAL Commission Meeting: **Thursday Oct. 6th at 5 pm**

We at BIPPA believe this is a bad idea, not to mention, just **bad precedence** that needs to be stopped so other development requests do not follow. The attorney or owner will most likely say it should be approved because multi-family is already adjacent. Using that logic, this up-zoning will creep up and down the entire island and eventually engulf every home, destroying the fabric of neighborhoods and families that have lived peacefully for generations.

There is no hardship as the adjacent multi-family property the applicant will mention was there for years before the current owner bought the property in 2012.
He was well aware of the restriction of RR-1 zoning when he purchased, which should immediately disqualify him as having a hardship.

Further, there is already too much density in the south beaches for evacuations, flooding, natural habitat, day-to-day traffic, infrastructure and preservation of Sea Turtle nesting.

WE DO NOT NEED MORE DENSITY

Satellite Beach began with small up-zoning like this and now look what they have. Quite a mess!
Miami Beach started with small up-zoning like this and were soon at 125 units per acre! Crazy!

This will aggravate our residents by disrupting the current balance of population and natural habitat and wildlife.

Objection
22Z00015
Bedard/Boardman

From: Ed Johnson
To: Jones, Jennifer
Subject: Opposition to rezoning request ID# 22Z00015 – Please add to the public record
Date: Monday, September 12, 2022 1:04:07 PM

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

Good afternoon Ms. Jones could you please add our opposition to this rezoning request to the public record and make it available to the advisory board for the meeting this afternoon. Thank you!

Ed and Claudia Johnson

Opposition to rezoning request ID# 22Z00015 – Please add to the public record

My wife and I and our 7 neighbors listed below oppose this rezoning request because it is not within the character of the neighborhood and as Mr. Minneboo said at the first Advisory Board meeting: "It is a difficult situation in that area, and he cannot support anything on that road more than what is there today. The neighborhood doesn't deserve any more impact.". We all agree with this statement 100%.

The neighborhood in this area is composed of almost all AU, EU and EU-2 zoning. All the property in this area that are currently zoned with a higher density have road frontage on Route 1 and does not affect traffic on Coquina Rd. We would not oppose rezoning to EU or EU-2.

Sincerely,

Ed and Claudia Johnson

1945 Rockledge Dr

Rockledge, Fl, 32955

Steve and Michele Brady

1941 Rockledge Dr

Rockledge, Fl, 32955

Teri and Ronda Graham

1937 Rockledge Dr

Rockledge, Fl, 32955

Eric and Laura Geier

1925 Rockledge Dr

Rockledge, Fl, 32955

Jesse and Katie Mancini

1949 Rockledge Dr

Rockledge, Fl, 32955

Joe and Ruby Hopp

1951 Rockledge Dr

Rockledge, Fl, 32955

Bryan and Jamie Bennell

1955 Rockledge Dr

Rockledge, Fl, 32955

Susan Mills

21 Coquina Rd

Rockledge, Fl, 32955

Teri and Ronda Graham

1937 Rockledge Dr

Rockledge, Fl, 32955

Eric and Laura Geier

1925 Rockledge Dr

Rockledge, Fl, 32955

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Rockledge, Fl, 32955

Bryan and Jamie Bennell

1955 Rockledge Dr

Rockledge, Fl, 32955

Susan Mills

21 Coquina Rd

Rockledge, Fl, 32955

September 1, 2022

Paul Moran

6340 S Highway A1a

Melbourne Beach, FL 32951

To: Brevard County Zoning Board

Subject: Zoning Change request 22Z00039, RR-1 to RU-2-4

My wife Cynthia and I are owners of 2 parcels ID 29-38-23-00-3.2 and 29-38-23-00-3 (tax ID 2955626, 2955624) approximately 2 acres combined, zoned single family, located directly west from subject parcel requesting zoning reclassification in file 22Z00039. We request zoning reclassification 22Z00039 be denied due to following reasons:

- This subject parcel acts as a buffer to the condominiums developed on parcels abutting to north and south on the east side of A1a. Both condominium developments were developed between 1980 and 1986, maximum density under zoning codes. Granting additional zoning density to this subject parcel will only add to congestion and safety concerns on Highway A1a. While FL Dot indicates that A1a has an average vehicle load at about 20% max capacity (24 hrs.) the fact remains, A1a in the South Beaches has experienced numerous accidents and traffic fatalities in the last year. I have personally witnessed, many times vehicles pulling into the abutting condominium complexes from A1a stop the A1a traffic flow, impatient driver's pass using the multipurpose pathway on the west side of A1a, creating a dangerous situation. Presently, FL DOT is evaluating improved ways to manage traffic flows on traffic A1a but is uncommitted on a solution.
- The average residential parcel in the immediate area is .95 acres. Granting the request of 22Z00039 to RU-2-4 would increase the density of this parcel to be 4 times greater as compared to other immediate residential area parcels, a much broader sample of lots the east side of A1a as the average is more in the .68 acres per residential lot which is 2.5 times density. Excluding existing condo developments. There is no need to grant the zoning density to 4 units per acre as requested, as there are several of other residential lots available in the immediate area for sale.
- In 1998 this parcel was rezoned from RU-2-4 to RR-1, the development over the last 25 years in the South Beaches area has been exponential which questions the impact of rezoning to RU-2-4. Coastal Management Element Policy 7.1 "States Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet." Increasing the density of the subject property would be in direct conflict with Coastal Management Policy.
- The current owner purchased subject parcel as a RR-1 zoned lot, 10 years ago and now wants a rezone as the property has a pending sales contract on it for the last 6 months. Why would the present owner want to rezone if he has a sales contract on the property?
- My wife and I enjoy being Brevard County residents since 2013, purchased this property 9 years ago and our house in 2016, a gated single family 5100 ft² house on 2 acres, with residential parcels in the immediate area all zoned single family. Granting rezoning of abutting lots to

increase density has the potential of a greater 5% negative impact on market value of our property.

- While each rezoning request is handled on an individual merit basis granting the zoning density of this request will only set precedence for other developers to follow suit on properties in the immediate area further adding to the over development. Specifically parcel id 29-38-23-00-14.2 and 29-38-23-00-14 (tax ids 2959157 and 2961222) which are single family 1+acre lots located within 300ft to the south of subject parcel on the east side of A1a, presently owned by out of county developers.

My wife and I, fully support the development of the subject parcel at the current RR-1, as the current owner purchased the parcel several years ago as single family residential, now has a sale contract on it as it was marketed as a potential RU-2-4.

Regards,

Paul and Cynthia Moran

Email: 6340pem@gmail.com

Phone: 6076433052

Property Details

Attention OCEANFRONT Lovers! Beautifully located parcel over 1 acre. Zoned RR-1 perfect for your beachside single-family home (no HOA). But this lot has more to offer re-zoning up to 4 units per acre (RU-2-4) according to Melbourne building & zoning dept. upon request/application. Please reconfirm during buyers' due diligence. Super close to great surf break, awesome fishing, and wide sandy unpopulated beach. Natural Wildlife Refuge just minutes away. Great schools, close to shopping and restaurants. Quiet laid-back community just north of Vero Beach in a natural setting only a 20 min. drive to Melbourne International Airport and 1.5-hour drive to Orlando! Directions: East over New Haven 192 Bridge, Right on A1A, Left on Ocean Ave, slight Right to A1A, approx. 8.75 miles to Gullhouse Condos. The parcel is nestled between Gull House and Sterling House condominiums.

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From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Community Opposition to increased density/re-zoning on South Beaches: Notice # 22Z00039
Date: Friday, September 9, 2022 9:26:23 AM

FYI

From: sea <seabomds@aol.com>
Sent: Thursday, September 8, 2022 3:43 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.McGee@brevardfl.gov>
Subject: Community Opposition to increased density/re-zoning on South Beaches: Notice # 22Z00039

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Dear Commissioners,

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Subject: Increasing RR-1 zoning to a RU-2-4 zoning (22Z00039).
Location: 6345 S. A1A

Public Zoning Hearing: **Monday , Sept. 12th at 3 pm**

FINAL Commission Meeting: **Thursday Oct. 6th at 5 pm**

We at BIPPA believe this is a bad idea, not to mention, just **bad precedence** that needs to be stopped so other development requests do not follow. The attorney or owner will most likely say it should be approved because multi-family is already adjacent. Using that logic, this up-zoning will creep up and down the entire island and eventually engulf every home, destroying the fabric of neighborhoods and families that have lived peacefully for generations.

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WE DO NOT NEED MORE DENSITY

Satellite Beach began with small up-zoning like this and now look what they have. Quite a mess!
Miami Beach started with small up-zoning like this and were soon at 125 units per acre! Crazy!

This will aggravate our residents by disrupting the current balance of population and natural habitat and wildlife.

Lets not have another "vacation rental" scenario if we can help it.

Please express these concerns to whomever you think is necessary. If you have any questions, feel free to call me anytime at 321-733-6123.

Thank You,

Mark Shantzis, President

Barrier Island Preservation and Protection Association (BIPPA)

"Leading Efforts To Preserve The Balance of Population Growth, Wildlife and Habitat on the Barrier Islands for over 40 Years"

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Rezoning
Date: Friday, September 9, 2022 2:01:52 PM

FYI

From: R Cobb <captcobb@sprynet.com>
Sent: Friday, September 9, 2022 1:54 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Fwd: Rezoning

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

Dear Mr. Calkins,

After speaking with several neighbors, I am asking that you maintain the county's density plan for the South Beaches and prevent raising RR-1 zonings to RU-2-4 for all properties located between Melbourne Beach and the Sebastian Inlet.

Resources, Infrastructure and evacuation routing are limited in this area. We have witnessed the impact to these essentials over the years from the expected growth in this area. Allowing the rezoning of RR-1 properties will create unplanned growth that will lead to increased issues and costs for the county as well as impacting the safety of its residents.

I ask that you retain the county's comp plan and prevent the rezoning of RR-1 properties between Melbourne Beach and the Sebastian Inlet.

Thank you and best regards,

Ronald Cobb
450 Ross Ave
Melbourne Beach

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Rezoning
Date: Friday, September 9, 2022 2:01:52 PM

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Thank you and best regards,

Ronald Cobb
450 Ross Ave
Melbourne Beach

From: [Commissioner, D4](#)
To: [Jones, Jennifer](#)
Cc: [Alward, Keith A](#)
Subject: Fwd: Rezoning 22Z00039
Date: Saturday, September 10, 2022 3:56:59 PM

Jennifer,

Came across this weekend (sat) when checking emails, just sending along to you. With them being " new" I think they meant to notify the P & Z Board (meeting) so fyi, I didn't respond just passing your way and Keith can keep a copy for Commissioner.

