



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.9.

12/2/2021

Subject:

James Eric Preece, Trustee (Kim Rezanka) requests a change of zoning classification from RU-1-11 to RU-2-12. (21Z00033) (Tax Account 2731687) (District 5)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a change of zoning classification from RU-1-11 (Single-Family Residential) to RU-2-12 (Medium Density Multi-Family Residential).

Summary Explanation and Background:

The applicant's request to rezone from RU-1-11 to RU-2-12 would increase the number of potential residential lots from 1 to 3 units on the 0.26-acre parcel. This parcel has road frontage along Franklyn Avenue to the north and access to Grosse Point along the south. The owner proposes to replace the dated 1957 home with a triplex. The RU-2-12 zoning classification permits multi-family residential development or single-family residences at a density of up to 12 units per acre on 7,500 square foot lots.

The properties to the north are developed with single-family uses, but are within the RU-2-10 zoning classification. To the east are single-family residences under the RU-1-11 and RA-2-6 zoning classifications. To the west are duplexes zoned RU-2-12 and RU-2-10. To the south across Grosse Pointe are duplexes within the City of Indialantic. The City's R-3 zoning allows single-family, duplex and multi-family uses. The City's R-P zoning allows single-family, duplex, multi-family and professional uses.

The Board may wish to consider whether the requested action to change the zoning to RU-2-12 is consistent and compatible with the surrounding area.

On November 15, 2021, the Planning & Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

Once the resolution is received, please execute and return 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 staff, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

Administrative Policy 2

Upon Board request, members of the Brevard County Planning and Development staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

Criteria:

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For re-zoning applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:

1. historical land use patterns;
 2. actual development over the immediately preceding three years; and
 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

Administrative Policy 4

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

Administrative Policy 5

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following criteria:

Criteria:

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;

- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

Administrative Policy 6

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

Administrative Policy 7

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

Administrative Policy 8

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.

- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

CONDITIONAL USE PERMITS (CUPs)

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

- (c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon

a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.

- a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
 - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
 - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:
- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
 - b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
 - c. Noise levels for a conditional use are governed by Section 62-2271.

- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.
- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

FACTORS TO CONSIDER FOR A REZONING REQUEST

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

"The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.

- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare."

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

DEFINITIONS OF CONCURRENCY TERMS

Maximum Acceptable Volume (MAV): Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

Current Volume: Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

Volume with Development (VOL W/DEV): Equals Current Volume plus trip generation projected for the proposed development.

Volume/Maximum Acceptable Volume (VOL/MAV): Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV): Ratio of volume with development to the Maximum Acceptable Volume.

Acceptable Level of Service (CURRENT LOS): The Level of Service at which a roadway is currently operating.

Level of Service with Development (LOS W/DEV): The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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

21Z00033

James Eric Preece, Trustee

Single-family Residential (RU-1-11) to Medium-density Multi-family residential (RU-2-12)

Tax Account Number: 2731687
Parcel I.D.: 27-38-31-EW-F-6.02
Location: 117 Franklyn Ave Indialantic FL 32903; 735 feet west of N Highway A1A
(AKA N. Miramar Avenue) (District 5)
Acreage: 0.26 acres
Planning and Zoning Board: 11/15/2021
Board of County Commissioners: 12/02/2021

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	RU-1-11	RU-2-12
Potential*	1 unit	3 units (triplex)
Can be Considered under the Future Land Use Map	YES Residential 15	YES Residential 15

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

Background and Purpose of Request

The applicant's request is to rezone from the Single-family Residential (RU-1-11) zoning classification to the Medium-density Multi-family (RU-2-12) zoning classification. This rezoning action would increase the number of potential residential lots from 1 to 3 units upon the 0.26-acre parcel. This parcel has road frontages along the northern access (Franklyn Avenue) and Grosse Point along its southern lot line. The neighboring lot to the west was split north to south to create individual lots one upon each roadway. This owner proposes to replace the dated 1957 home with a triplex. The owner did not propose to split the lot or amend the lot configuration.

The current RU-1-11 Zoning was approved by the Board under Zoning action **Z-2980** adopted June 1, 1972.

Land Use

The subject property is currently designated as Residential 15 FLU. Both the RU-1-11 and the RU-2-12 zoning classifications are consistent with the Residential 15 FLU designation.

Applicable Land Use Policies

The Board should evaluate the compatibility of this application within the context of Administrative Policies 3 - 5 of the Future Land Use Element.

FLUE Policy 1.4 – The Residential 15 Future Land Use designation affords the second highest density allowance, permitting a maximum residential density of up to fifteen (15) units per acre. This land use category allows single and multi-family residential development.

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

The subject property lies within the Residential 15 Future Land Use (FLU) designation. As this site is located within an area serviced by potable water and sanitary sewer, residential densities higher than 4 units per acre can be achieved. The applicant desires to redevelop the lot into a triplex (density 12 units per acre). The City of Indialantic has the following FLU designations: Residential Medium Density (>4 up to 15 units per acre), Commercial and Utility located South & SE of this property. This site appears to be consistent and compatible with existing FLU designations in the surrounding area.

Analysis of Administrative Policy #4 - Character of a neighborhood or area. The character of the surrounding area is a mixture of single-family, duplex and multi-family residential uses. Initial construction dates from 1957 when the area was mostly developed as single-family homes. The more recent development trend has been to convert the single-family sites into duplex use. The adjacent property to the west was transitioned to multi-family zoning under Zoning files: **Z-1356** and **Z-3386** which changed the zoning from RU-1-11 to RU-2 and RU-2-10. The RU-2 zoning was approved on April 9, 1964. The RU-2-10 zoning was approved on September 20, 1973. On November 6, 2014 this same property was rezoned from the RU-2-10 to RU-2-12 under Zoning action **14PZ-00074** to legitimize the three existing duplexes which were built in 1977. Properties on the north side of the street were granted multi-family zoning back in 1963 under Zoning action **Z-988** and later amended to RU-2-10 in 1973 as part of Ordinance 73-13.

Surrounding Area

The properties to the north are developed with single-family uses, but are within the RU-2-10 zoning classification. To the east are single-family residences under the RU-1-11 and RA-2-6 zoning classifications. To the south and west are duplexes. To the south across Grosse Pointe are properties within the City of Indialantic. The City's R-3 zoning allows single-family, duplex and multi-family uses. The City's R-P zoning allows single-family, duplex, multi-family and professional uses.

RU-1-11 classification permits single family residences on minimum 7,500 square foot lots, with a minimum width and depth of 75 feet. The minimum house size is 1,100 square feet. RU-1-11 does not permit horses, barns or horticulture.

RU-2-10 classification permits multiple-family residential development or single-family residences at a density of up to 10 units per acre on minimum lot sizes of 7,500 square feet.

RU-2-12 zoning classification is a 12 unit per acre multiple-family residential zoning classification. It permits multiple-family residential development or single-family residences at a density of up to 12 units per acre on 7,500 square foot lots.

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

Preliminary Concurrency

The closest concurrency management segment to the subject property is US Highway A1A, between US Hwy 192 to Paradise 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 49.51% of capacity daily. The maximum development potential from the proposed rezoning does increase the percentage of MAV utilization by 0.05%. The corridor is anticipated to operate at 49.56% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

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 has public water by the City of Melbourne and centralized sewer from Brevard County.

Environmental Constraints

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 requested action to change the zoning to RU-2-12 is consistent and compatible with the surrounding area.

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

Item # 21Z00033

Applicant: Rezanka for Preece

Zoning Request: RU-1-11 to RU-2-12

Note: Applicant wants to develop a triplex.

P&Z Hearing Date: 11/15/21; **BCC Hearing Date:** 12/02/21

Tax ID No: 2731687

- 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:

- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Overlay
- Land Clearing and Landscape Requirements
- Protected Species

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:

Aquifer Recharge Soils

The subject parcel contains mapped aquifer recharge soils (Canaveral-Palm Beach-Urban land complex) as shown on the USDA Soil Conservation Service Soils Survey map. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Indian River Lagoon Nitrogen Reduction Overlay

The site is mapped within the Indian River Lagoon Nitrogen Reduction Overlay per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay. If sewer is not available, the use of an alternative septic system designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes shall be required.

Land Clearing and Landscape Requirements

Per Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), the purpose and intent of the ordinance is to encourage the protection of Heritage Specimen trees. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for tree preservation and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

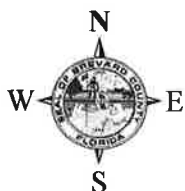
Protected Species

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

LOCATION MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



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.

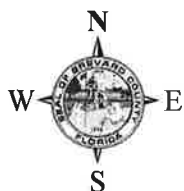
Produced by BoCC - GIS Date: 9/16/2021

Buffer
Subject Property

ZONING MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/16/2021

— Subject Property

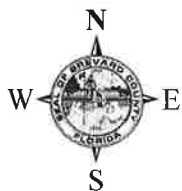
□ Parcels

□ Zoning

FUTURE LAND USE MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

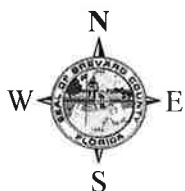
— Subject Property
 □ Parcels

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Produced by BoCC - GIS Date: 9/15/2021

AERIAL MAP

JAMES ERIC PREECE, TRUSTEE
21Z00033



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2021

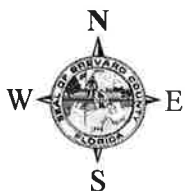
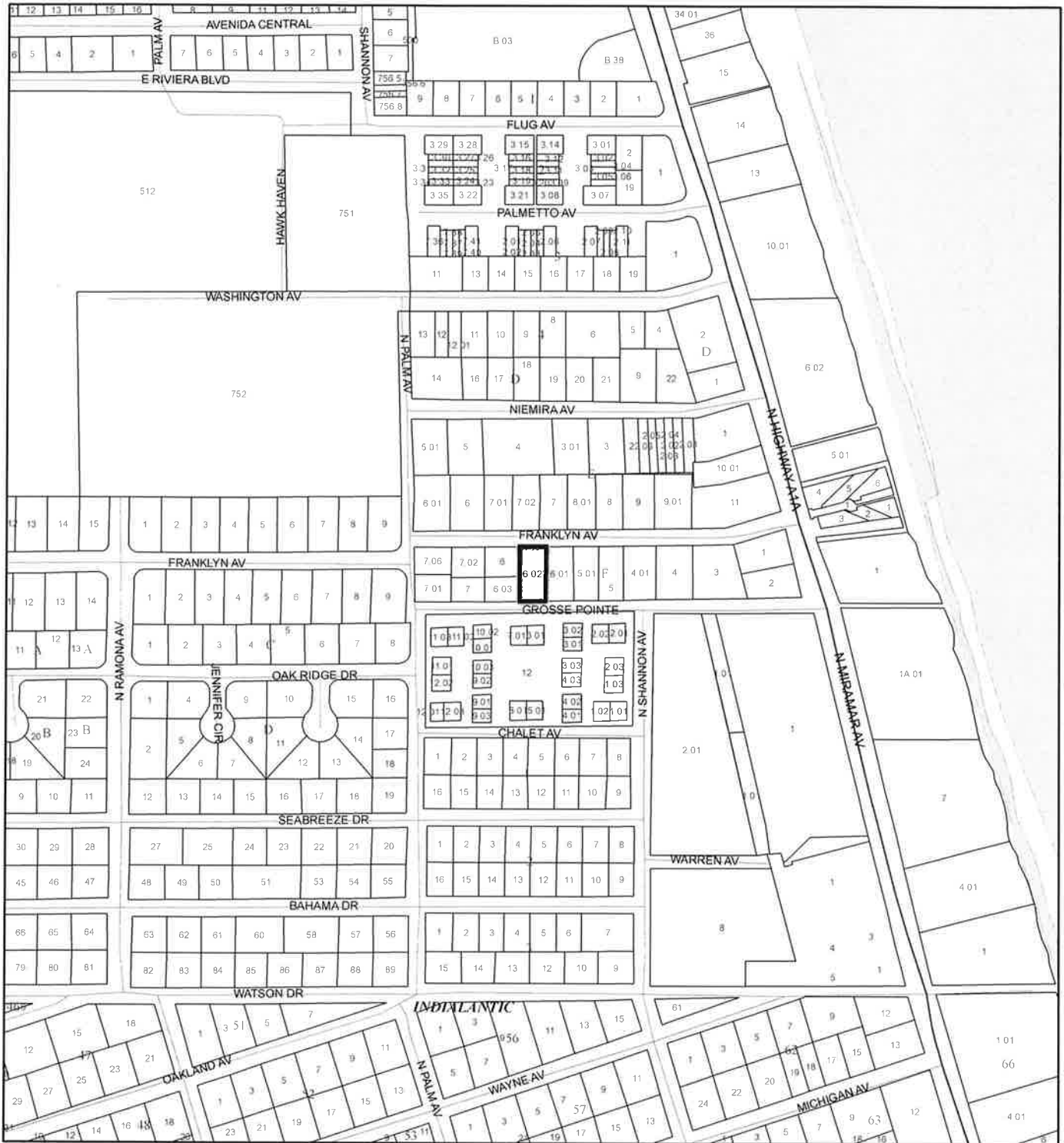
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Produced by BoCC - GIS Date: 9/15/2021