Christine

Begin forwarded message:

From: m7beard@gmail.com
Date: September 10, 2022 at 11:59:14 AM EDT
To: "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>
Subject: Rezoning 22Z00039

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

Hello

We are a new resident to brevard county since march 2022. And currently live next door to this empty lot at the Gullhouse. Obviously we are completely against the rezoning. One of the things that drew us and many people to the Melbourne beach area is the secluded woodsy feel. Unlike the cocoa beach or other areas north. Its less of a touristy place and more of a "home". Also if a rezoning is allowed the size of the building will directly affect our gorgeous view of the ocean. Also there could be a possibility of change in habitat of the sea turtles. I am not sure what else to do regarding the rezoning. But we do not agree with it. If This rezoning is allowed the whole area will become over populated and touristy when all the other lots request a rezoning.

I would appreciate it if my letter could be considered during the rezoning hearing on monday.

Thank you

Mark Beardsley and jennifer ognibene
6355 s hwy a1a
Melbourne beach florida

Sent from my iPhone

From: Hart, Jane
To: Jones, Jennifer
Subject: FW: Rezone 22Z00039
Date: Monday, September 12, 2022 7:43:04 AM

Jane Hart, M.S., Planner III
Brevard County Planning & Development
Phone: 321-633-2070 ext. 58270
Direct line: 321-350-8270

This office can only provide zoning and comprehensive plan information. You may wish to contact other County agencies to fully determine the development potential of this property. This letter does not establish a right to develop or redevelop the property and does not constitute a waiver to any other applicable land development regulations. At the time of development, this property will be subject to all such regulations. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Brevard County is currently in the process of implementing changes to increase the accessibility of information and documents on its website. If you require assistance to better access this document or information contained therein, please contact Brevard County's A.D.A Coordinator by phone at 321-637-5347, or by email at ADACompliance@brevardfl.gov

From: Jennifer Ognibene <jencatando22@yahoo.com>
Sent: Saturday, September 10, 2022 9:16 PM
To: Hart, Jane <Jane.Hart@brevardfl.gov>
Cc: m7beard@gmail.com
Subject: Rezone 22Z00039

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

Hi Jane,
Please include my well prepared questions regarding rezone 22z00039. I live at 6355 A1A S Hwy Melbourne Beach Florida 32951.

If I am able to watch the rezoning meeting virtually please provide me with the information/ link on how to do so.

Thank you for your attention on this very important matter.

From: Hart, Jane
To: Jones, Jennifer
Subject: FW: Rezone 22Z00039
Date: Monday, September 12, 2022 7:43:04 AM

Jane Hart, M.S., Planner III
Brevard County Planning & Development
Phone: 321-633-2070 ext. 58270
Direct line: 321-350-8270

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From: Jennifer Ognibene <jencatando22@yahoo.com>
Sent: Saturday, September 10, 2022 9:16 PM
To: Hart, Jane <Jane.Hart@brevardfl.gov>
Cc: m7beard@gmail.com
Subject: Rezone 22Z00039

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If I am able to watch the rezoning meeting virtually please provide me with the information/ link on how to do so.

Thank you for your attention on this very important matter.

Best,
Jennifer Ognibene

Sent from Yahoo Mail for iPhone

9-8-22

Dear Rezoning Board,

Thank you for the opportunity to voice our concerns regarding the land at

We are currently residing in the adjacent building that was built in 1986. Most of the residents in the unincorporated Brevard County on our stretch of A1A Hwy are single family homes. The area has a more rural feel because of the single family homes without sky use or multi-unit per gross acre. The serenity of the area will be compromised with the expansion away from single family units

(1) Breezeway / visual corridor: All riverfront and oceanfront properties are subject to breezeway / visual corridor regulations enumerated in section 62-2105
What are the regulations?

(2) What are the structural height standards?

(3) If re-zoned what is the distance between the building and the lot line

9-8-22

Dear Rezoning Board,

Thank you for the opportunity to voice our concerns regarding the land at

We are currently residing in the adjacent building that was built in 1986. Most of the residents in the unincorporated Brevard County on our stretch of A1 A5 Hwy are single family homes. The area has a more rural feel because of the single family homes without sky rise or multi-unity per gross acre. The serenity of the area will be compromised with the expansion away from single family units

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What are the structural height standards?

If re-zoned what is the distance between the building and the lot line

(4) In Sec. 62-2105, No building, structures, berms or solid fences or any combination thereof, more than four feet in height shall be permitted in the breezeway / visual corridor.

(5) In Sec. 62-4210 Coastal setback line established so please explain the coastal setback line of 25 feet west by perpendicular measurement from a line previously described by or in Brevard County survey book 27 pages 15-28 and delineated on the county Coastal Setback line map. Are setbacks 25 feet west based on a building that was built adjacent to the lot that was built in 1986?

(6) Natural Resources Management Zoning Review + Summary
item # 22200039
Re zoning from a RRI- to RU2-4 would dramatically increase residential density designated for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet as in the Coastal Management Element of the Comprehensive Plan Policy 7.1 Coastal Residential Densities.

⑦ How will a RU 2-4 rezoning impact the coastal management, flood plain, Indian River Lagoon, nitrogen reduction, septic overlay, protected + specimen trees, and protected species such as logger head, green + leatherback turtles?

⑧ Did the applicant contact NRM at 321-633-2016 prior to any land clearing? There is already significant land clearing that occurred in the last few months. This is in accordance with the Coastal Management Element of Comprehensive Plan, Policy 7.1 Coastal Residential Densities

⑨ Flood plain Will the applicant adhere to the development criteria in Conservation Element Objective 4 its subsequent policies + Flood plain ordinance?

⑩ Will applicant provide at least 65% total nitrogen reduction through multi-stage treatment processes since this is required?

(7) How will a RU 2-4 remove impact the coastal management, flood plain, Indian River Lagoon, nitrogen reduction, septic overlay, protected + specimen trees and protected species such as logger head, green + leatherback turtles?

(8) Did the applicant contact NRM at 321-633-2016 prior to any land clearing? There is already significant land clearing that occurred in the last few months. This is in accordance with the Coastal Management Element of Comprehensive Plan, Policy 7.1 Coastal Residential Density

(9) Flood plain Will the applicant add here to the development criteria in Conservation Element Objective 4 its subsequent policies + Flood plain ordinance?

(10) Will applicant provide at least 65% total nitrogen reduction through multi stage treatment processes since this is required?

(11) Will the applicant adhere to requirements for tree preservation + canopy coverage requirements? A significant amount of land has already been cleared.

(12) Has the applicant contacted the Florida Fish + Wildlife Conservation Commission at 561-882-5714 or 561-365-5696 with necessary permits or clearance letters for Gopher tortoises. I have personally witnessed several gopher tortoises on the property.

(13) Climate change and its impact on the Florida coast can significantly increase sea levels jeopardizing residence built along the Melbourne beach coastline. NASA study projects surge in coastal flooding starting in the 2030's due to climate change (NASA July 8, 2021 article in the Space Coast daily.com). Brevard County, FL by the mid 2030's will experience rapidly increasing high tide floods + lunar cycle will amplify rising sea levels caused by climate change. This will put homes, sea life at risk.

(14) How will adding a R42-4
adversely affect the adjacent
homes that may have blocked
views, added noise + loss of habitation
from substantially increasing the
dwelling size?

(14) How will adding a RU 2-4
adversely affect the adjacent
homes that may have blocked
views, added noise + loss of habitation
from substantially increasing the
dwelling size?

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: [FW: Please Oppose A Zoning Change To 6345 S Hwy A1A, Melbourne Beach](#)
Date: Monday, September 12, 2022 @ 10:51 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Monday, September 12, 2022 7:34 AM
To: dccapemay@aol.com
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Sall, Jeffrey <Jeffrey.Sall@brevardfl.gov>
Subject: RE: Please Oppose A Zoning Change To 6345 S Hwy A1A, Melbourne Beach

Ms. Conway,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: dccapemay@aol.com <dccapemay@aol.com>
Sent: Monday, September 12, 2022 6:47 AM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Please Oppose A Zoning Change To 6345 S Hwy A1A, Melbourne Beach

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

Dear Darcie McGee,



I am writing to ask that you please oppose the request for a zoning change to the property at 6345 S. HWY A1A, Melbourne Beach, FL 32951.

The zoning request is scheduled to be heard at the Planning and Zoning Meeting today, Monday, September 12, 2022.

The property at 6345 Hwy A1A is currently zoned RR-1 for Single Family Residential Oceanfront. The request is to up-zone the vacant lot from RR-1, Single Family to RU-2-4, Multi-family. A zoning change would increase the density against a mandate by FEMA.

It is without question that this property is in a Coastal High Hazard Zone.

Evacuation is difficult due to the inadequate two lane Hwy and the great distance between the Causeways.

This section of A1A is a two lane Hwy with no parallel roads, no shoulder and no turn lanes. The Level Of Service grade from the Dept of Transportation is a 'D'. A grade of 'D' means there is limited ability for drivers to maneuver. Traffic is unable to absorb accidents, disruptions or even minor incidents. Pulling off the road for an Ambulance is even challenging and dangerous.

When there is a fatality on A1A and A1A is closed for hours, it is necessary to drive back over the 192 Causeway South to Vero Beach and come back by way of the Wabasso Bridge. A zoning change would not be in the interest of the public safety and welfare.

To address Evacuation and reduce density, FEMA down-zoned the lots to R-1 in the area of South Melbourne Beach from Crystal Lakes to the Sebastian Inlet. Besides the issue of distance to the Causeways there are no Public Utilities. Public water and sewer hookups are not available and none are planned.

The Owner/Developer is using the character of the adjacent properties as a reason for you to grant a change in zoning for the subject property. However, the adjacent properties have been Grandfathered in, granted an exception since they were built way before FEMA guidelines.

The subject property has not been built out so it must comply with the RR-1 zoning and density. The current and future land use for the area are Single Family Residential Homes. That is the character of the area.

Thank you for reading my letter and considering my request to vote no on changing the zoning.

Respectfully,

Dolores Conway
123 Cardinal Dr
Melbourne Bch, FL 32951

The zoning request is scheduled to be heard at the Planning and Zoning Meeting today, Monday, September 12, 2022.