— Subject Property
□ Parcels

NWI WETLANDS MAP

JAMES ERIC PREECE, TRUSTEE
21Z00033



1:4,800 or 1 inch = 400 feet

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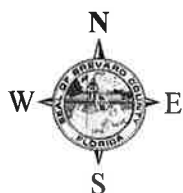
National Wetlands Inventory (NWI)

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

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/15/2021

SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

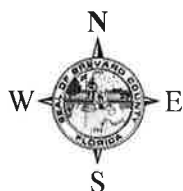
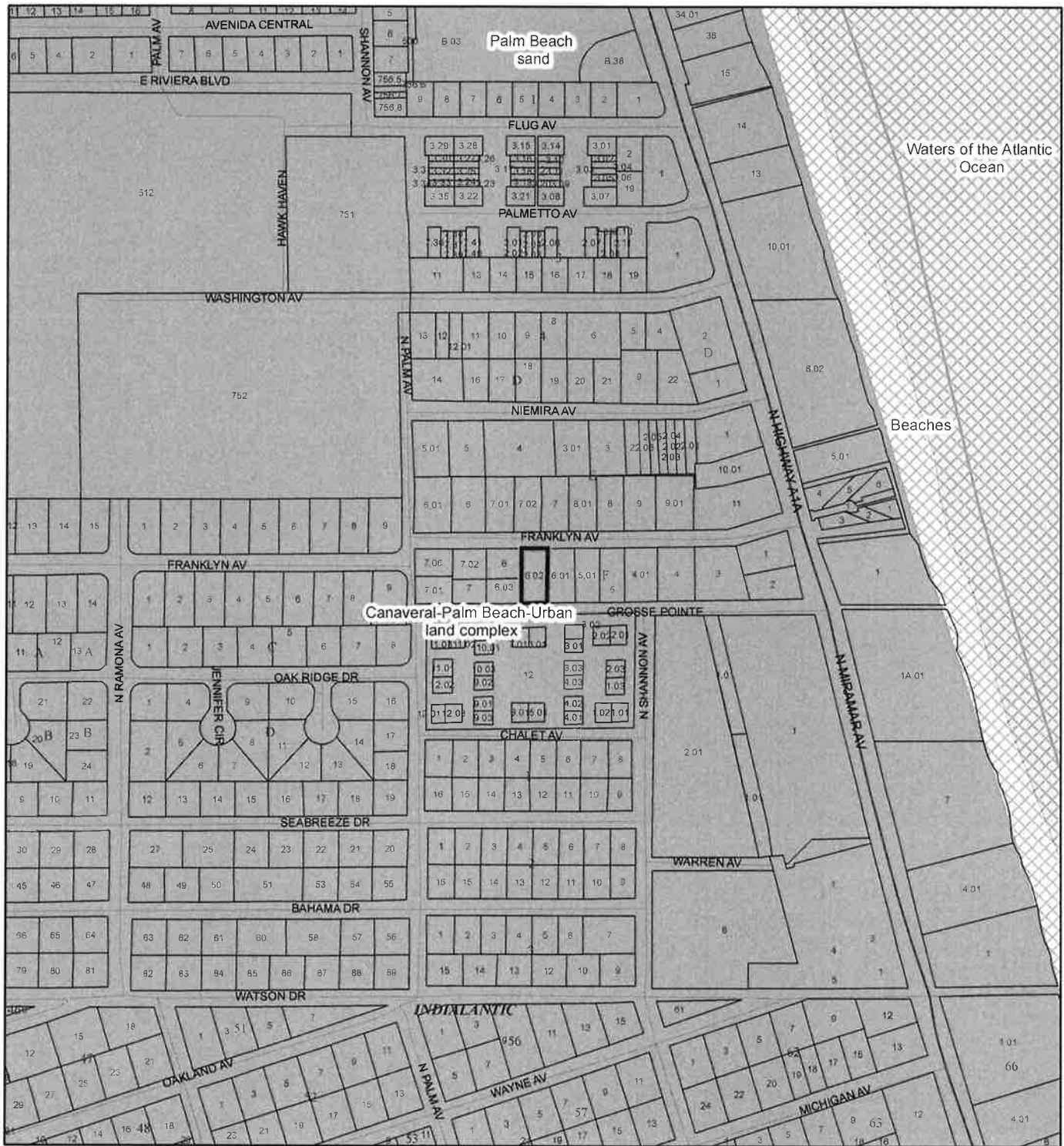
Subject Property

Parcels

USDA SCSSS SOILS MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/15/2021

USDA SCSSS Soils

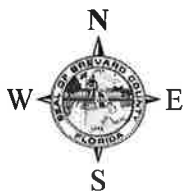
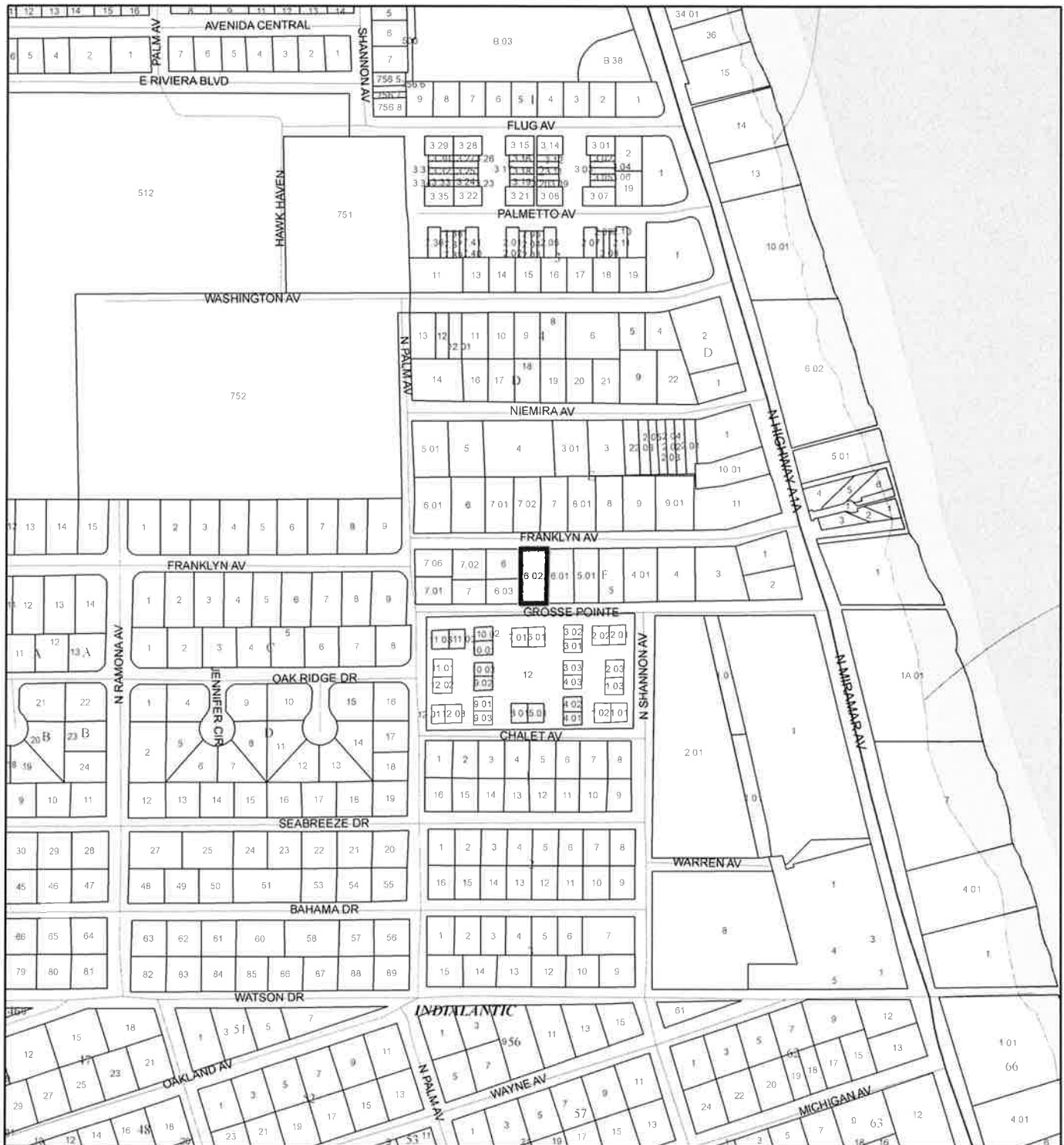
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

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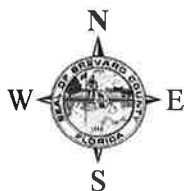
Produced by BoCC - GIS Date: 9/15/2021

FEMA Flood Zones

- | | | |
|------------------|------------|---|
| A | AO | X |
| AE | Open Water | |
| AH | VE | |
| Subject Property | Parcels | |

COASTAL HIGH HAZARD AREA MAP

JAMES ERIC PREECE, TRUSTEE
21Z00033



1:4,800 or 1 inch = 400 feet


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Produced by BoCC - GIS Date: 9/15/2021

 Subject Property

 Parcels

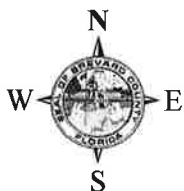
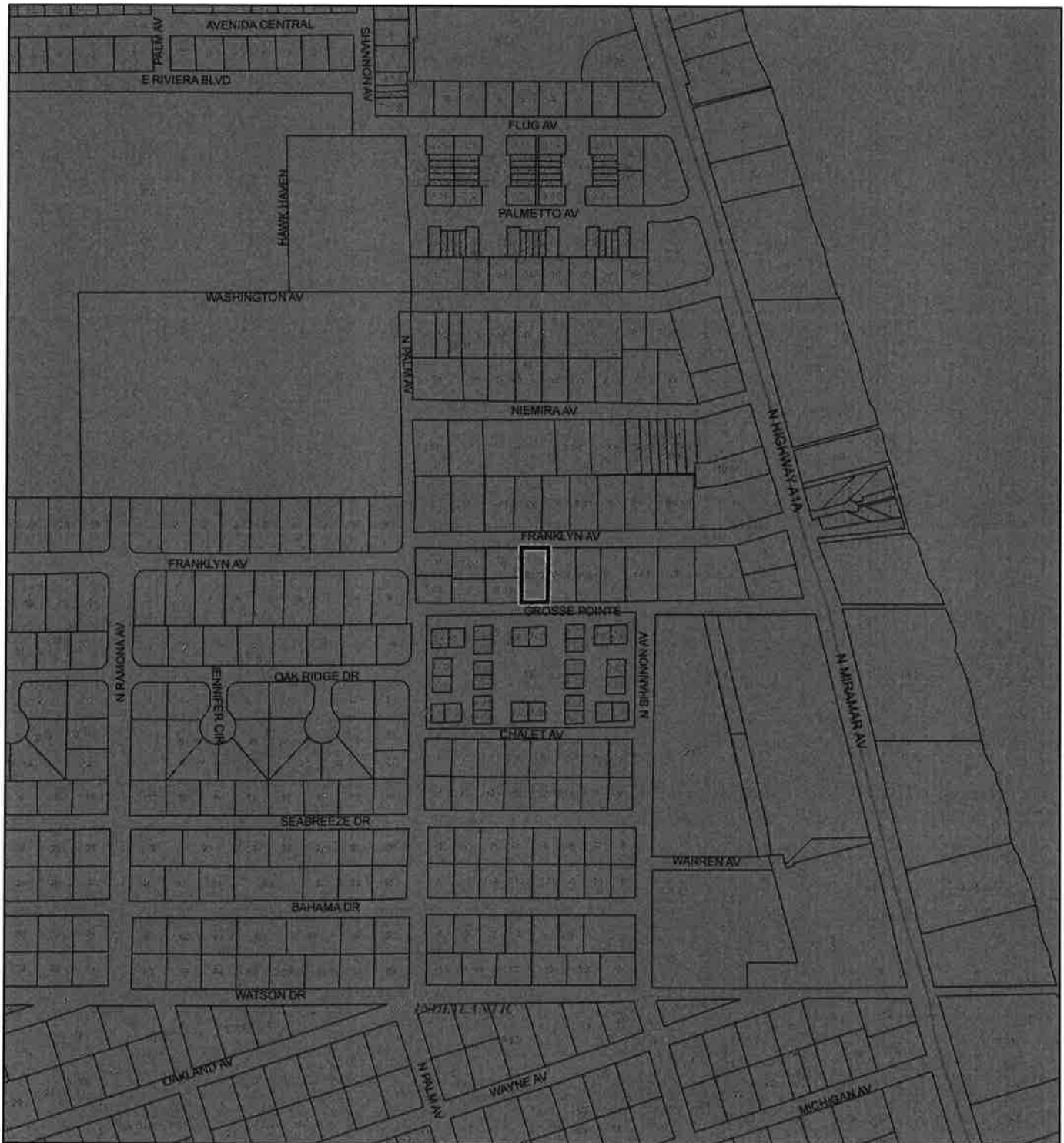
Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