The property at 6345 Hwy A1A is currently zoned RR-1 for Single Family Residential Oceanfront. The request is to up-zone the vacant lot from RR-1, Single Family to RU-2-4, Multi-family. A zoning change would increase the density against a mandate by FEMA.

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Thank you for reading my letter and considering my request to vote no on changing the zoning.

Respectfully,

Dolores Conway
123 Cardinal Dr
Melbourne Bch FL 32951

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Please Oppose The Zoning Change To 6345 S. Hwy A1A Melbourne Beach
Date: Monday, September 12, 2022 8:11:58 AM

FYI

From: dccapemay@aol.com <dccapemay@aol.com>
Sent: Monday, September 12, 2022 6:43 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Subject: Please Oppose The Zoning Change To 6345 S. Hwy A1A Melbourne Beach

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

Dear Tad Calkins,

I am writing to ask that you please oppose the request for a zoning change to the property at 6345 S. HWY A1A, Melbourne Beach, FL 32951. The zoning request is scheduled to be heard at the Planning and Zoning Meeting today, Monday, September 12, 2022.

The property at 6345 Hwy A1A is currently zoned RR-1 for Single Family Residential Oceanfront. The request is to up-zone the vacant lot from RR-1, Single Family to RU-2-4, Multi-family. A zoning change would ncrease the density against a mandate by FEMA.

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To address Evacuation and reduce density, FEMA down-zoned the lots to R-1 in the area of South Melbourne Beach from Crystal Lakes to the Sebastian Inlet. Besides

the issue of distance to the Causeways there are no Public Utilities. Public water and sewer hookups are not available and none are planned.

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The subject property has not been built out so it must comply with the RR-1 zoning and density. The current and future land use for the area are Single Family Residential Homes. That is the character of the area.

Thank you for reading my letter and considering my request to vote no on changing the zoning.

Respectfully,

Dolores Conway
123 Cardinal Dr
Melbourne Bch, FL 32951

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Thank you for reading my letter and considering my request to vote no on changing the zoning.

Respectfully,

Dolores Conway
123 Cardinal Dr
Melbourne Bch, FL 32951

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: 6345 Highway A1A Melbourne Beach Zoning Change
Date: Monday, September 12, 2022 8:12:25 AM

FYI

From: Bob Riley <riley@mangrove.org>
Sent: Sunday, September 11, 2022 7:24 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>
Subject: 6345 Highway A1A Melbourne Beach Zoning Change

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

Good day,

As a long-time South Beaches resident, I oppose the zoning change & increase in density proposed for 6345 Highway A1A Melbourne Beach 32951.

The proposed zoning change is from RR-1 Single Family Residential to RU-2-4 Multi Family district. This change does not comply with the Brevard County Comprehensive Plan which states, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and Sebastian Inlet."

Please comply with the Comprehensive Plan and deny this zoning change to higher density.

Best regards,

Bob Riley
321-431-6595
340 Beverly Ct
Melbourne Beach

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Oppose Zone Change 6345 A1A
Date: Monday, September 12, 2022 8:12:49 AM

FYI

From: Ginny <gmagda@gmail.com>
Sent: Sunday, September 11, 2022 4:07 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; D5commissioner@brevardfl.gov
Subject: Oppose Zone Change 6345 A1A

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

I am writing to strongly oppose any increase in zoning density from south Melbourne Beach to the Inlet. Please do not allow additional zoning density at 6345 S A1A. Any increase in density makes future applications more likely to be approved.

We need to preserve density at current levels to protect Sea Turtles and other endangered wildlife in this protected area. There is already far too much traffic coming down A1A. Our area does not need increased density and more residents.

As a lifetime resident looking to preserve our community, I strongly oppose the density increase from RR-1 to RU 2-4 at 6345 A1A Melbourne Beach. Please protect our area and oppose this change. I don't want to see our area turn into Satellite Beach or Indialantic.

Sincerely,
Virginia Daut
221 Ivory Dr
Melbourne Beach
708-341-3822

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Oppose Zone Change 6345 A1A
Date: Monday, September 12, 2022 8:12:49 AM

FYI

From: Ginny <gmagda@gmail.com>
Sent: Sunday, September 11, 2022 4:07 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; D.5commissioner@brevardfl.gov
Subject: Oppose Zone Change 6345 A1A

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

I am writing to strongly oppose any increase in zoning density from south Melbourne Beach to the Inlet. Please do not allow additional zoning density at 6345 S A1A. Any increase in density makes future applications more likely to be approved.

We need to preserve density at current levels to protect Sea Turtles and other endangered wildlife in this protected area. There is already far too much traffic coming down A1A. Our area does not need increased density and more residents.

As a lifetime resident looking to preserve our community, I strongly oppose the density increase from RR-1 to RU 2-4 at 6345 A1A Melbourne Beach. Please protect our area and oppose this change. I don't want to see our area turn into Satellite Beach or Indialantic.

Sincerely,
Virginia Daut
221 Ivory Dr
Melbourne Beach
708-341-3822

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Up-zoning RR-1 to RU-2-4
Date: Monday, September 12, 2022 8:13:11 AM

FYI

From: Richard Hohenberger <havhogwilltravel@gmail.com>
Sent: Sunday, September 11, 2022 3:51 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: Re: Up-zoning RR-1 to RU-2-4

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

Great, thanks!

On Sun, Sep 11, 2022 at 3:32 PM McGee, Darcie A <Darcie.Mcgee@brevardfl.gov> wrote:

Mr. Hohenberger,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: Richard Hohenberger <havhogwilltravel@gmail.com>
Sent: Saturday, September 10, 2022 10:11 AM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Up-zoning RR-1 to RU-2-4

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

I'm Opposed to this change!

Richard Hohenberger, 135 Flamingo Dr., Melbourne Beach, FL. 32951

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: 6345 S Hwy A1A up zoning
Date: Monday, September 12, 2022 8:13:39 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:38 PM
To: glovprop@bellsouth.net
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: 6345 S Hwy A1A up zoning

Ms. Glover,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: glovprop@bellsouth.net <glovprop@bellsouth.net>
Sent: Friday, September 9, 2022 4:23 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: 6345 S Hwy A1A up zoning

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

Good Afternoon;

I urge you to vote NO on the Up Zoning Request for 6345 S Highway A1A, Melbourne Beach, FL 32951

We are already at full capacity without the Up Zoning of another acre. We are all on septic tanks here. The water would have to come from wells or Aquarina, which I have been lead to believe is almost at full capacity. Highway A1A is a dangerous highway now and it takes hours for Highway Patrol to attend to accidents down here.

Please no more Multifamily Developments in South Beaches!

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: 6345 S Hwy A1A up zoning
Date: Monday, September 12, 2022 8:13:39 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:38 PM
To: glovprop@bellsouth.net
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: 6345 S Hwy A1A up zoning

Ms. Glover,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: glovprop@bellsouth.net <glovprop@bellsouth.net>
Sent: Friday, September 9, 2022 4:23 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: 6345 S Hwy A1A up zoning

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

Good Afternoon;

I urge you to vote NO on the Up Zoning Request for 6345 S Highway A1A, Melbourne Beach, FL 32951

We are already at full capacity without the Up Zoning of another acre. We are all on septic tanks here. The water would have to come from wells or Aquarina, which I have been lead to believe is almost at full capacity. Highway A1A is a dangerous highway now and it takes hours for Highway Patrol to attend to accidents down here.

Please no more Multifamily Developments in South Beaches!

Beth Glover

glovprop@bellsouth.net

321-726-0800

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: No upzoning
Date: Monday, September 12, 2022 8:13:56 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:37 PM
To: Nancy Sayre <nancyesayre@gmail.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: No upzoning

Ms. Sayre,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: Nancy Sayre <nancyesayre@gmail.com>
Sent: Friday, September 9, 2022 5:08 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: No upzoning

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

Protect the pristine and serene beach environment of Melbourne Beach.
Do not allow upzoning of 6345 S A1A.
Owner, 125 Cardinal Drive, MB

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: No upzoning
Date: Monday, September 12, 2022 8:13:56 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:37 PM
To: Nancy Sayre <nancyesayre@gmail.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: No upzoning

Ms. Sayre,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: Nancy Sayre <nancyesayre@gmail.com>
Sent: Friday, September 9, 2022 5:08 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: No upzoning

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

Protect the pristine and serene beach environment of Melbourne Beach.
Do not allow upzoning of 6345 S A1A.
Owner, 125 Cardinal Drive, MB

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Please vote NO on rezoning of lot 6345 S A1A Melbourne Bch
Date: Monday, September 12, 2022 8:14:40 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:34 PM
To: T&C <b40feather@yahoo.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: Please vote NO on rezoning of lot 6345 S A1A Melbourne Bch

Mr. & Mrs. Glinski,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: T&C <b40feather@yahoo.com>
Sent: Saturday, September 10, 2022 9:24 AM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Please vote NO on rezoning of lot 6345 S A1A Melbourne Bch

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

Dear Ms. McGee,

This letter regards an oceanfront parcel of land (1.01) at 6345 S A1A on which the owner is requesting a zoning change from the current Single Family (RR-1) to RU-2-4.

Melbourne Beach, particularly the property within the city limits and near-by, is already quite developed. Melbourne Beach south of the city limits along A1A to Sebastian Inlet State Park is one of the very few coastal sections along Florida's east coast that offers a glimpse of what Florida's natural environment was just 50 years ago. People move to this section of Brevard County for its rural "feel", nature, relative solitude, beauty and safety.

Traffic density has increased, wild habitat and wildlife have diminished. Thousands of female land crabs not so long ago crossed A1A annually to lay their eggs. They were so thick you could hardly avoid them-- that is finished. We have protected and endangered plant species, small mammals, the Florida Scrub Jay, the alligator the tortoise. This area is the most active turtle nesting beach in N. America. We have open beaches, the best fishing.

Fortunately, previous citizens and officials recognized the rare beauty of this area. They created parks, both onshore and offshore. The Archie Carr National Wildlife Refuge is a Federal Preserve of both terrestrial and aquatic habitats. Directly offshore is one of the only hard and soft coral aggregates this far north in the Atlantic. Visitors from around the world come to see and enjoy this area for what it is. Additional population density will not only negatively impact residents and visitors, but nature as well.

Increasing density with up-zoning has numerous concerns, logistical safety concerns, sewage and run-off concerns. Infra-structure such as potable water, sewage, emergency and fire response capability-- particularly if there were an unusual incident. Additional population density through zoning changes has the potential to open the county to increased liability should necessary services be unavailable.