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— Subject Property

□ Parcels

Septic Overlay

■ 40 Meters

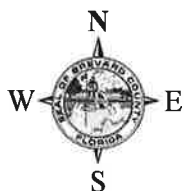
■ 60 Meters

■ All Distances

EAGLE NESTS MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/15/2021

 Subject Property

 Parcels

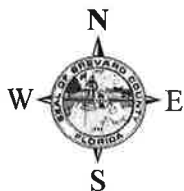


Eagle Nests
FWS 2010

SCRUB JAY OCCUPANCY MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 9/15/2021

 Subject Property

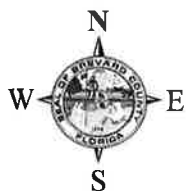
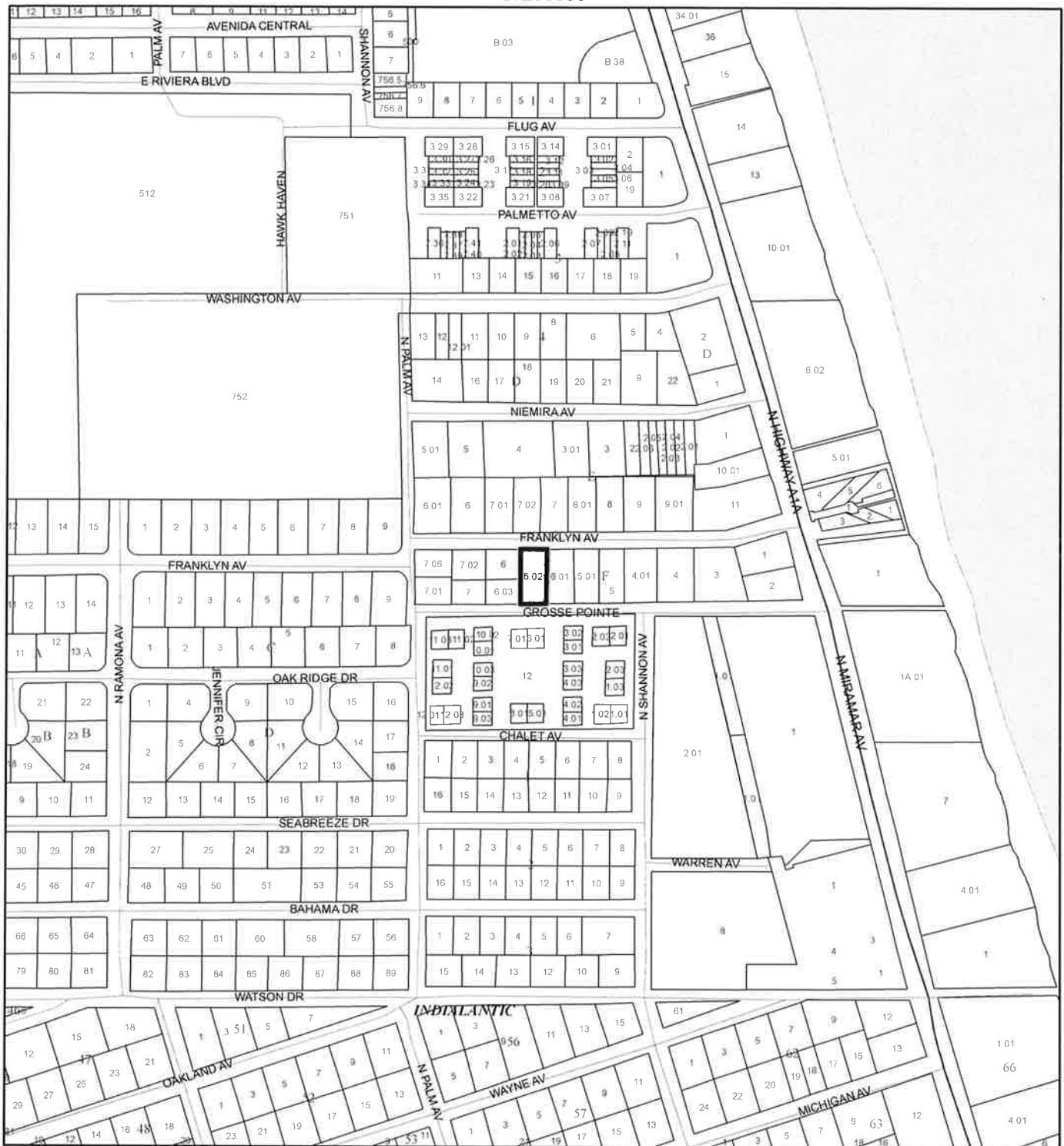
 Parcels

 Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

JAMES ERIC PREECE, TRUSTEE

21Z00033







1:4,800 or 1 inch = 400 feet

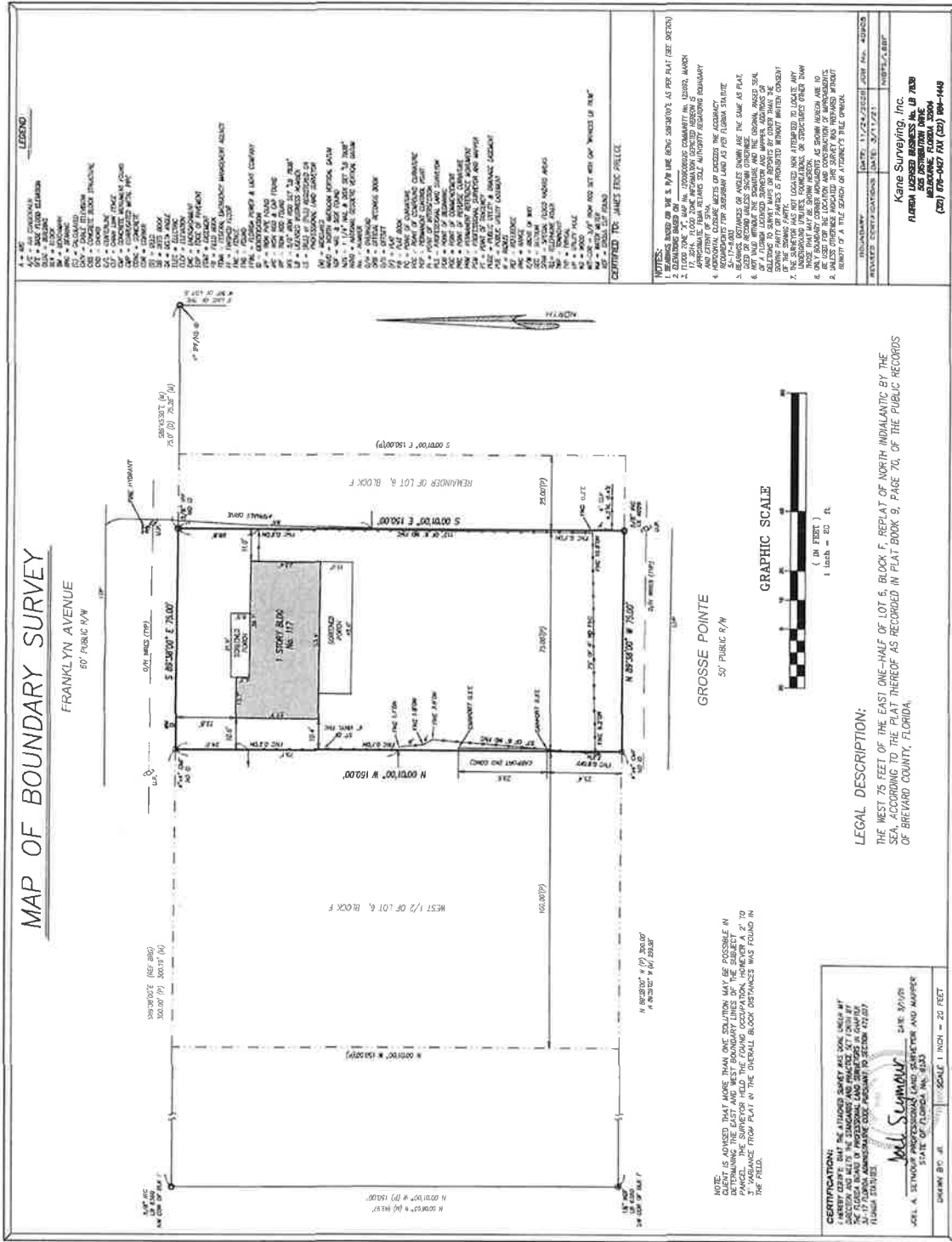
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/15/2021

SJRWMD FLUCCS Upland Forests

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

 Subject Property  Parcels



PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, November 15, 2021, at 3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were: Ron Bartcher (D1); Brian Rodgers (D2); Ben Glover (D3); William Capote (D3); Mark Wadsworth, Chair (D4); Liz Alward (D4 - Alt); Bruce Moia (D5); Peter Filiberto, Vice Chair (D5); and David Bassford (D5 - Alt).

Staff members present were: Jeffrey Ball, Planning and Zoning Manager; George Ritchie, Planner III; Paul Body, Planner II; Peter Martin, Planner II Kyle Harris, Associate Planner; Alex Esseesse, Assistant County Attorney; and Jennifer Jones, Special Projects Coordinator.

Excerpt of Complete Minutes

James Eric Preece, Trustee (Kim Rezanka)

A change of zoning classification from RU-1-11 (Single-Family Residential) to RU-2-12 (Medium Density Multi-Family Residential). The property is 0.26 acres, located on the south side of Franklyn Ave., approx. 320 ft. east of Palm Ave. (117 Franklyn Ave., Indialantic) (Tax Account 2731687) (District 5)

Kim Rezanka, Lacy, Lyons, Rezanka Law Firm, Rockledge, stated the subject property is in the County's jurisdiction, adjacent to the Town of Indialantic. The request is consistent with the Future Land Use of RES 15. The requested RU-2-12 is adjacent to the west, and there is similar zoning to the north; to the south is Indialantic zoning, which is small duplexes or townhomes. The purpose of the request is to build three condominiums that will be owned, and Mr. Preece intends to live in one of the units. The request is consistent with properties to the west and north, consistent with the duplexes to the west and south, and duplexes across the street to the north and east. Currently, the property is vacant, and there is water and sewer available. The subject property is .26 acres, and the size of the parcel when divided would be similar to those to the west and larger than those to the south. The objections from the neighbors include a petition by someone who walked up and down the street, but there are no reasons in the petition for objecting, and most of the people who signed the petition are Gross Pointe duplex owners in the Town of Indialantic. Ms. Burnett complains about traffic, people, and transients, and those complaints should be directed to the Sheriff's Office or Code Enforcement. Mr. Kivi lives to the west near the school and his concerns are speculative. Ms. Waldorf has multi-family zoning and has a daycare on her property. She stated the request is compatible and similar to what is in the neighborhood. Mayor Berkman of the Town of Indialantic has submitted a letter of objection responding to his constituents, but he does not live near the subject property and has no basis for anything he says in his letter except speculation. Some of the concerns are traffic, but it is three units versus one unit, so it is nominal and the staff report says it will not increase capacity. There is a concern about financial damage, which is incorrect because just the purchase of the property improved the values around it, and it will be three nice, new units. Any property value damage is pure speculation. Multi-family is clearly the character of the area and will improve the area since the units will be owned and not rented.

Ben Glover asked how the three units will fit on the property, and if they will be situated from north to south. Ms. Rezanka replied yes, they will be from north to south.

Mr. Glover asked if there will be a connecting driveway from Gross Pointe to Franklyn Avenue.