Prior officials in the DEP, and state and local government established a certain level of protection to this unusual section of coastal Florida. One of the best tools available to them at the time was zoning. This tool is still available to us. Please respect the work of those who came before and established the existing zoning designations for a reason. Please respect the needs of the community, the current residents, and local and out of town visitors who come to enjoy this area. Please respect those that purchased their building lots with the expectation that the current planned zoning and thus planned density would remain.

For these reasons we ask that an increased density change NOT BE GRANTED on the lot known as 6345 South A1A Melbourne Beach. The lot was purchased with the full knowledge it is zoned Single Family (RR-1) and so it should remain. Please do not sacrifice the many for the few.

Thank you. Respectfully,

Thomas and Cynthia Glinski
Pelican Dr. Melbourne Beach FL

Fortunately, previous citizens and officials recognized the rare beauty of this area. They created parks, both onshore and offshore. The Archie Carr National Wildlife Refuge is a Federal Preserve of both terrestrial and aquatic habitats. Directly offshore is one of the only hard and soft coral aggregates this far north in the Atlantic. Visitors from around the world come to see and enjoy this area for what it is. Additional population density will not only negatively impact residents and visitors, but nature as well.

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Thank you. Respectfully,

Thomas and Cynthia Glinski
Pelican Dr. Melbourne Beach FL

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Rezoning
Date: Monday, September 12, 2022 8:14:16 AM

FYI

-----Original Message-----

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:36 PM
To: m7beard@gmail.com
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: Rezoning

Mr. Beardsley & Ms. Ognibene,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

-----Original Message-----

From: m7beard@gmail.com <m7beard@gmail.com>
Sent: Friday, September 9, 2022 8:11 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Rezoning

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

Hello

We are a new resident to Brevard County since March 2022. And currently live next door to this empty lot at the Gullhouse. Obviously we are completely against the rezoning. One of the things that drew us and many people to the Melbourne beach area is the secluded woodsy feel. Unlike the Cocoa Beach or other areas north. It's less of a touristy place and more of a "home". Also if a rezoning is allowed the size of the building will directly affect our gorgeous view of the ocean. Also there could be a possibility of change in habitat of the sea turtles. I am not sure what else to do regarding the rezoning. But we do not agree with it. If this rezoning is allowed the whole area will become over populated and touristy when all the other lots request a rezoning.

I would appreciate it if my letter could be considered during the rezoning hearing on Monday.

Thank you

Mark Beardsley and Jennifer Ognibene
6355 S Hwy 1A
Melbourne Beach Florida

Sent from my iPhone

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW:
Date: Monday, September 12, 2022 8:15:06 AM

FYI

-----Original Message-----

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:31 PM
To: Jean Bayer <bayerjean@yahoo.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE:

Ms Bayer,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

-----Original Message-----

From: Jean Bayer <bayerjean@yahoo.com>
Sent: Saturday, September 10, 2022 2:20 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject:

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

No more multi housing on A-I-A
Sent from my iPhone

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW:
Date: Monday, September 12, 2022 8:15:06 AM

FYI

-----Original Message-----

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:31 PM
To: Jean Bayer <bayerjean@yahoo.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE:

Ms. Bayer,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

-----Original Message-----

From: Jean Bayer <bayerjean@yahoo.com>
Sent: Saturday, September 10, 2022 2:20 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject:

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

No more multi housing on A-1-A
Sent from my iPhone

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Rezoning
Date: Monday, September 12, 2022 8:15:27 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:30 PM
To: Roberta Crapo <r.crapo@yahoo.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: Rezoning

Ms. Crapo,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: Roberta Crapo <r.crapo@yahoo.com>
Sent: Saturday, September 10, 2022 4:17 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Rezoning

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

I oppose the rezoning of 6345 Hwy. A1A Melbourne Beach
which is located within the FEMA Coastal High Hazard Zone.
Roberta Crapo
117 Caledonia Dr.
Melbourne Beach, FL 32951

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: "No" for up-zoning request - 6345 S. HWY A1A
Date: Monday, September 12, 2022 8:15:52 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:29 PM
To: Craig Nichols <craignichols@gmail.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: "No" for up-zoning request - 6345 S. HWY A1A

It helps to actual copy them!

From: McGee, Darcie A
Sent: Sunday, September 11, 2022 3:27 PM
To: Craig Nichols <craignichols@gmail.com>
Subject: RE: "No" for up-zoning request - 6345 S. HWY A1A

Mr. Nichols,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: Craig Nichols <craignichols@gmail.com>
Sent: Saturday, September 10, 2022 5:45 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: "No" for up-zoning request - 6345 S. HWY A1A

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

Dear Ms. McGee,
To be direct and brief... please advise the County Commissioners to **NOT** approve the up-zoning request for the land located at 6345 S. HWY A1A south of Melbourne Beach, Florida that is scheduled for the County Commission meeting this Monday (Sept. 13).

As you know, Brevard County's extensive Comprehensive Plan established zoning in that area to be mostly residential R-1 in order not to create too much population density which would damage

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: "No" for up-zoning request - 6345 S. HWY A1A
Date: Monday, September 12, 2022 8:15:52 AM

FYI

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Sent: Sunday, September 11, 2022 3:29 PM
To: Craig Nichols <craigjnichols@gmail.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
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Sent: Saturday, September 10, 2022 5:45 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
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As you know, Brevard County's extensive Comprehensive Plan established zoning in that area to be mostly residential R-1 in order not to create too much population density which would damage

this special barrier island. Every single request for an exception to zoning that is granted by the Commission adds to the slow erosion of the voter approved intent of the Comprehensive Plan.

Please advise the Commissioners to make a "no" vote to the up-zoning request for 6345 S. HWY A1A.

Thank you and Best Regards,
Craig and Jane Nichols
Melbourne Beach

Sent from my iPad

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Please do NOT allow a zoning change on 6345 S A1A Melbourne Bch
Date: Monday, September 12, 2022 8:16:11 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:28 PM
To: T&C <b40feather@yahoo.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: Please do NOT allow a zoning change on 6345 S A1A Melbourne Bch

Mr. & Mrs. Glinski,

I thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: T&C <b40feather@yahoo.com>
Sent: Saturday, September 10, 2022 5:00 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Please do NOT allow a zoning change on 6345 S A1A Melbourne Bch

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

Dear Ms. McGee,

This letter regards an oceanfront parcel of land (1.01) at 6345 S A1A on which the owner is requesting a zoning change from the current Single Family (RR-1) to RU-2-4.

Melbourne Beach, particularly the property within the city limits and near-by, is already quite developed.. Melbourne Beach south of the city limits along A1A to Sebastian Inlet State Park is one of the very few coastal sections along Florida's east coast that offers a glimpse of what Florida's natural environment was just 50 years ago. People move to this section of Brevard County for its rural "feel", nature, relative solitude, beauty and safety.

Traffic density has increased, wild habitat and wildlife have diminished. Thousands of female land crabs not so long ago crossed A1A annually to lay their eggs. They were so thick you could hardly avoid them-- that is finished. We have protected and endangered plant species, small mammals, the Florida Scrub Jay, the alligator the tortoise. This area is the most active turtle nesting beach in N. America. We have open beaches, the best fishing.

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Please do NOT allow a zoning change on 6345 S A1A Melbourne Bch
Date: Monday, September 12, 2022 8:16:11 AM

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Sent: Saturday, September 10, 2022 5:00 PM
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Traffic density has increased, wild habitat and wildlife have diminished. Thousands of female land crabs not so long ago crossed A1A annually to lay their eggs. They were so thick you could hardly avoid them-- that is finished. We have protected and endangered plant species, small mammals, the Florida Scrub Jay, the alligator the tortoise. This area is the most active turtle nesting beach in N. America. We have open beaches, the best fishing.

Fortunately, previous citizens and officials recognized the rare beauty of this area. They created parks, both onshore and offshore. The Archie Carr National Wildlife Refuge is a Federal Preserve of both terrestrial and aquatic habitats. Directly offshore is one of the only hard and soft coral aggregates this far north in the Atlantic. Visitors from around the world come to see and enjoy this area for what it is. Additional population density will not only negatively impact residents and visitors, but nature as well.

Increasing density with up-zoning has numerous concerns, logistical safety concerns, sewage and run-off concerns. Infra-structure such as potable water, sewage, emergency and fire response capability-- particularly if there were an unusual incident. Additional population density through zoning changes has the potential to open the county to increased liability should necessary services be unavailable.

Prior officials in the DEP, and state and local government established a certain level of protection to this unusual section of coastal Florida. One of the best tools available to them at the time was zoning. This tool is still available to us. Please respect the work of those who came before and established the existing zoning designations for a reason. Please respect the needs of the community, the current residents, and local and out of town visitors who come to enjoy this area. Please respect those that purchased their building lots with the expectation that the current planned zoning and thus planned density would remain.

For these reasons we ask that an increased density change NOT BE GRANTED on the lot known as 6345 South A1A Melbourne Beach. The lot was purchased with the full knowledge it is zoned Single Family (RR-1) and so it should remain. Please do not sacrifice the many for the few.

Thank you. Respectfully,

Thomas and Cynthia Glinski
Pelican Dr. Melbourne Beach FL

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Re Zoning
Date: Monday, September 12, 2022 8:16:32 AM

FYI

-----Original Message-----

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:26 PM
To: Joan vaughan <joanvaughanphoto@yahoo.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: Re Zoning

Ms. Vaughan,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

-----Original Message-----

From: Joan vaughan <joanvaughanphoto@yahoo.com>
Sent: Sunday, September 11, 2022 7:56 AM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Re Zoning

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

My name is Joan Vaughan. Resident of Melb. Sh. for 37 years. This is one of the last beaches in Fl. that has not been destroyed, contaminated & over developed !

Please , don't destroy with
re zoning. You already know how decremental this will be!!
Thank you for doing what is right !

Sincerely
Joan Vaughan

Sent from my iPhone

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Re Zoning
Date: Monday, September 12, 2022 8:16:32 AM

FYI

-----Original Message-----

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:26 PM
To: Joan vaughan <joanvaughanphoto@yahoo.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: **Re Zoning**

Ms. Vaughan,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

-----Original Message-----

From: Joan vaughan <joanvaughanphoto@yahoo.com>
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To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
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Please , don't destroy with
re zoning. You already know how decremental this will be!!

Thank you for doing what is right !