James Eric Preece, 615 N. Riverside Drive, Indialantic, replied he has not engineered the property yet, but the units will be placed from north to south. One of the units will access from Gross Pointe, and the other two from Franklyn Avenue. He noted Gross Pointe has a traffic light at A1A, but the development will not add much traffic to either street.

Mr. Glover asked if they will be designed as townhomes. Mr. Preece replied yes, and they will be two stories. Mr. Glover asked if the back yards will be facing west. Mr. Preece replied yes.

Jeffrey Ball stated staff has not reviewed a site plan, and the board is just looking at the zoning at this point.

Public Comment:

Nancy Fowler, 1019 N. Palm Avenue, Indialantic, stated she has no objection to multi-family, it is the triplex with a cut-through from Gross Pointe to Franklyn Avenue that is the problem because it changes the directions of all of the homes in the area. She said she has concerns about using it as a cut-through, and there have been many problems with traffic on Gross Pointe because the road is too narrow.

Ms. Rezanka stated Mr. Preece indicated two of the units will access Franklyn Avenue and one unit will access Gross Pointe, and there will not be a drive-through.

Peter Filiberto asked if there any other triplexes on the street. Ms. Rezanka replied they are all duplexes on smaller lots.

Mr. Glover noted there are triplexes further north.

Motion by Peter Filiberto, seconded by William Capote, to recommend approval of the change of zoning classification from RU-1-11 to RU-2-12. The motion passed unanimously.

From: Nathan Kivi
To: Jones, Jennifer
Subject: ID# 21Z00033
Date: Thursday, November 4, 2021 12:49:59 PM

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

Hi Jennifer,

I am writing in relation to the notice / request to change the zoning for 117 Franklyn Avenue from RU-1-11 to RU-2-12.

I am a resident at 310 Franklyn Avenue (approximately four houses East of the site – on the corner of Palm and Franklyn) and would like to formally **object** to this change.

The entire market is seeing substantial movement – and the last thing we need is for an individual/trust to make significant gains at the determinant to the neighborhood. Ignoring the large individual gain, this area already has traffic issues morning and night from the school (we already have difficulty getting into our own house in those times), a series of multifamily development will further impact this. I personally don't believe this is in the interest of the greater community.

As a further note, should the change be successful we intend to apply for the same zoning change and to use this case as a precedent.

Regards,

Nathan Kivi
KNA Hospitality
+1 (404) 625-8009

From: Michelle T.
To: Jones, Jennifer
Subject: ID# 21Z00033 Re-Zoning in Indialantic Florida
Date: Friday, November 5, 2021 9:41:18 AM

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

Dear Ms. Jennifer Jones

Thank you for the letter informing of the potential rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033

I am unable to attend the public hearing, but would like to voice my concerns for this rezoning and implications for the neighborhood.

I am against this particular rezoning because

- 1) financial damage by reducing the value of my home and neighboring homes.
- 2) We already have several multi-family households on the street, and adding more will change the feel of the residential street.
- 3) The anticipation of major construction and how this construction will impact my family's experience and impact the school traffic we experience on that street.

If this zoning does go through, I am concerned it will drive a few of the existing families off the street.

Thank you for your time.

Best,
Michelle Tishler

To: Planning and Zoning Board of Brevard County

November 9, 2021

From: Liane Burnette, Property Owner
207 Grosse Pointe Ave., Indialantic, FL 32903
Correspondence ID# 21Z00033

Thank you for the courtesy notice about a request for rezoning or we would not have known and had this opportunity to comment. Please keep the current zoning classification: RU-1-11 (Single-Family Residential). Some of the reasons against the request will follow.

There's already too much traffic and gets very congested at school and work traffic! Vehicles on the north side of Grosse Pointe Avenue (rental complexes) park on the edge of the street in their yards causing cars to go towards the center of the road so they don't hit them or get their own ^{side} mirrors damaged. The oncoming cars/vehicles then move over and park into our yards on the south side. An interesting observation since receiving the courtesy notices there's been fewest number of vehicles ever since I moved here nine years ago.

People & tenants (rental) are transient. You never know if new tenants ^{will} be good or bad neighbors. Many issues have been noise, unruly parties (gatherings) with many guests parking along the south side of Grosse Pointe. They have been loud, boisterous and many appear drunk when returning to their vehicles. One party had so many that cars blocked our driveway ^(late night) and even the whole street. Someone must have called police as Indialantic and Brevard

County police came. Individuals ran from them and many into our yards. I was so frightened when I looked out my raised open bedroom window into the face of a young man hiding behind my hibiscus bush.

I was hit on my right upper arm with a BB by a male tenant (duplex rental) while standing in my yard. When I looked down the street to see who had done it, he said, "It's just plastic." He never asked if he'd hurt me. I didn't report the incident to the police for fear of retaliation.

Until just recently (like the parked car) issues at the rental duplexes' garbage and recycling receptacles have remained on the street on non-pickup days. I hope it stays that way. Maybe there's a different landlord. Time will tell especially after the final vote on December 2. I hated the Waste Management trucks would have to stop unnecessarily. It cost time, money and money for this. It's always been a problem in past.

Pets (dogs) have been left alone for hours while renter tenants gone to work or elsewhere.

I am not against gatherings / parties if handled properly. People need to fellowship. The west end house has parties and their guests park along the street coming and leaving orderly, day or at night. It is a single-family dwelling. They also do not have numerous crowds of people.

We can't keep our windows open during the cooler months if parties, etc. at the rental duplexes due to the noise. Some times even when windows closed, AC on, TV on, we can still hear.

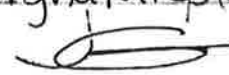
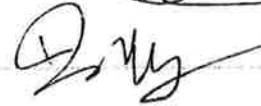
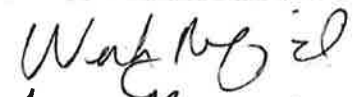

Safety is a big issue, so please keep the single-family residence zoning. More people and vehicles will not help the already crowded street. The multi-family residential zoning would impact the community in a negative way.

Thank you for your consideration and the opportunity to write. We appreciate you and your work.

Sincerely,
Diane Burnette
Diane Burnette

To: Planning and Zoning Board of Brevard County

Please KEEP the current zoning classification of RU-1-11 (Single Family Residential) for the property (117 Franklyn Ave., Indian Shalantic, FL) on the south side of Franklyn Ave. approximately 320 ft. east of Palm Ave. Please DENY the request to change its zoning classification to RU-2-12 (Medium Density Multi-Family Residential). Thank you.

House Number	Franklyn Ave	Address	Print Name	Signatures (Owner or Renter)	D or R
175	1	---	Ken Gordon		R
123	-	---	Rich EG An		R
101	<input checked="" type="checkbox"/>	---	Alena Kuopfer →		Owner
107	<input checked="" type="checkbox"/>	---	Wendy Kletich		Owner
112	-	---	Ann Thompson		Owner

I am sending copy of this form signed by people I spoke to at their homes on Sunday, November 7th. Many were not home or didn't answer door on Sunday or Monday. Several owners on Grosse Pointe Ave. ^{the 84th} want single family also (that I spoke to). Some will send e-mail, a couple are not home this week. None wanted multi-family.

To: Planning and Zoning Board of Brevard County

Please KEEP the current zoning classification of RU-1-11 (Single Family Residential) for the property (117 Franklyn Ave., Indianalantic, FL) on the south side of Franklyn Ave. approximately 320 ft. east of Palm Ave. Please DENY the request to change its zoning classification to RU-2-12 (medium density Multi-Family Residential). Thank you.

House Number	Address	Print Name	Signature	(O) owner or (R) Renter	O or R
208	Chalet Ave	Michael Heckman	[Signature]		0
208	Chalet Ave	Debra Heckman	[Signature]		0
202	CHALET AVE	Ker Bemis	Ker Bemis		0
202	Chalet Ave	Angela Bemis	Angela Bemis		0
216	CHALET AVE	William H. Weeks	William H. Weeks		0
209	Grosse Pointe	JOANNE EVERETT	Joanne Everett		0
210	Chalet Ave	Anna Rotondo	Anna Rotondo		0
203	Grosse Pointe Ave	JANICE RASBERRY DARLING	[Signature]		0
217	Grosse Pointe	Angela Brown	Angela Brown		0
211	Grosse Pte Ave	Kisic T. Amos	Kisic T. Amos		0
200	Chalet Ave	Mary Collins (Amy Seidel)	[Signature]		0
1130	Shadon Ave	Gladie Eliasson	Gladie Eliasson		0
207	Grosse Pointe Ave	Diane Burnette	Diane Burnette		0

From: J Geracie
To: Jones, Jennifer
Subject: Rezoning of 117 Franklin Ave, Indialantic, FL 32903
Date: Friday, November 12, 2021 8:57:21 AM

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

Ms. Jones, yesterday I was informed by a neighbor that there is an outstanding rezoning notice for the captioned location. Our property is directly across the street on Grosse Pointe Ave.

The request is to change the zoning status for this property from a one-family residential to a two-story, three-family dwelling. I did not get enough notice to attend next Monday's meeting. So I am writing to you to express my concern.

I want urge the zoning board to **decline** this request as it would: 1. negatively affect the quality of the neighbor; 2. increase congestion in an already crowded area; 3. adversely affect property values; 4. put more pressure on the municipal services and resources.

I have no problem with the construction of a new one-story, one-family dwelling on the property that is similar to the existing one-story, one-family homes in the neighborhood. There are enough multi-family dwellings currently in the area. Adding more will create additional problems and change the character of this Indialantic neighborhood. I believe that if this request is granted it will lead to additional rezoning for multifamily requests.

Thank you for your consideration,

Best Regards,

Joe Geracie
678.386.5416

Executor, Personal Representative for the Estates of
Virginia P. Wilson/ James R. Wilson
215 Grosse Pointe Ave.
Indialantic, FL 32903

Sent from Mail for Windows

From: Chuck Sigmund
To: Jones, Jennifer
Subject: Rezoning_117Franklyn_ID#21Z00033
Date: Friday, November 12, 2021 9:27:08 AM

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

To the Board of County Commissioners:

My name is Charles Sigmund and I live at 225 Grosse Pointe Ave. in Indialantic.

I am writing regarding ID# 21Z00033. It concerns the rezoning of the property owned by James Eric Preece, Trustee, at 117 Franklyn Ave., Indialantic. He is requesting the zoning be changed from RU-1-11 (Single Family Residential) to RU-2-12 (Medium Density Multi-Family Residential).

The property borders Grosse Pointe Ave. on the south side. Grosse Pointe is a narrow and busy road as there is a traffic light where it connects with A1A. The street is like a funnel for cars wanting to make turns on A1A with the help of the traffic light or go to the Indialantic Shopping Center. Also, Grosse Pointe is part of the roadway connecting A1A with Riverside Drive. It is heavily travelled by vehicles and also used by school buses from both Indialantic Elementary and Hoover Middle School. The new nearby Publix and relocated Starbucks have also increased traffic flow on Grosse Pointe.

There are already two duplexes on Grosse Pointe Avenue that would connect with this property. Sometimes the yards of these units look like parking lots, and sometimes the residents park their cars on portions of Grosse Pointe Avenue causing problems for vehicles and pedestrians and especially school buses. Usually multiple adults live in these units, each with a vehicle. If multifamily units are allowed on the property in question, I'm sure such parking problems would only increase. Bringing more parking issues, driving concerns and increased noise levels will definitely cause safety issues in the area. It will also negatively impact the seniors living in the Chalets Atlantique Under 55 Adult community on the opposite side of Grosse Pointe Avenue.

Another reason for rejecting the rezoning of this property is that there are two schools nearby. Indialantic Elementary is a block away. Hoover Middle School is also nearby. If the rezoning is approved, the increased traffic issues which will be a safety concern for those students who walk and bicycle to these schools, not so much on Franklyn Avenue but certainly on Grosse Pointe Avenue.

This is a different issue, but Grosse Pointe Avenue desperately needs sidewalks. I shutter in the mornings when I see high school students walking two or three abreast down Grosse Pointe with their backs to the traffic causing vehicles to stop behind them and wait for traffic to clear so they can safely drive around the students.

Surely the owner of this property could sell the land for a significant profit. Perhaps he could build single family homes, one on Grosse Pointe and the other on Franklyn. With the escalating price of housing in this area, Mr. Preece would make a handsome profit and not detract from the quality of life of those who live in the areas adjacent to this property.

The effects of the zoning change would be minimal for Franklyn but significant for the Grosse Pointe side. Perhaps the zoning could be changed for the property along Franklyn, but the property along Grosse Pointe Avenue could be kept single family residential.