Sincerely
Joan Vaughan

Sent from my iPhone

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: FW: Against increasing a RR-1 zoning to a RU-2-4 zoning. Location: 6345 S. A1A
Date: Monday, September 12, 2022 8:16:50 AM

FYI

From: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Sent: Sunday, September 11, 2022 3:25 PM
To: Alice <arfbpf@gmail.com>
Cc: Calkins, Tad <tad.calkins@brevardfl.gov>; Ball, Jeffrey <Jeffrey.Ball@brevardfl.gov>
Subject: RE: Against increasing a RR-1 zoning to a RU-2-4 zoning. Location: 6345 S. A1A

Ms. Robbins-Fox,

Thank you for your email. I've copied Planning & Development so that they may enter your input into the record.

Regards,
Darcie

From: Alice <arfbpf@gmail.com>
Sent: Sunday, September 11, 2022 1:43 PM
To: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>
Subject: Against increasing a RR-1 zoning to a RU-2-4 zoning. Location: 6345 S. A1A

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

Hello,

I am totally against any zoning or density changes in the South Beaches. I believe this has already been addressed in the Comprehensive Plan and by FEMA. No one will benefit from an increase in density of this property except the person who bought it knowing what the existing density was. We do not have the infrastructure for increased density and the Indian River Lagoon definitely does not have the capacity to absorb an increase in density.

Thank you,
Alice Robbins-Fox
5880 Riverside Drive
Melbourne Beach, FL 32951

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Land Parcel at 6345 S A1A - Keep RR-1 Zoning
Date: Monday, September 12, 2022 8:17:41 AM

FYI

From: Ray Restivo <rayrestivo@gmail.com>
Sent: Sunday, September 11, 2022 3:05 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; D5commissioner@brevardfl.gov
Subject: Land Parcel at 6345 S A1A - Keep RR-1 Zoning

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

Please deny the request for 6345 S A1A zoning change to RR-2-4 and keep the existing RR-1.

Currently, according to the County, Highway A1A's "Function Classification" or Level of Service is graded D, not to mention, the septic and water consumption, our environment especially the turtles.

The attorney for the owner will most likely say it should be approved because there is multi-family already adjacent. Using that logic, this up-zoning will creep up and down the entire island and eventually engulf every home.

There is already too much density for evacuations, flooding, natural habitat, day-to-day traffic, water consumption and preservation of Sea Turtle nesting.

Thank you.
Ray & Erin Restivo
6355 S A1A

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Land Parcel at 6345 S A1A - Keep RR-1 Zoning
Date: Monday, September 12, 2022 8:17:41 AM

FYI

From: Ray Restivo <rayrestivo@gmail.com>
Sent: Sunday, September 11, 2022 3:05 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; D5commissioner@brevardfl.gov
Subject: Land Parcel at 6345 S A1A - Keep RR-1 Zoning

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There is already too much density for evacuations, flooding, natural habitat, day-to-day traffic, water consumption and preservation of Sea Turtle nesting.

Thank you.
Ray & Erin Restivo
6355 S A1A

From: Calkins, Tad
To: Jones, Jennifer
Subject: FW: Opposition to requests change of zoning classification from RR-1 to RU-2-4
Date: Monday, September 12, 2022 8:18:02 AM

FYI

From: brian hennessey <brianhennessey51@gmail.com>
Sent: Sunday, September 11, 2022 2:48 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Opposition to requests change of zoning classification from RR-1 to RU-2-4

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The

property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *"Objective seven of the Coastal Management Element of the County's Comprehensive Plan specifically states the County should, and he quotes, "limit densities within the Coastal High Hazard Zone and direct development outside of this area."*

Commissioner Tobia read the quote again ***"limit densities in the Coastal High Hazard Zone"***. He asserted ***"if the Board grants the request, it would not be following the Coastal High Hazard Zone."***

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you

Brian Hennessey
Melbourne Beach

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The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you

Brian Hennessey
Melbourne Beach

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: Fwd: 6345 S. A1A Melbourne beach
Date: Monday, September 12, 2022 8:45:31 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Mea Forbes <mea275@bellsouth.net>
Date: September 11, 2022 at 11:07:08 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: **6345 S. A1A Melbourne beach**
Reply-To: Mea Forbes <mea2755@hotmail.com>

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

Please deny the request for up zoning on the above property. We already have enough water and septic problem. And most of all "the turtles".
Mea Forbes

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Oppositon to RR1 changing to Ru-2-4
Date: Monday, September 12, 2022 8:46:38 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Joanne Fletcher <brianjoannef@gmail.com>
Date: September 11, 2022 at 8:53:07 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: Oppositon to RR1 changing to Ru-2-4

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

I oppose the above upzoning in South Brevard due to it affecting the preservation of the balance of population, the wildlife and natural habitat. Joanne Fletcher

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Oppositon to RR1 changing to Ru-2-4
Date: Monday, September 12, 2022 8:46:38 AM

FYI
Sent from my iPhone

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From: Joanne Fletcher <brianjoannef@gmail.com>
Date: September 11, 2022 at 8:53:07 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: Oppositon to RR1 changing to Ru-2-4

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I oppose the above upzoning in South Brevard due to it affecting the preservation of the balance of population, the wildlife and natural habitat. Joanne Fletcher

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Rezoning rezoning 6345 Hwy A1A
Date: Monday, September 12, 2022 8:47:14 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: dianne shelton <dianneshelton@att.net>
Date: September 10, 2022 at 11:53:37 PM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>
Subject: Fw: Rezoning rezoning 6345 Hwy A1A
Reply-To: dianne shelton <dianneshelton@att.net>

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

Subject: Rezoning rezoning 6345 Hwy A1A

Dear Sir and Madams,

I have lived in south Melbourne Beach since 1977. I currently live at 5930 Riverside Drive in South Melbourne Beach, just north of the proposed zoning change. Within the last 2 years the traffic has become intolerable, not to mention public safety etc. PLEASE do not increase the density more than it is already. There is already too much density for evacuations, flooding, natural habitat, day-to-day traffic and preservation of Sea Turtle nesting.

Dianne Shelton 321-720-1199

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.
Date: Monday, September 12, 2022 8:48:31 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: brian hennessey <brianhennessey51@gmail.com>
Date: September 9, 2022 at 2:56:11 PM EDT
Cc: "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>
Subject: Rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. The property is located within the FEMA designated Coastal High Hazard Zone. The Future Land USE for this area of the south beaches is all RES-1. This was voted on by Brevard County in the early 1990s.

The proposed zoning change does not comply with the Brevard County Comprehensive Plan. Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities states the following:

Objective 7

Limit densities within the coastal high hazard zone and direct development outside of this area

Policy 7.1

Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet.

Policy 7.2

Brevard County shall continue to implement the Transfer of Development Rights program which has been established to transfer density from transfer districts within the coastal high hazard area to receiving districts outside of the coastal high hazard area.

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To: Jones, Jennifer
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The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change the FLU zoning to other than RES-1. This application was subsequently withdrawn.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: "Objective seven of the Coastal Management Element of the County's Comprehensive Plan specifically states the County should, and he quotes, "limit densities within the Coastal High Hazard Zone and direct development outside of this area."

Commissioner Tobia read the quote again, "**limit densities in the Coastal High Hazard Zone:** and he asserted if the Board grants the request, it would not be following the Coastal High Hazard Zone."

The County's position on similar zoning change requests is well established.

Thank you

Brian Hennessey
Melbourne Beach

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: Fwd: Opposition to Proposed Zoning Change Request
Date: Monday, September 12, 2022 8:49:25 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Amanda Notman <amanda.notman1@gmail.com>
Date: September 12, 2022 at 8:17:00 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: Opposition to Proposed Zoning Change Request

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I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently

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To: Jones, Jennifer
Subject: Fwd: Opposition to Proposed Zoning Change Request
Date: Monday, September 12, 2022 8:49:25 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Amanda Notman <amanda.notman1@gmail.com>
Date: September 12, 2022 at 8:17:00 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: **Opposition to Proposed Zoning Change Request**

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Commissioner Tobia read the quote again ***"limit densities in the Coastal High Hazard Zone"***. He asserted ***"if the Board grants the request, it would not be following the Coastal High Hazard Zone."***

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you,
Amanda Notman

From: [Calkins, Tad](#)
To: [Jones, Jennifer](#)
Subject: Fwd: Opposition to Proposed Zoning Change Request
Date: Monday, September 12, 2022 8:49:59 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Derek & Amanda <notmancrew@gmail.com>
Date: September 12, 2022 at 8:26:21 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: **Opposition to Proposed Zoning Change Request**

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Thank you,
Derek Notman

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Proposed Zoning Change Request
Date: Monday, September 12, 2022 8:50:27 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Lynn Gronosky <lgronosky@icloud.com>
Date: September 12, 2022 at 8:45:47 AM EDT
To: "Megge, Darcie A" <Darcie.Megge@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D5commissioner@brevardfl.gov, "Calkins, Tad" <tad.calkins@brevardfl.gov>
Subject: Proposed Zoning Change Request

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I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

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The proposed zoning change does not comply with the Brevard County Comprehensive Plan. Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities states the following:

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•

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- Brevard County shall continue to implement the Transfer of Development Rights program which has been established to transfer density from transfer districts within the coastal high hazard area to receiving districts outside of the coastal high hazard area.

In addition to not being compliant with the Brevard County Comprehensive Plan, this zoning change would cause even more problems than we currently have with traffic, car/bike/pedestrian accidents, hurricane evacuation issues, and Archie Carr Wildlife Refuge protections.

Regards,
Lynn Gronosky
393 Hiawatha Way
Melbourne Beach

From: Commissioner, D5
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Cc: Jones, Jennifer
Subject: FW: Rezoning 22Z00039
Date: Monday, September 12, 2022 8:58:25 AM

Received by D5 for your records

-----Original Message-----

From: m7beard@gmail.com <m7beard@gmail.com>
Sent: Saturday, September 10, 2022 11:59 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2
<D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4
<D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Rezoning 22Z00039

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Hello

We are a new resident to brevard county since march 2022. And currently live next door to this empty lot at the Gullhouse. Obviously we are completely against the rezoning. One of the things that drew us and many people to the Melbourne beach area is the secluded woodsy feel. Unlike the cocoa beach or other areas north. Its less of a touristy place and more of a "home". Also if a rezoning is allowed the size of the building will directly affect our gorgeous view of the ocean. Also there could be a possibility of change in habitat of the sea turtles. I am not sure what else to do regarding the rezoning. But we do not agree with it. If This rezoning is allowed the whole area will become over populated and touristy when all the other lots request a rezoning.