Hopefully you will take into account my objections when you make your decision on rezoning this property.

Respectfully,
Charles Sigmund



Virus-free. www.avast.com

From: [Mayor berkman](#)
To: [Jones, Jennifer](#); [Stern, Danielle](#)
Subject: Re: Letter opposing changes to 117 Franklyn
Date: Monday, November 15, 2021 11:34:00 AM

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

Jennifer/Danielle,

Thank you for the opportunity to let Indialantic's voice be heard.

In regard to today's hearing for proposed re-zoning of 117 Franklyn, I ask that you deny this request. Franklyn is exactly one street North of the incorporated Town of Indialantic and such a change directly affects us also.

I have received a number of objections to this action and as such I am sending this as Mayor of Indialantic.

This change doesn't fit the character of that street or surrounding area. It also changes the immediate density and traffic which is extremely important as it is located extremely close to our elementary and middle schools, for which we have significant traffic already.

Changing from single family to multi-family changes the character of that street and we all know it won't stop once the first change is granted.

I ask that this be denied or not recommended for board approval. In the Town of Indialantic a change like this would be denied, it isn't appropriate for a mid-block location. Changes like this have only been approved on lots that are directly on A1A and consistent with other existing building zones similarly.

Thank you
Mayor Dave Berkman
Town of Indialantic, FL

Sent from my iPhone 5s
(321) 693-7367

On Nov 15, 2021, at 11:15 AM, Stern, Danielle <danielle.stern@brevardfl.gov> wrote:

If you can email me your letter against these changes by 1 p.m. today, I can include in the meeting package for today. Just include it in a reply to this email. I have copied the Planning and Zoning department representative on it so she can also receive it.

Danielle Stern
Chief of Staff
Brevard County Commissioner Kristine Zonka
District Five
490 Centre Lake Drive NE
Suite 175
Palm Bay, FL 32907
(321)253-6611

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

Objection
21Z00033
Preece

Roig, Janette

From: Stern, Danielle
Sent: Monday, November 29, 2021 9:20 AM
To: Zonka, Kristine; Roig, Janette; Brown, Charlene
Subject: FW: 117 Franklyn

Franklyn email...against

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

From: Luigi Loiola <luigiloyola@gmail.com>
Sent: Saturday, November 27, 2021 8:56 PM
To: Stern, Danielle <danielle.stern@brevardfl.gov>
Subject: 117 Franklyn

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

Good evening, As the owner of 2 Indialantic properties I am expressing my displeasure with the rezoning from single family to multi family. Please remember that this property is near two schools with young children.
Multi family housing is against the character of this neighborhood!

Roig, Janette

From: Luigi Loiola <luigiloyola@gmail.com>
Sent: Saturday, November 27, 2021 8:56 PM
To: Stern, Danielle
Subject: 117 Franklyn

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

Good evening, As the owner of 2 Indialantic properties I am expressing my displeasure with the rezoning from single family to multi family. Please remember that this property is near two schools with young children. Multi family housing is against the character of this neighborhood!

Roig, Janette

From: Luigi Loiola <luigiloyola@gmail.com>
Sent: Saturday, November 27, 2021 8:54 PM
To: Commissioner, D5
Subject: 117 Franklyn Ave.

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

Good evening, As the owner of 2 Indialantic properties I am expressing my displeasure with the rezoning from single family to multi family. Please remember that this property is near two schools with young children. Multi family housing is against the character of this neighborhood!

Roig, Janette

From: Amy Seidel <seidelnet@gmail.com>
Sent: Saturday, November 27, 2021 10:27 AM
To: d1commissioner@brevardfl.gov; d2commissioner@brevardfl.gov;
d3commissioner@brevardfl.gov; d4commissioner@brevardfl.gov; Commissioner, D5;
Stern, Danielle
Cc: Mary Collins
Subject: Proposal for property at 117 Franklyn Ave.

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

I am writing this on behalf of my elderly mother, for whom I have power of attorney, who lives at 200 Chalet Ave. She and I are extremely opposed to the plan of building a multi-family structure at this location.

There are countless reasons to keep this a single family property. We will highlight the most important.

It's a very narrow lot on the very narrow street of Grosse Pointe. There is already a problem with cars driving on other property's grass, especially when cars are parked on the opposite side. It is unimaginable to think how the additional cars from a multi-family residence will add to this parking problem. The streets in this area were designed to support single family homes. There are no other multi-family homes in the area because of this.

Grosse Pointe is already a highly used road. There is a large quantity of through traffic from many directions. It is used to get to Indialantic Shopping Center, which includes Longdoggers and several other popular restaurants. The beach access directly across A1A draws beach traffic and parking, not only for beach access during the day, but for viewing shuttle launches at night.

The safety implications are the most troubling. Grosse Pointe receives walking traffic from Indialantic Elementary School, and is close to several Day Cares. The increased traffic and cars lining the road make this a dangerous and unacceptable plan.

We urge you to reconsider this proposal and vote NO on December 2nd!

Amy Seidel
Mary Collins

Roig, Janette

From: Chuck Sigmund <thesigmunds@gmail.com>
Sent: Monday, November 22, 2021 10:23 AM
To: Commissioner, D5
Subject: Rezoning_117_Franklyn

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

My name is Charles Sigmund and I live at 225 Grosse Pointe Ave. in Indialantic.

I am writing to you as my District Commissioner about ID# 21Z00033 that will be voted upon in the December 2nd meeting. It concerns the rezoning of the property owned by James Eric Preece, Trustee, at 117 Franklyn Ave., Indialantic. He is requesting the zoning be changed from RU-1-11 (Single Family Residential) to RU-2-12 (Medium Density Multi-Family Residential). This property connects Franklyn on the north to Grosse Pointe Ave. on the south.

I do not think this rezoning request should be allowed for the following reasons.

1. The safety issue involved for the students of Indialantic, Hoover Middle School and high school students. If approved, this would allow multi-family housing to be built alongside Grosse Pointe Ave. Grosse Pointe Avenue is a very busy road. It is used by students who walk and ride their bicycles on this road. Also, Melbourne senior high students walk down Grosse Pointe to catch the school bus at Grosse Pointe and Shannon Avenues.
2. Grosse Pointe is a very busy road. It is one of only two roads having a traffic lights on A1A in the city limits of Indialantic. As such, it is used by numerous cars who want the benefit of a traffic light when making a turn on A1A. Also, it is a busy road because the Indialantic Shopping Center is at the end of the road by A1A. Even more, LongDoggers Restaurant is at the intersection of A1A and Grosse Pointe. There are also three other restaurants in the shopping center along with a hardware store, General Dollar and a number of other stores.
3. There are presently two duplexes on the north side of Grosse Pointe Avenue that would connect to this property. These duplexes are often lived in by several adults each with their own vehicle. Consequently, the way they park causes traffic congestion and problems on Grosse Pointe. To get around such vehicles, school busses, garbage trucks etc. often have to drive onto the lawn of the properties on the south side of Grosse Pointe.
4. Grosse Pointe is probably the narrowest street in the area but the most travelled. What makes it worse is the lack of a sidewalk. This street desperately needs a sidewalk, but neither the city of Indialantic or Brevard County (it separates the two) apparently wants to spend the money for a sidewalk. Grosse Pointe is less than a block and a half long. The cost to put a sidewalk wouldn't be overly expensive.
5. An over 55 adult community is directly across the street from the property in question. It definitely would cause issues for the elderly people who live in that complex.

6. The mayor of Indialantic, Dave Berkman, opposes this rezoning. I am told that he has written to the zoning board and/or the county commissioners stating his reasoning as to why the property in question should not be rezoned.

7. Franklyn and Grosse Pointe Avenue are two entirely different streets. The street at 117 Franklyn is a quiet street. As such, it has none of the issues that I've stated above concerning Grosse Pointe Ave. It is not a road used as a through way to a light, it is not used by school buses, it has no shopping center at the end of its street, it has no adult only 55 units along its road. Building multi-unit housing would make little difference on this road. However, it would make a dramatic difference on Grosse Pointe Avenue.

As my county commissioner, I urge you to acquaint yourself with the issues involved in the request to rezone the property in question. If you do, I think you would agree that it is a bad idea.

Respectfully,
Charles Sigmund



Virus-free. www.avast.com

Roig, Janette

From: Ray Green <rayagreen@gmail.com>
Sent: Friday, November 19, 2021 4:22 PM
To: Commissioner, D5
Cc: Stern, Danielle
Subject: Regarding the approved zoning change request for 117 Franklyn Ave.

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

Hello Commissioner Zonka,

I am writing to you today as a 50+ year resident of Indialantic. There was a post on a neighborhood forum urging Indialantic residents to reach out and express concerns about the zoning change for 117 Franklyn Ave. I watched the commission meeting recording (2021-11-15 3:00 PM) where the zoning change was approved and concluded the applicant addressed all reasonable objections that were presented at that meeting.

The posted objections I read basically opposed any increase in population/traffic. As someone who remembers a much less populated neighborhood in my childhood, I understand the impulse to limit all new growth but do not agree with it.

The property in question is positioned in the middle of a mix of duplex and single family units (as shown in the attached map) and so the zoning change fits the neighborhood character. I think it's not unreasonable to allow the homeowner to develop their own property responsibly.

I agree with the zoning change decision and do not think it needs to be revisited or reversed.

Thank you for your time.

Raymond Green

901 N. Riverside Drive, Indialantic



Roig, Janette

From: heatherthalwitzer@gmail.com
Sent: Thursday, November 18, 2021 11:28 AM
To: Commissioner, D5
Subject: Pro-rezoning 117 Franklyn

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

To whom it may concern,

I live near 117 Franklyn. I am very pleased to hear of the potential improvement for the area. There is a daycare on this block, along with other businesses. I don't see the harm in knocking down a run-down single family home that no longer suits the needs of modern families to build brand-new structures that will increase surrounding property values.

I see that Mayor Berkman has posted on Nextdoor offering your information to support or oppose "growth." Heads-up that you may have some opposition coming your way. The same folks nearly ran Starbucks out of town.

Thank you for your time and consideration for this property.

Heather Thalwitzer
Nearby neighbor (Shore View Dr.)

Sent from my iPhone

Roig, Janette

From: cearpfl@gmail.com
Sent: Thursday, November 18, 2021 9:27 AM
To: Commissioner, D5
Subject: 117 Franklin Avenue

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

Christine I ask for a no vote on the rezoning of this property. While it is in the county it will definitely effect our small town by adding multiple families and traffic on a mostly single family street.

Sent from my iPhone

Objection
21Z00033
Preece

From: A.S
To: [Commissioner, D5](#); [Commissioner, D4](#); [Commissioner, D3](#); [Commissioner, D2](#); [Commissioner, D1](#)
Subject: Urgent: Vote NO on rezoning of 117 Franklyn Avenue
Date: Monday, November 22, 2021 4:50:14 PM

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

Dear Commissioners:

Please Vote NO on the rezoning of 117 Franklyn Avenue. The infrastructure does NOT exist to support three residences on this lot. There are no sidewalks, there are long-standing drainage problems at the intersection of Grosse Point and A1a, there is not enough parking, and there are all the wonderful families with children who walk daily to the elementary and middle school located one block from Franklyn. There are the residents of the Chalets Atlantique 55+ community who moved there because the zoning was for no more than duplexes, such as their own homes. The road surfaces are already worn. There are already too many cars on the roads, and trying to park.

These two streets have been zoned for single family homes and duplexes. The lot sizes do not support enough space for parking the many cars that would likely be parking at the three townhomes this person is projecting building, because we know that the parking on the duplex homes' lots is already limited.

The long term residents, and friends and family thereof, in this wonderful neighborhood in Brevard County, sincerely request you to do the right thing and VOTE NO regarding any change in the current zoning of 117 Franklyn Avenue.

Sincerely,

A. Sims

Objection
21Z00033
Preece

From: [Cindy Earp](#)
To: [Schmadeke, Adrienne](#)
Subject: Re: 117 Franklin Avenue
Date: Monday, November 22, 2021 11:21:34 AM

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

Yes it is. Thank you

On Mon, Nov 22, 2021 at 10:48 AM Schmadeke, Adrienne
<Adrienne.Schmadeke@brevardfl.gov> wrote:

Good morning,

On behalf of Commissioner Smith, I want to acknowledge receipt of your email.

I would like to share it with him, but please confirm if you are referring to 117 Franklyn Avenue, Indialantic. If so, this would be Zoning Case 21Z00033 and your concerns will be passed along.

Would you please share your name or are you wishing to remain anonymous?