I would appreciate it if my letter could be considered during the rezoning hearing on monday.

Thank you

Mark Beardsley and jennifer ognibene

6355 s hwy a1a

Melbourne beach florida

Sent from my iPhone

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Date: Monday, September 12, 2022 8:58:25 AM

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Mark Beardsley and jennifer ognibene
6355 s hwy 1a
Melbourne beach florida

Sent from my iPhone

From: [Commissioner, D5](#)
To: [Jones, Jennifer](#)
Subject: FW: 6345 S Hwy A1A up zoning
Date: Monday, September 12, 2022 8:58:49 AM

Received by D5 for your records

From: floridanabchcivassoc@gmail.com <floridanabchcivassoc@gmail.com>
Sent: Friday, September 09, 2022 4:17 PM
To: Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: 6345 S Hwy A1A up zoning

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Good Afternoon;

I urge you to vote NO on the Up Zoning Request for 6345 S Highway A1A, Melbourne Beach, FL 32951

We are already at full capacity without the Up Zoning of another acre. We are all on septic tanks here. The water would have to come from wells or Aquarina, which I have been lead to believe is almost at full capacity. Highway A1A is a dangerous highway now and it takes hours for Highway Patrol to attend to accidents down here.

Please no more Multifamily Developments in South Beaches!

Beth Glover
glovprop@bellsouth.net
321-726-0800

Beth Glover,
www.floridanabeach.org
FloridanaBchCivAssoc@gmail.com
321-726-0800

From: Commissioner, D5
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Cc: Jones, Jennifer
Subject: FW: Vote no - up zoning request - 6345 S. HWY A1A
Date: Monday, September 12, 2022 8:59:34 AM

Received by D5 for your records

From: Craig Nichols <craignichols@gmail.com>
Sent: Saturday, September 10, 2022 5:14 PM
To: Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Vote no - up zoning request - 6345 S. HWY A1A

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Dear Commissioner Zonka,

To be direct and brief... please **DO NOT** approve the up-zoning request for the land located at 6345 S. HWY A1A south of Melbourne Beach, Florida that is scheduled for the County Commission meeting this Monday (Sept. 13).

You were elected to office to manage the county and make decisions consistent with the County Comprehensive Plan. As you know, Brevard County's extensive Comprehensive Plan established zoning in that area to be mostly residential R-1 in order not to create too much population density which would damage this special barrier island. Every single request for an exception to zoning that is granted by the Commission adds to the slow erosion of the voter approved intent of the Comprehensive Plan.

Please vote no to the up-zoning request for 6345 S. HWY A1A.

Thank you and Best Regards,
Craig and Jane Nichols
Melbourne Beach

Sent from my iPad

From: Commissioner, D5
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Cc: Jones, Jennifer
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Thank you and Best Regards,
Craig and Jane Nichols
Melbourne Beach

Sent from my iPad

From: [Commissioner, D5](#)
To: [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)
Cc: [Jones, Jennifer](#)
Subject: FW: Rezoning rezoning 6345 Hwy A1A
Date: Monday, September 12, 2022 9:00:52 AM

Received by D5 for your records

From: dianne shelton <dianneshelton@att.net>
Sent: Saturday, September 10, 2022 11:53 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Fw: Rezoning rezoning 6345 Hwy A1A

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Subject: Rezoning rezoning 6345 Hwy A1A

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Dianne Shelton 321-720-1199

From: [Commissioner, D5](#)
To: [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)
Cc: [Jones, Jennifer](#)
Subject: FW: Opposition to requests change of zoning classification from RR-1 to RU-2-4
Date: Monday, September 12, 2022 9:01:35 AM

Received by D5 for your records

From: brian hennessey <brianhennessey51@gmail.com>
Sent: Sunday, September 11, 2022 2:48 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
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In February 2021 Lazy River Investments requested a Change of Zoning

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From: brian hennessey <brianhennessey51@gmail.com>
Sent: Sunday, September 11, 2022 2:48 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Opposition to requests change of zoning classification from RR-1 to RU-2-4

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning

Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *"Objective seven of the Coastal Management Element of the County's Comprehensive Plan specifically states the County should, and he quotes, "limit densities within the Coastal High Hazard Zone and direct development outside of this area."*

Commissioner Tobia read the quote again "***limit densities in the Coastal High Hazard Zone***". He asserted "***if the Board grants the request, it would not be following the Coastal High Hazard Zone.***"

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thank you

Brian Hennessey
Melbourne Beach

From: [Commissioner, D5](#)
To: [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)
Cc: [Jones, Jennifer](#)
Subject: FW: Rezoning
Date: Monday, September 12, 2022 9:01:52 AM

Received by D5 for your records

From: Roberta Crapo <r.crapo@yahoo.com>
Sent: Sunday, September 11, 2022 6:12 PM
To: Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Rezoning

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

I oppose the rezoning of 6345 Hwy. A1A, Melbourne Beach which is located within the FEMA Coastal High Hazard Zone.

Policy 7.1 of Administrative Policies of the Future Land Use Plan of the Brevard Comprehensive Plan. Brevard County SHALL NOT increase residential density designations for properties located on the barrier island

between the southern Boundary of Melbourne Beach and the Sebastian Inlet.

Regards,

Roberta Crapo

117 Caledonia Drive

Melbourne Beach, FL 32951

From: [Commissioner, D5](#)
To: [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)
Cc: [Jones, Jennifer](#)
Subject: FW: Rezoning
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Regards,

Roberta Crapo

117 Caledonia Drive

Melbourne Beach, FL 32951

From: Commissioner, D5
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Cc: Jones, Jennifer
Subject: FW: Up Zoning for 6345 S Hwy A1A
Date: Monday, September 12, 2022 9:02:25 AM

Received by D5 for your records

From: glovprop@bellsouth.net <glovprop@bellsouth.net>
Sent: Sunday, September 11, 2022 7:39 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Up Zoning for 6345 S Hwy A1A

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

Good Evening;

I would like for you to vote **NO** on the rezoning of this vacant land. There are so many reasons not to change the zoning, our density is already over loading A1A. Traffic studies are being done because of all the deadly accidents on A1A. The Level of Service is D I am told.

We are all on Septic tanks and the water would have to be brought under A1A from Aquariana, if they have the capacity.

We need less density not more. Please vote NO on this rezoning.

Beth Glover
glovprop@bellsouth.net
321-726-0800

From: Commissioner, D5
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Cc: Jones, Jennifer
Subject: FW: As a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951.
Date: Monday, September 12, 2022 9:09:57 AM

Received by D5 for your records

From: Roland Pechulis <roland.pechulis@gmail.com>
Sent: Monday, September 12, 2022 9:06 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: As a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951.

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The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

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Subject: As a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951.

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Commissioner Tobia read the quote again ***"limit densities in the Coastal High Hazard Zone"***. He asserted ***"if the Board grants the request, it would not be following the Coastal High Hazard Zone."***

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thanking you in advance for your thoughtful consideration of this issue.

Respectfully

Roland Pechulis
Melbourne Beach

From: Commissioner, D5
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Cc: Jones, Jennifer
Subject: FW: AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951
Date: Monday, September 12, 2022 9:55:59 AM

Received by D5 for your records

From: Bonnie Pechulis <bonnie.pechulis@gmail.com>
Sent: Monday, September 12, 2022 9:36 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951

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Thanking you in advance for your thoughtful consideration of this issue.

Respectfully

Bonnie Pechulis
Melbourne Beach

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: 6345 S. Hwy. A1A zoning change from RR-1 to RU 2-4
Date: Monday, September 12, 2022 10:33:10 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Anna Chavoustie <anna@appraisalfirst.net>
Date: September 12, 2022 at 10:11:24 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D.5commissioner@brevardfl.gov
Subject: 6345 S. Hwy. A1A zoning change from RR-1 to RU 2-4

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As a resident of the South Beaches since 1998 I have witnessed the increase in population which has caused traffic issues including several deadly accidents. The South Beaches does not have the utilities in place such as sewer to support new development. The leeching of septic tank systems into the Indian River has caused a deterioration of the water quality since I have lived here as I am an avid sailor and kayaker that has seen this first hand.

Per Policy 7.1 of the Administrative Policies of the Future Land Use Element of the Brevard Comprehensive Plan, **"Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet"**.

The intent of this policy is that no increase in density occur in the South Beaches. We do not need to set a present for future changes in density.

Keep the South beaches the paradise it is that preserves the sea turtles and nature.

AnnaMaria Chavoustie, MAI
President
Appraisalfirst Real Estate Appraisers

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To: Jones, Jennifer
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Date: Monday, September 12, 2022 10:33:10 AM

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AnnaMaria Chavoustie, MAI
President
Appraisalfirst Real Estate Appraisers

8101 Biscayne Boulevard, R-516
Miami, Florida 33138

anna@appraisalfirst.net

305-632-3895

305-470-2113

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Zoning application # 22Z00039
Date: Monday, September 12, 2022 10:33:43 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: M Saffer and T Aborlleile <msaffer1@bellsouth.net>
Date: September 12, 2022 at 9:40:08 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D.5commissioner@brevardfl.gov
Subject: Zoning application # 22Z00039

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

Dear Directors, Managers and Commissioners,

I have been a homeowner here in the South Beaches since 1988. This area is beautiful and low-density which is one of the reasons for buying here and later relocating permanently.

Please vote no regarding this zoning change. RR-1 to RU 2-4. This will set a precedence that it will be okay to increase the density of this area and it is not okay. It will change the FLU.

Sincerely,

Terri Aborlleile

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Zoning application # 22Z00039
Date: Monday, September 12, 2022 10:33:43 AM

FYI

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Terri Aborlleile

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.
Date: Monday, September 12, 2022 10:37:53 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: sea <seabomds@aol.com>
Date: September 12, 2022 at 10:33:50 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>
Cc: "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Denninghoff, John P" <John.Denninghoff@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, morris.richardson@brevardfl.com
Subject: Re: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.
Reply-To: sea <seabomds@aol.com>

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Dear Mr. Calkins,

Though we understand that staff believed they had an obligation to accept this request, the application is surely flawed and should be rejected. At the very least, P and Z and the Board still has an opportunity at 3p.m. today to reject this application.

Rejection of the application does not need to be specifically due to a change in designation.

1) **Policy 1.2, Criteria E** uses the word "shall" when restricting the maximum increase that this zoning request can be granted without central sewer service; 2du/ac. Though your staff did a good job of implying this by mentioning the 5-mile distance from central sewer, they did not specifically say that the RU 2-4 is prohibited, which it is.

2) **Intent** of the Coastal Residential Densities Objective 7 is to:
"Limit densities within the coastal high hazard zone and direct development

outside of this area", and increasing from RR-1 to RU 2-4 is, in fact, increasing density.

No matter **how** the county increases density; whether by changing zoning maps, or Future Land Use maps, the County is violating the intended prohibition in the Comprehensive Plan.

The Plan was written for the long term with a very clear objective for the area south of Melbourne Beach to the Inlet: to manage the burden of additional population on infrastructure, flooding, natural habitats, wildlife, turtle nesting, **sewerage (specifically Policy 1.2, Criteria E, above)**, water, traffic, and evacuation from hurricanes.

Accordingly, please read this e-mail to the Board and inform them that this request is counter to the density cap in the Comp Plan.

Though we have been lucky enough to avoid a catastrophic hurricane for many years, let us not become complacent to the affect of increasing density on the barrier islands.

Respectfully,

Mark Shantzis, President
Barrier Island Preservation and Protection Association (BIPPA)
"Leading Efforts To Preserve The Balance of Population Growth, Wildlife
and Habitat on the Barrier Islands for over 30 Years"
321-733-6123

-----Original Message-----

From: Calkins, Tad <tad.calkins@brevardfl.gov>

To: sea <seabomds@aol.com>

Cc: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B

<Frank.Abbate@brevardfl.gov>; Denninghoff, John P <John.Denninghoff@brevardfl.gov>

Sent: Fri, Sep 9, 2022 11:05 am

Subject: RE: Removal of rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

Mr. Shantzis,

18PZ00133 was a companion application to a Small Scale Future Land Use Change application (18PZ00134) which requested to increase residential density designation from Residential 1 (Res 1) to Residential 6 (Res 6). Since the requested action in 18PZ00133 was dependent on the RES 6 Future Land Use designation, both applications (18PZ00133 & 18PZ00134) were rejected due to the conflict with Policy 7.1.

Conversely, the current application (22Z00039) is requesting to change the Zoning

outside of this area", and increasing from RR-1 to RU 2-4 is, in fact, increasing density.

No matter **how** the county increases density; whether by changing zoning maps, or Future Land Use maps, the County is violating the intended prohibition in the Comprehensive Plan.

The Plan was written for the long term with a very clear objective for the area south of Melbourne Beach to the Inlet: to manage the burden of additional population on infrastructure, flooding, natural habitats, wildlife, turtle nesting, **sewerage (specifically Policy 1.2, Criteria E, above)**, water, traffic, and evacuation from hurricanes.

Accordingly, please read this e-mail to the Board and inform them that this request is counter to the density cap in the Comp Plan.

Though we have been lucky enough to avoid a catastrophic hurricane for many years, let us not become complacent to the affect of increasing density on the barrier islands.

Respectfully,

Mark Shantzis, President

Barrier Island Preservation and Protection Association (BIPPA)

"Leading Efforts To Preserve The Balance of Population Growth, Wildlife and Habitat on the Barrier Islands for over 30 Years"

321-733-6123

-----Original Message-----

From: Calkins, Tad <tad.calkins@brevardfl.gov>

To: sea <seabomds@aol.com>

Cc: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B

<Frank.Abbate@brevardfl.gov>; Denninghoff, John P <John.Denninghoff@brevardfl.gov>

Sent: Fri, Sep 9, 2022 11:05 am

Subject: RE: Removal of rezoning application # 2200039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

Mr. Shantzis,

18PZ00133 was a companion application to a Small Scale Future Land Use Change application (18PZ00134) which requested to increase residential density designation from Residential 1 (Res 1) to Residential 6 (Res 6). Since the requested action in 18PZ00133 was dependent on the RES 6 Future Land Use designation, both applications (18PZ00133 & 18PZ00134) were rejected due to the conflict with Policy 7.1.

Conversely, the current application (22Z00039) is requesting to change the Zoning

Classification from RR-1 to RU-2-4; it is not increasing the Future Land Use residential density designation of RES 4. It is beyond staff's administrative authority to reject the application since the application does not specifically increase the residential density designation.

Best regards,

Tad Calkins

Planning & Development Director
Brevard County Board Of County Commissioners
Office Line: (321) 633-2070 x 58299
Direct Line: (321) 350-8299

From: sea <seabomds@aol.com>
Sent: Friday, September 9, 2022 8:08 AM
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Good Morning Tad,

Two and a half years ago application #18PZ00133 was removed from the Commission agenda in an embarrassing and expensive 11th hour realization that up-zoning on the Barrier Island between Melbourne Beach and the Sebastian Inlet is prohibited.

From the Comp Plan:

"Coastal Residential Densities Objective 7:

Limit densities within the coastal high hazard zone and direct development outside of this area.

Policy 7.1 Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet"

After Erin Sterk's February 7, 2019 letter of apology and return of the applicants fees, and your comments to the press (see below), BIPPA's Board, attorneys and supporters are quite surprised to see another application for an up-zoning on the South Beaches.

Hopefully, yesterday's copy sent to you of my email to the commissioners has made you

aware of this oversight so you can remove #2200039 from Monday's agenda in a timely manner.

Please confirm this to me at your earliest convenience.

Sincerely,

Mark Shantzis, President

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ofc-321-733-6123 c-321-431-742

References:

1) "It is our understanding that you intend to withdraw your application for both the Comp Plan Amendment (18PZ00134) and Rezoning (18PZ00133) in light of this new information, as our office has offered to refund the fees paid for both requests and the prior Variance request. Thank you for your candor in receiving this last minute information. Please confirm this the direction you have provided".

Erin Sterk, Planning & Zoning Manager, Brevard County (2-7-19)

2) March 22, 2019 at 3:02:47 PM ED email from Mr. Stephens
Subject: Re: March 7 Beachsider. Facts Do Matter.

"I asked Tad Calkins, the county planning and development director, why this policy was just discovered so late in the game. I said county planners know the Comp Plan better than anyone else and should have found this policy up front and advised the prospective bakers not to bother applying. He said, typically, yes, that's exactly what they do. But they rarely have South Beach applications. Haven't in years. So they weren't familiar with this one, and didn't find it until the 11th hour. I guess they'll know next time".

Henry A. Stephens
Brevard County government correspondent
Melbourne Beachsider
(321) 576-2636

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Henry A. Stephens

Brevard County government correspondent

Melbourne Beachsider

(321) 576-2636

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: 6345 HIGHWAY A1A Zoning Change
Date: Monday, September 12, 2022 10:38:42 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: jackmurf@att.net
Date: September 12, 2022 at 9:36:39 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>
Subject: 6345 HIGHWAY A1A Zoning Change

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

6345 HIGHWAY A1A MELBOURNE BEACH FL 32951 is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

My understanding is that this type of rezoning was stopped before due to the Brevard County Comprehensive Plan and should be again.

Please do not let this zoning change go forward.

Thank You for your assistance

*Jack Murphy, President
Wingate Reserve HOA
321-917-3477*

*Jack Murphy, President
Wingate Reserve HOA
321-917-3477*

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951
Date: Monday, September 12, 2022 10:39:06 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: Bonnie Pechulis <bonnie.pechulis@gmail.com>
Date: September 12, 2022 at 9:36:32 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, "Commissioner, D5" <D5.Commissioner@brevardfl.gov>
Subject: AAs a home owner in Melbourne Beach I oppose the UP-ZONING of 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951

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

I wish to oppose the proposed zoning change request which is scheduled to be heard at the Planning and Zoning Meeting Monday September 12.

The property in question is at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16.

The County Planning & Development is well aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element in regards to Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that it would have violated the same Coastal Management Element.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request. Commissioner Tobia stated the following: *"Objective seven of the Coastal Management Element of the County's Comprehensive Plan specifically states the County should, and he quotes, "limit densities within the Coastal High Hazard Zone and direct development outside of this area."*

Commissioner Tobia read the quote again ***"limit densities in the Coastal High Hazard Zone"***. He asserted ***"if the Board grants the request, it would not be following the Coastal High Hazard Zone."***

The zoning change requested will allow for construction of at least 8 dwelling units. INCREASING the density by at least 8x. Current zoning allows for only 1 unit. It is impossible to interpret this as limiting densities.

Thanking you in advance for your thoughtful consideration of this issue.

Respectfully

Bonnie Pechulis
Melbourne Beach

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Thanking you in advance for your thoughtful consideration of this issue.

Respectfully

Bonnie Pechulis
Melbourne Beach

From: Calkins, Tad
To: Jones, Jennifer
Subject: Fwd: Opposing increasing density Zoning change from RR-1 to RU 2-4 at 6345, A1A, Mel.Bch.
Date: Monday, September 12, 2022 10:51:02 AM

FYI

Sent from my iPhone

Begin forwarded message:

From: bruce kamerman <brucekamerman@gmail.com>
Date: September 12, 2022 at 10:48:32 AM EDT
To: "Calkins, Tad" <tad.calkins@brevardfl.gov>, "Mcgee, Darcie A" <Darcie.Mcgee@brevardfl.gov>, "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>, "Commissioner, D1" <D1.Commissioner@brevardfl.gov>, "Commissioner, D2" <D2.Commissioner@brevardfl.gov>, "Commissioner, D3" <d3.commissioner@brevardfl.gov>, "Commissioner, D4" <D4.Commissioner@brevardfl.gov>, D.5commissioner@brevardfl.gov
Cc: bruce kamerman <brucekamerman@gmail.com>
Subject: **Opposing increasing density Zoning change from RR-1 to RU 2-4 at 6345, A1A, Mel.Bch.**

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

Good morning all,

My name is Bruce Kamerman. My wife and I reside, full time in the Melbourne Shores neighborhood of Melbourne Beach.

I am writing to express our opposition to the proposed density zoning change from RR-1 to RU 2-4 at 6345, A1A, Melbourne Beach.

I support my neighbors who have done the research and provided you with documentation of the regulations that prohibit this zoning change. I didn't think it was necessary for me to restate this information in my email. I certainly can, if you would find it helpful.

We have been fortunate to have avoided a catastrophic hurricane for a number of years. We should not become complacent. The Comprehensive Plan was written for the long term with a very clear objective: to manage the burden of additional population on infrastructure, flooding, natural

habitats, wildlife, turtle nesting, water, traffic, and evacuation from hurricanes. This is a matter of safety for our residents.