Regards,

Adrienne Schmadeke



Adrienne Schmadeke
Chief of Staff

Brevard County Commission, District 4

Commissioner Curt Smith

[321.633.2044](tel:321.633.2044) | Adrienne.Schmadeke@brevardfl.gov

2725 Judge Fran Jamieson Way, Bldg. C - Suite 214.

Viera, FL 32940

Please note:

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Your email communications may, therefore, be subject to public disclosure.

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

From: cearpfl@gmail.com <cearpfl@gmail.com>

Sent: Thursday, November 18, 2021 9:22 AM

To: Commissioner, D4 <D4.Commissioner@brevardfl.gov>

Subject: 117 Franklin Avenue

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

Although this property is in the county it will greatly impact the quality of life in our small town. It is on a street with mostly single family homes and this development will most certainly add traffic and other issues on an otherwise small community. I ask you to vote no on this rezoning

Sent from my iPhone

--

Cindy Earp
321-431-8015

From: [Alena Knoepfler](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Subject: Fwd: 117 Franklyn Ave, Indialantic Rezoning
Date: Monday, November 29, 2021 8:57:13 AM
Attachments: [PastedGraphic-15.png](#)

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

Dear Ladies and Gentlemen,

We are residents/owners of 109 Franklyn Ave, Indialantic (the ,109 Franklyn Ave Trust').

Last week we got to know, that on Nov 15, 2021 the re-zoning was approved - a final approval or denial will now come on Dec 2.

1) We are wondering, why there was no letter, no mailing, no nothing previous to this final decision.

As a German real estate investor and U.S. realtor and receive from now and then mails from the Zoning & Planning department, e.g. when it comes to a new Dog Park in Melbourne, an update of the water & mineral checks in Satellite Beach... It is good standard to involve the residents in what's going on in their neighborhood esp. when it is close to an Elementary school, a turtle slow down area and located oceanfront (evacuation route).

Why didn't you reach out to the owners and landlords to get their opinion first?

2) Also, this Avenue is the main route for school buses and youngsters to get to school. We would be happy to have the police check regularly the speed of the cars passing by. The increased number of cars, trucks (without using street parking) is actually on the limit.

3) Was the ground checked, if the planned multi-family homes would lead to a sink of the neighborhood houses?

Multi family homes are heavier and building them on a 'small' lot leads to more weight on the ground - not only for these houses but for the neighborhood houses too... these lead to cracks and damages on the neighborhood houses. Another reason for one of my houses at Stewart Ave not to even get a new garage permitted - on a 0.26 acre lot with just a small SFH.

4) What about the overall density and the evacuation route?
The A1a oceanfront condos and the planning and building department for MELBOURNE BEACH reduced during the last 10 years the allowed number per units per acre. Why? Because of the limited lanes of the A1a.

5) The new owners of 117 Franklyn Ave bought the property with the ,limited'

zoning for a single family home.

Because of the high market prices I see as a realtor myself, I think they still make money to just put two single family homes on their double lot and not to bother neighbors and school kids with 'the higher the better' claims.

Thank you for your time and consideration and sorry for any mistakes. We are foreign nationals and not native English speakers.

If you have any comments or questions, please do not hesitate to contact us.

Sincerely,
Alena & Denis Christian Knoepfler

109 Franklyn Ave, Indialantic FL, 32903
Cell 321-285 2323



Alena Knoepfler, Realtor & Author of „Make Your Money Great Again"
www.HomesSpaceCoast.com

From: Amy Seidel
To: Commissioner, D2; Commissioner, D3; Commissioner, D4
Subject: Re: Proposal for property at 117 Franklyn Ave.
Date: Saturday, November 27, 2021 10:36:52 AM

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

On Sat, Nov 27, 2021 at 10:27 AM Amy Seidel <seidelnnet@gmail.com> wrote:

I am writing this on behalf of my elderly mother, for whom I have power of attorney, who lives at 200 Chalet Ave. She and I are extremely opposed to the plan of building a multi-family structure at this location.

There are countless reasons to keep this a single family property. We will highlight the most important.

It's a very narrow lot on the very narrow street of Grosse Pointe. There is already a problem with cars driving on other property's grass, especially when cars are parked on the opposite side. It is unimaginable to think how the additional cars from a multi-family residence will add to this parking problem. The streets in this area were designed to support single family homes. There are no other multi-family homes in the area because of this.

Grosse Pointe is already a highly used road. There is a large quantity of through traffic from many directions. It is used to get to Indialantic Shopping Center, which includes Longdoggers and several other popular restaurants. The beach access directly across A1A draws beach traffic and parking, not only for beach access during the day, but for viewing shuttle launches at night.

The safety implications are the most troubling. Grosse Pointe receives walking traffic from Indialantic Elementary School, and is close to several Day Cares. The increased traffic and cars lining the road make this is a dangerous and unacceptable plan.

We urge you to reconsider this proposal and vote NO on December 2nd!

Amy Seidel
Mary Collins

Objection
21Z00033
Preece

From: Commissioner, D1
To: "Alena Knoepfler"
Cc: Pritchett, Rita; Mascellino, Carol; Price, Jessica
Subject: RE: 117 Franklyn Ave, Indialantic Rezoning
Date: Monday, November 29, 2021 4:52:11 PM
Attachments: image001.png
image002.png

Good Afternoon,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best Regards,

Nate Smith

Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office

**7101 South Hwy 1
Titusville, FL 32780
321-607-6901**

Please note:

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From: Alena Knoepfler <alena@homesspacecoast.com>
Sent: Monday, November 29, 2021 8:57 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>
Subject: Fwd: 117 Franklyn Ave, Indialantic Rezoning

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Dear Ladies and Gentlemen,

We are residents/owners of 109 Franklyn Ave, Indialantic (the ,109 Franklyn Ave Trust').

Last week we got to know, that on Nov 15, 2021 the re-zoning was approved - a final approval or denial will now come on Dec 2.

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It is good standard to involve the residents in what's going on in their neighborhood esp. when it is close to an Elementary school, a turtle slow down area and located oceanfront (evacuation route).

Why didn't you reach out to the owners and landlords to get their opinion first?

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Because of the high market prices I see as a realtor myself, I think they still make money to just put two single family homes on their double lot and not to bother neighbors and school kids with 'the higher the better' claims.

Thank you for your time and consideration and sorry for any mistakes. We are foreign nationals and not native English speakers.

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Sincerely,
Alena & Denis Christian Knoepfler

109 Franklyn Ave, Indialantic FL, 32903
Cell 321-285 2323



Alena Knoepfler, Realtor & Author of „Make Your Money Great Again“
www.HomesSpaceCoast.com

Objection
21Z00033
Preece

From: Commissioner, D1
To: "Amy Seidel"
Cc: Pritchett, Rita; Mascellino, Carol; Price, Jessica
Subject: RE: Proposal for property at 117 Franklyn Ave.
Date: Monday, November 29, 2021 4:52:54 PM
Attachments: image001.png

Good Afternoon,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best Regards,

Nate Smith

Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office

**7101 South Hwy 1
Titusville, FL 32780
321-607-6901**

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From: Amy Seidel <seidelnet@gmail.com>
Sent: Saturday, November 27, 2021 10:35 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Cc: Mary Collins <marycollins42@gmail.com>
Subject: Re: Proposal for property at 117 Franklyn Ave.

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

On Sat, Nov 27, 2021 at 10:27 AM Amy Seidel <seidelnet@gmail.com> wrote:

I am writing this on behalf of my elderly mother, for whom I have power of attorney, who lives at 200 Chalet Ave. She and I are extremely opposed to the plan of building a multi-family structure at this location.

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The safety implications are the most troubling. Grosse Pointe receives walking traffic from Indialantic Elementary School, and is close to several Day Cares. The increased traffic and cars lining the road make this is a dangerous and unacceptable plan.

We urge you to reconsider this proposal and vote NO on December 2nd!

Amy Seidel
Mary Collins

Objection
21Z00033
Preece

From: Commissioner, D1
To: "Michelle T."
Cc: Mascellino, Carol; Price, Jessica; Pritchett, Rita
Subject: RE: Rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033
Date: Tuesday, November 30, 2021 8:26:53 AM
Attachments: image001.png

Good Morning,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best Regards,

Nate Smith

Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office

**7101 South Hwy 1
Titusville, FL 32780
321-607-6901**

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From: Michelle T. <michelletishler@gmail.com>
Sent: Monday, November 29, 2021 4:09 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033

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

[REDACTED]

Dear Commissioner Rita Pritchett,

This email is pertaining to the rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033

I was unable to attend the public hearing, but would like to voice my concerns for this rezoning and implications for the neighborhood. The owner plans to install a tall triplex, with 2-3 stories - these will be rentals and not available for resale. This is rather obscene for this small residential street.

I am against this particular rezoning because:

- 1) financial damage by reducing the value of my home and neighboring homes.
- 2) We already have several multi-family households on the street, but these are simply duplexes - adding more will change the feel of the residential street.
- 3) The anticipation of major construction and how this construction will impact my family's safety and other family's safety in addition to the school traffic we experience on that street and how large trucks tend to drive VERY fast on this street (thus large construction trucks)
- 4) safety concerns due to the potential of high volume of airbnb and tourist visitations, and reducing the safety of the neighborhood with having continuous new neighbors.
- 5) increased noise pollution from construction activities over a prolonged duration
- 6) addition of sidewalks for improved safety on this street like the rest of Franklyn Avenue.

If this zoning does go through, I am concerned it will drive a few of the existing families off the street. I say no to this rezoning because it doesn't mean a small duplex, it means an apartment complex in a residential neighborhood directly next to a nursery, elementary school, and middle school.

If the county continues to move forward with this, then I request the county prepare and perform the following mitigations to the neighbors and neighborhood:

- 1) providing short-term and long-term compensation for home devaluation (with use of an independent home and neighborhood assessor)
- 2) compensation for applying new safety features either on individual homes or on the street (providing us funds to purchase our own camera and alarm systems and adding more lights to the street)
- 3) installation of speed bumps on the street.
- 4) rental restrictions on the homes to ensure a this stays a residential neighborhood and not an AirBNB
- 5) noise-canceling headphones for every family within a 500 yard radius

Thank you for your time and consideration. I am happy to further elaborate on these mitigation actions if needed.

Best,
Michelle Tishler of Franklyn Avenue.

Objection
21Z00033
Preece

From: Commissioner, D1
To: "Beryl Thacker"
Cc: Pritchett, Rita; Mascellino, Carol; Price, Jessica
Subject: RE: Rezoning of 117 Franklyn Ave. Indialantic Fl.
Date: Monday, November 29, 2021 4:51:22 PM
Attachments: image001.png

Good Afternoon,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best Regards,

Nate Smith

Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office

**7101 South Hwy 1
Titusville, FL 32780
321-607-6901**

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From: Beryl Thacker <dddt50@aol.com>
Sent: Monday, November 29, 2021 2:52 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Rezoning of 117 Franklyn Ave. Indialantic Fl.



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

To whom it may concern,

Please vote "No" to the multi-family zoning at 117 Franklyn Ave., Indialantic, Fl. 32903. This rezoning will affect both Franklyn Ave and Grosse Pointe Ave. There is already a heavy traffic load (walking, bicycles and vehicles including children and elderly) due to two nearby schools, a day care center and the only local traffic light connecting Grosse Pointe Ave to busy four lane A1A. There are no sidewalks. This should be considered a safety issue and the rezoning would significantly contribute to what is becoming a "Hazardous" situation.

Thank you.

James D. Thacker
Beryl J. Thacker
223 Grosse Pointe Ave.
Indialantic, Fl. 32903

(321) 960-4764

Roig, Janette

From: Michelle T. <michelletishler@gmail.com>
Sent: Monday, November 29, 2021 4:13 PM
To: Commissioner, D5
Subject: Rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033

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

Dear Commissioner Kristine Zonka,

This email is pertaining to the rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033

I was unable to attend the public hearing, but would like to voice my concerns for this rezoning and implications for the neighborhood. The owner plans to install a tall triplex, with 2-3 stories - these will be rentals and not available for resale. This is rather obscene for this small residential street.

I am against this particular rezoning because:

- 1) financial damage by reducing the value of my home and neighboring homes.
- 2) ~~We already have several multi-family households on the street, but these are simply duplexes - adding more will~~ change the feel of the residential street.
- 3) The anticipation of major construction and how this construction will impact my family's safety and other family's safety in addition to the school traffic we experience on that street and how large trucks tend to drive VERY fast on this street (thus large construction trucks)
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If this zoning does go through, I am concerned it will drive a few of the existing families off the street. I say no to this rezoning because it doesn't mean a small duplex, it means an apartment complex in a residential neighborhood directly next to a nursery, elementary school, and middle school.

If the county continues to move forward with this, then I request the county prepare and perform the following mitigations to the neighbors and neighborhood:

- 1) providing short-term and long-term compensation for home devaluation (with use of an independent home and neighborhood assessor)
- 2) compensation for applying new safety features either on individual homes or on the street (providing us funds to purchase our own camera and alarm systems and adding more lights to the street)
- 3) installation of speed bumps on the street.
- 4) rental restrictions on the homes to ensure this stays a residential neighborhood and not an AirBNB
- 5) noise-canceling headphones for every family within a 500 yard radius

Thank you for your time.

Best,
Michelle Tishler of Franklyn Avenue

116 Franklyn Avenue
Indialantic, FL 32903
30 November 2021

Ms. Kristine Zonka

Brevard Commissioner District 5

Re: Rezoning of 117 Franklyn Avenue, Indialantic, FL 32903

Commissioner Zonka:

As a resident of the easternmost segment of Franklyn Avenue since 2005, I must object to the Commission's plans to approve rezoning to multifamily use of the 117 property which lies in the middle of this very short, one-block, already overly congested street.

My objections are due primarily to the **Safety** issues that such a drastic rezoning will affect, especially if multiple duplex or triplex units are built by the requesting owner on this .25-acre residential lot.

In short, this street cannot handle the ensuing additional traffic without serious repercussions to residents. Please consider the conditions this street supports under its present density:

The following use factors occur daily on our street:

1. **School Traffic** —Between 7:00 am and 8:30 am on school days, in addition to those drivers headed to their jobs, there are school buses picking up and delivering children to Indialantic Elementary, Hoover Junior High, and high schools, along with parents taking children to Busy Bears daycare. This is repeated between 1:00 pm and 6:00 pm, with parents returning from work to collect their children. Local children walk to these schools on the street, since there are no sidewalks or curbs. On garbage pickup days, they dart between the refuse cans. Many drivers park temporarily in residents' yards to avoid the traffic circles at the schools.
2. **Commercial Traffic** —Moo's Ice Cream shop at the corner of Franklyn and A1A is tremendously popular and enjoys constant auto and foot traffic from A1A, Franklyn, and Gross Pointe from 7:00 am to 10:00 pm. Often, the traffic is so backed up around the

restaurant that residents must drive through Petrillo's across the street just to get to the schools or their homes. Many local residents arrive in golf carts loaded with children, which may be fun, but is very dangerous. Delivery trucks to both restaurants pose even further congestion, as do the traffic and delivery trucks that use Gross Pointe to access the shopping center and Longdogger's Restaurant on A1A.

3. **Beach Traffic**—Franklyn provides almost direct beach access to fishermen, surfers, and sunbathers, who, with their “gear” on bicycles, scooters, and even skateboards, also prove to be targets to motor vehicles. have several residents in their 80's and 90s who at great peril, walk to the Baptist Church at the west end of the street, since they no longer drive.
4. **By-Pass and Shortcut Traffic** — To avoid the traffic lights and congestion at Gross Pointe and 5th Avenue intersections, commercial, police, and emergency vehicles often use Franklyn as a shortcut to Riverside, or other locations west of A1A. I personally, have been forced to jump aside while collecting my mail at streetside to avoid a patrol car in “hot pursuit.” Speeding is not unusual on Franklyn, especially for FedEx or other parcel services.

Franklyn Avenue is a small, residential street in a residential and school neighborhood. We are not against progress, or even a developer's profit, but not at the expense of endangering the citizens who live here. The thought of from nine to twenty-seven additional vehicles routinely using Franklyn Avenue is simply terrifying.

Please consider this request to vote **NO** to multi-family zoning for 117 Franklyn Avenue, Indialantic, FL.

Yours sincerely,

Jan H. Herndon

cc:

Dave Berkman

Rita Pritchett

Bryan Lober

John Tobia

Curt Smith

From: [Alena Knoepfler](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#)
Subject: Fwd: 117 Franklyn Ave, Indialantic Rezoning
Date: Monday, November 29, 2021 8:57:13 AM
Attachments: [PastedGraphic-15.png](#)

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

Dear Ladies and Gentlemen,

We are residents/owners of 109 Franklyn Ave, Indialantic (the ,109 Franklyn Ave Trust').

Last week we got to know, that on Nov 15, 2021 the re-zoning was approved - a final approval or denial will now come on Dec 2.

1) We are wondering, why there was no letter, no mailing, no nothing previous to this final decision.

As a German real estate investor and U.S. realtor and receive from now and then mails from the Zoning & Planning department, e.g. when it comes to a new Dog Park in Melbourne, an update of the water & mineral checks in Satellite Beach... It is good standard to involve the residents in what's going on in their neighborhood esp. when it is close to an Elementary school, a turtle slow down area and located oceanfront (evacuation route).

Why didn't you reach out to the owners and landlords to get their opinion first?

2) Also, this Avenue is the main route for school buses and youngsters to get to school. We would be happy to have the police check regularly the speed of the cars passing by. The increased number of cars, trucks (without using street parking) is actually on the limit.

3) Was the ground checked, if the planned multi-family homes would lead to a sink of the neighborhood houses?

Multi family homes are heavier and building them on a 'small' lot leads to more weight on the ground - not only for these houses but for the neighborhood houses too... these lead to cracks and damages on the neighborhood houses. Another reason for one of my houses at Stewart Ave not to even get a new garage permitted - on a 0.26 acre lot with just a small SFH.

4) What about the overall density and the evacuation route?
The A1a oceanfront condos and the planning and building department for MELBOURNE BEACH reduced during the last 10 years the allowed number per units per acre. Why? Because of the limited lanes of the A1a.

5) The new owners of 117 Franklyn Ave bought the property with the ,limited'

zoning for a single family home.

Because of the high market prices I see as a realtor myself, I think they still make money to just put two single family homes on their double lot and not to bother neighbors and school kids with 'the higher the better' claims.

Thank you for your time and consideration and sorry for any mistakes. We are foreign nationals and not native English speakers.

If you have any comments or questions, please do not hesitate to contact us.

Sincerely,
Alena & Denis Christian Knoepfler

109 Franklyn Ave, Indialantic FL, 32903
Cell 321-285 2323



Alena Knoepfler, Realtor & Author of „Make Your Money Great Again"
www.HomesSpaceCoast.com

Objection
21Z00033
Preece

From: Amy Seidel
To: Commissioner, D2; Commissioner, D3; Commissioner, D4
Subject: Re: Proposal for property at 117 Franklyn Ave.
Date: Saturday, November 27, 2021 10:36:53 AM

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

On Sat, Nov 27, 2021 at 10:27 AM Amy Seidel <seidelnet@gmail.com> wrote:

I am writing this on behalf of my elderly mother, for whom I have power of attorney, who lives at 200 Chalet Ave. She and I are extremely opposed to the plan of building a multi-family structure at this location.

There are countless reasons to keep this a single family property. We will highlight the most important.

It's a very narrow lot on the very narrow street of Grosse Pointe. There is already a problem with cars driving on other property's grass, especially when cars are parked on the opposite side. It is unimaginable to think how the additional cars from a multi-family residence will add to this parking problem. The streets in this area were designed to support single family homes. There are no other multi-family homes in the area because of this.

Grosse Pointe is already a highly used road. There is a large quantity of through traffic from many directions. It is used to get to Indialantic Shopping Center, which includes Longdoggers and several other popular restaurants. The beach access directly across A1A draws beach traffic and parking, not only for beach access during the day, but for viewing shuttle launches at night.

The safety implications are the most troubling. Grosse Pointe receives walking traffic from Indialantic Elementary School, and is close to several Day Cares. The increased traffic and cars lining the road make this is a dangerous and unacceptable plan.

We urge you to reconsider this proposal and vote NO on December 2nd!

Amy Seidel
Mary Collins

November 30, 2021

Rita Pritchett
Bryan Lober
John Tobia
Curt Smith
Kristine Zonka

RE: 117 Franklyn Avenue – Rezoning

This is a request for you to please vote “NO” on December 2nd, for rezoning 117 Franklyn Avenue to Multiple Family Dwellings.

It has always been Single Family. It is a very congested area with two schools, Hoover Middle School and Indialantic Elementary as well as a day care center. Parents pack the streets to drop off and pick up their children at school and the day care center!

There are children walking to and from school as well as a school bus stop at the corner of Shannon Avenue and Gross Pointe for high school students. There are so many kids and adults on bikes.

There is also an over 55 community right across from this site on Grosse Pointe.

A 3 story multi-family dwelling added to this already congested area seems absolutely outrageous.

Please consider a “NO” vote for the community.

Gladie Eliassen
1130 N Shannon Avenue
Indialantic FL 32903

From: Prasad, Katelynnne
To: Jones, Jennifer
Subject: Disclosure
Date: Wednesday, December 1, 2021 12:52:43 PM

Good afternoon,

Commissioner Tobia spoke with Kim Rezanka via telephone regarding items H.5 and H.9 on 12/1/2021 for approximately 15 minutes.

Thank you,

Katelynnne Prasad

Constituent Affairs Director

County Commissioner John Tobia, District 3

PH: (321) 633-2075 * Fax: (321) 633-2196

2539 Palm Bay Road NE, Suite 4

Palm Bay, FL 32905

From: Prasad, Katelynne
To: Jones, Jennifer
Subject: Disclosure
Date: Wednesday, December 1, 2021 12:52:43 PM

Good afternoon,

Commissioner Tobia spoke with Kim Rezanka via telephone regarding items H.5 and H.9 on 12/1/2021 for approximately 15 minutes.

Thank you,

Katelynne Prasad

Constituent Affairs Director

County Commissioner John Tobia, District 3

PH: (321) 633-2075 * Fax: (321) 633-2196

2539 Palm Bay Road NE, Suite 4

Palm Bay, FL 32905

November 30, 2021

Rita Pritchett
Bryan Lober
John Tobia
Curt Smith
Kristine Zonka

RE: 117 Franklyn Avenue – Rezoning

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It has always been Single Family. It is a very congested area with two schools, Hoover Middle School and Indialantic Elementary as well as a day care center. Parents pack the streets to drop off and pick up their children at school and the day care center!

There are children walking to and from school as well as a school bus stop at the corner of Shannon Avenue and Gross Pointe for high school students. There are so many kids and adults on bikes.

There is also an over 55 community right across from this site on Grosse Pointe.

A 3 story multi-family dwelling added to this already congested area seems absolutely outrageous.

Please consider a “NO” vote for the community.

Gladie Eliassen
1130 N Shannon Avenue
Indialantic FL 32903

In Favor
21Z00033
Preece

From: Beth Carver
To: Commissioner, D4
Subject: 117 franklyn ave
Date: Wednesday, December 1, 2021 10:36:19 AM

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

vote yes ,please

--

Beth Carver
321-591-3161
122 Frankly Avenue
Indialantic Florida, 32903
bethcarverart@gmail.com



Virus-free. www.avast.com

From: [Michelle T.](#)
To: [Commissioner, D4](#)
Subject: Rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033
Date: Monday, November 29, 2021 4:12:56 PM

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

Dear Commissioner Curt Smith,

This email is pertaining to the rezoning of 117 Franklyn Ave, Indialantic, FL. ID# 21Z00033

I was unable to attend the public hearing, but would like to voice my concerns for this rezoning and implications for the neighborhood. The owner plans to install a tall triplex, with 2-3 stories - these will be rentals and not available for resale. This is rather obscene for this small residential street.

I am against this particular rezoning because:

- 1) financial damage by reducing the value of my home and neighboring homes.
- 2) We already have several multi-family households on the street, but these are simply duplexes - adding more will change the feel of the residential street.
- 3) The anticipation of major construction and how this construction will impact my family's safety and other family's safety in addition to the school traffic we experience on that street and how large trucks tend to drive VERY fast on this street (thus large construction trucks)
- 4) safety concerns due to the potential of high volume of airbnb and tourist visitations, and reducing the safety of the neighborhood with having continuous new neighbors.
- 5) increased noise pollution from construction activities over a prolonged duration
- 6) addition of sidewalks for improved safety on this street like the rest of Franklyn Avenue.

If this zoning does go through, I am concerned it will drive a few of the existing families off the street. I say no to this rezoning because it doesn't mean a small duplex, it means an apartment complex in a residential neighborhood directly next to a nursery, elementary school, and middle school.