For the reasons stated above and the numerous other objections of my neighbors on the barrier island, I implore you to follow the regulations as written. Please deny the proposed density zoning change

Respectfully submitted,

Bruce Kamerman

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For the reasons stated above and the numerous other objections of my neighbors on the barrier island, I implore you to follow the regulations as written. Please deny the proposed density zoning change

Respectfully submitted,

Bruce Kamerman

From: [Commissioner, D5](#)
To: [Zonka, Kristine](#); [Roig, Janette](#); [Brown, Charlene](#)
Cc: [Jones, Jennifer](#)
Subject: FW: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.
Date: Monday, September 12, 2022 11:18:24 AM

Received by D5 for your records

From: sea <seabomds@aol.com>
Sent: Monday, September 12, 2022 10:34 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>
Cc: Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Denninghoff, John P <John.Denninghoff@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; morris.richardson@brevardfl.com
Subject: Re: Removal of rezoning application # 22Z00039 increasing density from RR-1 to RU-2-4, 6345 S.A1A, Mel. Bch.

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

Dear Mr. Calkins,

Though we understand that staff believed they had an obligation to accept this request, the application is surely flawed and should be rejected. At the very least, P and Z and the Board still has an opportunity at 3p.m. today to reject this application.

Rejection of the application does not need to be specifically due to a change in designation.

1) **Policy 1.2, Criteria E** uses the word "shall" when restricting the maximum increase that this zoning request can be granted without central sewer service; 2du/ac. Though your staff did a good job of implying this by mentioning the 5-mile distance from central sewer, they did not specifically say that the RU 2-4 is prohibited, which it is.

2) **Intent** of the Coastal Residential Densities Objective 7 is to:

"Limit densities within the coastal high hazard zone and direct development outside of this area", and increasing from RR-1 to RU 2-4 is, in fact, increasing density.

No matter **how** the county increases density; whether by changing zoning maps, or Future Land Use maps, the County is violating the intended prohibition in the Comprehensive Plan.

The Plan was written for the long term with a very clear objective for the area south of Melbourne Beach to the Inlet: to manage the burden of additional population on infrastructure, flooding, natural habitats, wildlife, turtle nesting, **sewerage (specifically Policy 1.2, Criteria E, above)**, water, traffic, and evacuation from hurricanes.

Accordingly, please read this e-mail to the Board and inform them that this request is counter to the density cap in the Comp Plan.

Though we have been lucky enough to avoid a catastrophic hurricane for many years, let us not become complacent to the affect of increasing density on the barrier islands.

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321-733-6123

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To: sea <seabomds@aol.com>

Cc: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>;

Denninghoff, John P <John.Denninghoff@brevardfl.gov>

Sent: Fri, Sep 9, 2022 11:05 am

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Conversely, the current application (22Z00039) is requesting to change the Zoning Classification from RR-1 to RU-2-4; it is not increasing the Future Land Use residential density designation of RES 4. It is beyond staff's administrative authority to reject the application since the application does not specifically increase the residential density designation.

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Tad Calkins

Planning & Development Director

Brevard County Board Of County Commissioners

Office Line: (321) 633-2070 x 58299

Direct Line: (321) 350-8299

From: sea <seabomds@aol.com>

Sent: Friday, September 9, 2022 8:08 AM

To: Calkins, Tad <tad.calkins@brevardfl.gov>

Cc: McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>

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Henry A. Stephens

Brevard County government correspondent
Melbourne Beachsider
(321) 576-2636

Brevard County government correspondent
Melbourne Beachsider
(321) 576-2636

From: Commissioner, D5
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Cc: Jones, Jennifer
Subject: FW: Opposition to application # 22Z00039, Zoning change from RR-1 to RU 2-4 at 6345 S Hwy A1A, Mel.Bch
Date: Monday, September 12, 2022 11:20:15 AM

Received by D5 for your records

From: Brian Fox <brian.fox.riverside@gmail.com>
Sent: Monday, September 12, 2022 10:01 AM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; Mcgee, Darcie A <Darcie.Mcgee@brevardfl.gov>;
Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1
<D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>;
Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4
<D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Opposition to application # 22Z00039, Zoning change from RR-1 to RU 2-4 at 6345 S Hwy
A1A, Mel.Bch

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

Good Morning,

I want to express my strong opposition to allowing increased building density specifically at 6345 S Hwy A1A but also in general in the south beaches. Referencing Policy 7.1 of the Administrative Policies of the Future Land Use Element of the Brevard Comprehensive Plan, "Brevard County shall not increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet".

No one will benefit from an increase in density of this property except the person who bought it knowing what the existing density was. We do not have the infrastructure for increased density and the Indian River Lagoon definitely does not have the capacity to absorb an increase in density.

Thank you,

Brian Fox

5880 Riverside Drive

Melbourne Beach, FL 32951

From: [Commissioner, D5](#)
To: [Zonka, Kristine](#); [Brown, Charlene](#); [Roig, Janette](#)
Cc: [Jones, Jennifer](#)
Subject: FW: Opposition to request for zoning change for 6345 A1A, Melbourne Beach, FL
Date: Monday, September 12, 2022 11:54:28 AM

Received from D5 for your records

From: Aaron Adams <flatsdoctor@att.net>
Sent: Monday, September 12, 2022 11:46 AM
To: Commissioner, D3 <d3.commissioner@brevardfl.gov>
Cc: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Opposition to request for zoning change for 6345 A1A, Melbourne Beach, FL

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

Commissioner Tobia:

We write to voice our very strong opposition to the request for a zoning change for this property. Such an allowance would set a precedent that would negatively impact the density limits for this area, which is a Coastal High Hazard Zone. Brevard County's Comprehensive Plan specifically states that densities in this area should be limited, and that development should be directed to locations outside this high hazard area. With recent and ongoing development, the residential population of this area has already noticeably increased - and this is with single-family dwellings that adhere to the Coastal High Hazard Zone density limitations. Allowing increasing density as per this zoning change request, would be irresponsible. Please vote against this zoning request.

Aaron Adams and Maria Cochran
190 Ibis Drive
Melbourne Beach

From: Commissioner, D5
To: Zonka, Kristine; Brown, Charlene; Roig, Janette
Cc: Jones, Jennifer
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Sent: Monday, September 12, 2022 11:46 AM
To: Commissioner, D3 <d3.commissioner@brevardfl.gov>
Cc: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Opposition to request for zoning change for 6345 A1A, Melbourne Beach, FL

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

Commissioner Tobia:

We write to voice our very strong opposition to the request for a zoning change for this property. Such an allowance would set a precedent that would negatively impact the density limits for this area, which is a Coastal High Hazard Zone. Brevard County's Comprehensive Plan specifically states that densities in this area should be limited, and that development should be directed to locations outside this high hazard area. With recent and ongoing development, the residential population of this area has already noticeably increased - and this is with single-family dwellings that adhere to the Coastal High Hazard Zone density limitations. Allowing increasing density as per this zoning change request, would be irresponsible. Please vote against this zoning request.

Aaron Adams and Maria Cochran
190 Ibis Drive
Melbourne Beach

From: Commissioner, D5
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Cc: Jones, Jennifer
Subject: FW: I Oppose the Proposed Zoning Change from Low Density to High Density on Melbourne Beach
Date: Monday, September 12, 2022 12:49:02 PM

Received by D5 for your records

From: Mitchell Roffer <tunadoctor@me.com>
Sent: Monday, September 12, 2022 12:47 PM
To: Calkins, Tad <tad.calkins@brevardfl.gov>; McGee, Darcie A <Darcie.Mcgee@brevardfl.gov>; Abbate, Frank B <Frank.Abbate@brevardfl.gov>; Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: I Oppose the Proposed Zoning Change from Low Density to High Density on Melbourne Beach

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

I am Mitchell Roffer living at 6025 Highway A1A, Melbourne Beach, FL. I oppose the proposed zoning change request

The property at 6345 HIGHWAY A1A MELBOURNE BEACH FL 32951. This is within the FEMA designated Coastal High Hazard Zone. Over the last several years there has been much feedback from FEMA and other federal organizations about decreasing the coastal population, not increasing it.

The change in zoning is being requested so 4 multifamily units can be constructed. Multifamily units are at a minimum duplexes, but could also be quadplexes. At a minimum there will be 8 dwelling units - possibly as many as 16. With 2-4 people living in this location this suggests that 32 to 64 people would be living there.

For your information this property is up for sale as its listing has been on Zillow. The proposed change would put an additional burden on the coastal resources especially the Indian River Lagoon. At best their wastewater would go to a nearby water treatment plant that is inefficient and would add a significant amount of nutrients and pharmaceuticals to the IRL. This is not what the County wishes to do with the ½ cent tax for the Restore the IRL Program.

The County Planning & Development is aware that this does not comply with the Brevard County Comprehensive Plan Administrative Policies - Coastal Management Element for Coastal Residential Densities. Specifically, "Brevard County **shall not** increase residential density designations for properties located on the barrier island between the southern boundary of Melbourne Beach and the Sebastian Inlet."

The term "shall" in a contract indicates that these actions are mandatory, and not permissive.

The County has already established a precedent for adhering to these policies. In 2019 the owners of a property at 5970 Hwy A1A tried to change their zoning from RR-1 to RES 6 to mixed use BU-1. This application was subsequently withdrawn when it was discovered that

it would have violated the same Coastal Management Element and that there was substantial negative feedback from our neighbors in Melbourne Shores and other surrounding neighborhoods. From the emails that I have recently received it appears that the same negative feelings exist relative to the 6345 HIGHWAY property.

In February 2021 Lazy River Investments requested a Change of Zoning Classification from RU-1-13 to AU(L). (20Z00030) (Tax Account 3008729). The property is also within the Coastal High Hazard Zone. The Commissioners denied this request in part because County Commissioner Tobia stated: *"Objective seven of the Coastal Management Element of the County's Comprehensive Plan specifically states the County should, and he quotes, "limit densities within the Coastal High Hazard Zone and direct development outside of this area.""*

Commissioner Tobia read the quote again **"limit densities in the Coastal High Hazard Zone"**. He asserted **"if the Board grants the request, it would not be following the Coastal High Hazard Zone."**

For these reasons I am against the zoning change.

Mitchell A. Roffer, Ph.D.
6025 Highway A1A
Melbourne Beach, FL 32951
321-806-8940

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