If the county continues to move forward with this, then I request the county prepare and perform the following mitigations to the neighbors and neighborhood:

- 1) providing short-term and long-term compensation for home devaluation (with use of an independent home and neighborhood assessor)
- 2) compensation for applying new safety features either on individual homes or on the street (providing us funds to purchase our own camera and alarm systems and adding more lights to the street)
- 3) installation of speed bumps on the street.
- 4) rental restrictions on the homes to ensure a this stays a residential neighborhood and not an AirBNB
- 5) noise-canceling headphones for every family within a 500 yard radius

Thank you for your time.

Best,
Michelle Tishler of Franklyn Avenue.

116 Franklyn Avenue
Indialantic, FL 32903
30 November 2021

Ms. Kristine Zonka
Brevard Commissioner District 5
Re: Rezoning of 117 Franklyn Avenue, Indialantic, FL 32903

Commissioner Zonka:

As a resident of the easternmost segment of Franklyn Avenue since 2005, I must object to the Commission's plans to approve rezoning to multifamily use of the 117 property which lies in the middle of this very short, one-block, already overly congested street.

My objections are due primarily to the **Safety** issues that such a drastic rezoning will affect, especially if multiple duplex or triplex units are built by the requesting owner on this .25-acre residential lot.

In short, this street cannot handle the ensuing additional traffic without serious repercussions to residents. Please consider the conditions this street supports under its present density:

The following use factors occur daily on our street:

1. **School Traffic** —Between 7:00 am and 8:30 am on school days, in addition to those drivers headed to their jobs, there are school buses picking up and delivering children to Indialantic Elementary, Hoover Junior High, and high schools, along with parents taking children to Busy Bears daycare. This is repeated between 1:00 pm and 6:00 pm, with parents returning from work to collect their children. Local children walk to these schools on the street, since there are no sidewalks or curbs. On garbage pickup days, they dart between the refuse cans. Many drivers park temporarily in residents' yards to avoid the traffic circles at the schools.
2. **Commercial Traffic** —Moo's Ice Cream shop at the corner of Franklyn and A1A is tremendously popular and enjoys constant auto and foot traffic from A1A, Franklyn, and Gross Pointe from 7:00 am to 10:00 pm. Often, the traffic is so backed up around the

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4. **By-Pass and Shortcut Traffic** — To avoid the traffic lights and congestion at Gross Pointe and 5th Avenue intersections, commercial, police, and emergency vehicles often use Franklyn as a shortcut to Riverside, or other locations west of A1A. I personally, have been forced to jump aside while collecting my mail at streetside to avoid a patrol car in “hot pursuit.” Speeding is not unusual on Franklyn, especially for FedEx or other parcel services.

Franklyn Avenue is a small, residential street in a residential and school neighborhood. We are not against progress, or even a developer's profit, but not at the expense of endangering the citizens who live here. The thought of from nine to twenty-seven additional vehicles routinely using Franklyn Avenue is simply terrifying.

Please consider this request to vote **NO** to multi-family zoning for 117 Franklyn Avenue, Indialantic, FL.

Yours sincerely,

Jan H. Herndon

cc:

Dave Berkman

Rita Pritchett

Bryan Lober

John Tobia

Curt Smith

Objection
21Z00033
Preece

From: Beryl Thacker
To: Commissioner, D4
Subject: Rezoning 117 Franklyn Ave. Indialantic, Fl 32903
Date: Monday, November 29, 2021 3:06:09 PM

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

To whom it may concern,

Please vote "No" to the multi-family zoning at 117 Franklyn Ave., Indialantic, Fl. 32903. This rezoning will affect both Franklyn Ave and Grosse Pointe Ave. There is already a heavy traffic load (walking, bicycles and vehicles including children and elderly) due to two nearby schools, a day care center and the only local traffic light connecting Grosse Pointe Ave to busy four lane A!A. There are no sidewalks. This should be considered a safety issue and the rezoning would significantly contribute to what is becoming a "Hazardous" situation.

Thank you.

James D. Thacker
Beryl J. Thacker
223 Grosse Pointe Ave.
Indialantic, Fl. 32903

(321) 960-4764

From: [Chuck Sigmund](#)
To: [Commissioner, D4](#)
Subject: Rezoning_117_Franklyn_Ave.
Date: Tuesday, November 30, 2021 11:46:49 AM

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

My name is Charles Sigmund and I live at 225 Grosse Pointe Ave. in Indialantic.

I am writing to you, Commissioner Smith, about ID# 21Z00033 that will be voted upon in the December 2nd meeting. It concerns the rezoning of the property owned by James Eric Preece, Trustee, at 117 Franklyn Ave., Indialantic. He is requesting the zoning be changed from RU-1-11 (Single Family Residential) to RU-2-12 (Medium Density Multi-Family Residential). This property has frontage on both Franklyn Ave. and Grosse Pointe Ave.

I do not think this rezoning request should be allowed for the following reasons.

1. The safety issue involved for the students of Indialantic, Hoover Middle School and high school students who use this road . If approved, this would allow multi-family housing to be built alongside Grosse Pointe Ave. Grosse Pointe Avenue is a very busy road. It is used by students who walk and ride their bicycles on this road. Also, Melbourne senior high students walk down Grosse Pointe to catch the school bus at Grosse Pointe and Shannon Avenues. Why this is a safety issue will be obvious from the following reasons.

2. Grosse Pointe is a well travelled road. It is one of only two roads having a traffic light on A1A in the city limits of Indialantic. As such, it is used by numerous cars who want the benefit of a traffic light when making a turn on A1A. Also, it is a busy road because the Indialantic Shopping Center is at the end of the road by A1A. Even more, LongDoggers Restaurant is at the intersection of A1A and Grosse Pointe. There are also three other restaurants in the shopping center along with a hardware store, General Dollar and a number of other stores. Grosse Pointe has no speed limit signs allowing cars to travel as fast as they want.

3. There are presently two duplexes on the north side of Grosse Pointe Avenue that would connect to this property. These duplexes are often lived in by several adults each with their own vehicle. Consequently, the way they park, often partially or fully on the road, causes traffic congestion and problems on Grosse Pointe. To get around such vehicles, school busses, garbage trucks etc. often have to drive onto the lawn of the properties on the south side of Grosse Pointe. Thus, the safety issue in reason one above.

4. Grosse Pointe is probably the narrowest street in the area but the most travelled. What makes it worse is the lack of a sidewalk. This street desperately needs a sidewalk, but neither the city of Indialantic or Brevard County (it separates the two) apparently wants to spend the money for a sidewalk. Grosse Pointe is less than a block and a half long. The cost to put a sidewalk wouldn't be overly expensive.

5. An over 55 adult community is directly across the street from the property in question. It definitely would cause issues for the elderly people who live in that complex.

6. From what I am told, the mayor of Indialantic, Dave Berkman, opposes this rezoning. I am told that he has written to the zoning board and/or the county commissioners stating his reasoning as to why the property in question should not be rezoned.

7. Franklyn and Grosse Pointe Avenue are two entirely different streets. The street at 117 Franklyn is a quiet street. As such, it has none of the issues that I've stated above concerning Grosse Pointe Ave. It is not a road used as a through way to a light, it is not used by school buses, it has no shopping center at the end of its street, it has no adult only 55 units along its road. Building multi-unit housing would make little difference on this road. However, it would make a dramatic difference on Grosse Pointe Avenue.

As a Brevard County Commissioner, I urge you to acquaint yourself with the issues involved in the request to rezone the property in question. If you do, I think you would agree that rezoning the property in question is not a good idea.

Respectfully,

Charles Sigmund

p.s. I was told by someone attending the rezoning committee meeting on November 15th that it was obvious that the committee came to the meeting with their minds made up. Hopefully this won't be true of the Brevard Commissioners come December 2nd.



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Objection
21Z00033
Preece

From: [Kenneth Linick](#)
To: [Commissioner, D4](#)
Subject: Zoning Variance on Frankly Ave
Date: Wednesday, December 1, 2021 9:07:31 AM

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

Curt Smith,

In 2008, my wife and I bought our home in Chalet Atlantique, a community of residents over 55 years old built in the 1970s. We have developed close ties with our neighbors and feel fortunate to have found the perfect place for our retirement. Now we are afraid the zoning variance on Franklyn Avenue would increase density and effect the safety of our daily neighborhood walks. We use Grosse Pointe to access the beach, A1A restaurants and shopping, and to visit our Chalet Atlantique neighbors. Grosse Pointe is a narrow street without sidewalks. School buses and traffic heading west from A1A create a hazard for walkers. Any increase in housing density will worsen our safety concerns.

Kenneth and Frances Linick
214 Chalet Ave, Indialantic

Sent from my iPad

Objection
21Z00033
Preece

From: [Commissioner, D1](#)
To: [Jones, Jennifer](#)
Cc: [Pritchett, Rita](#); [Mascellino, Carol](#); [Smith, Nathan](#); [Price, Jessica](#)
Subject: FW: 117 Franklyn Ave Indialantic 32903
Date: Thursday, December 2, 2021 8:20:22 AM
Attachments: [image001.png](#)
[image002.png](#)

Good Morning,

On behalf of Commissioner Pritchett, please see the below public comment regarding zoning item #21Z00033.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office
7101 S. Highway 1
Titusville, FL 32780
Telephone: 321-607-6901

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: Commissioner, D1
Sent: Thursday, December 2, 2021 8:15 AM
To: Joe R <joer948@gmail.com>
Cc: Pritchett, Rita <Rita.Pritchett@brevardfl.gov>; Mascellino, Carol <Carol.Mascellino@brevardfl.gov>; Smith, Nathan <Nathan.Smith@brevardfl.gov>; Price, Jessica <Jessica.Price@brevardfl.gov>
Subject: RE: 117 Franklyn Ave Indialantic 32903

Good Morning Mr. Russo,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.
Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office
7101 S. Highway 1
Titusville, FL 32780
Telephone: 321-607-6901

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From: Joe R <joer948@gmail.com>
Sent: Wednesday, December 1, 2021 6:12 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: 117 Franklyn Ave Indialantic 32903

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

December 1st, 2021

Good Afternoon:

My name is Joseph Russo and:

I currently reside at 115 FRANKLYN AVE INDIALANTIC
NORTH INDIALANTIC BY THE SEA
REPLAT OF E 25ft OF LOT 6 & W 50 FT of LOT 5 BLK F.

I am writing to you in order to inform you that Mr Eric James Preece wants to build a 2/4 story Triplex @ 117 Franklyn Ave Indialantic Fl. This would be located right next to my residence 115 Franklyn Ave Indialantic Fl. This not only would cause more chaos on the block, and it would add more traffic congestion then we already have. This definitely would become a very unsafe area not only for the pedestrians on the block especially when both schools Indialantic Elementary and Hert Hoover Jr High School dismissed the students. I can't tell you how many near misses I have seen with my own two eyes of a child or an adult getting hit by a vehicle on my block. They park everywhere.

From what I understand he wants to have access from Franklyn Ave and Grosse Pointe that would also add to the confusion and that would be a BIG mistake.

If the county approves this and from what I understand, he wants to build a 2/3 story Triplex? Outrages for the block and the neighborhood. You don't see any of that down the other parts of Franklyn Ave only on the 100 block of Franklyn Ave, Wake up people we are sick of it

When I personally spoke to Mr Preece he told most everyone on the block that he was going to construct a one story 3bed 2 bath home for his daughter. Of course that was a total lie he already had hidden agendas of wanting to construct this so-called Triplex building. This block is terrible when it comes to zoning. Please I understand the county ONLY UNDERSTANDS ABOUT MAKING MONEY NOT ABOUT THE PEOPLE WHO ALREADY LIVE HERE.

Mr Preece and I have the same lot size. Back in 2017 I hired a Remax agent to check on this for me and paid him a fee of over \$200 hundreds dollars. I wanted to split my lot from an RU1 to an RU2 and you turned me down flat.

Why are you letting Mr Preece split his lot from an RU1 to an RU2.
Again the county is very inconsistent with their rulings.

On top of that he went to everyone on the south side of Franklyn Ave and was offering cash buyouts on other homes. He had completely harassed me several times about selling my home to him in which I would not do because I knew what his intentions were. He basically buy it and rent it out. At least that's what he told me verbally.

THIS WOULD AFFECT ME GREATLY!! I WOULD LOSE ALL OF MY PRIVACY IF THE COUNTY LETS SOMETHING LIKE THIS TO BE CONSTRUCTED.

He was also sending me multiple text messages with fake ID phone numbers constantly asking me to take a cash buyout of my residence.

If you allow this then the surrounding residents/homeowners especially like myself would not only lose their privacy but it would create nothing but negative effects on this block. We have enough rentals on this block and let me tell you it's a constant nightmare as to who moves in the neighborhood. Before you know it they are kicked out because they cant pay the rent then you have the county sheriff on the block submitting eviction notices. Not a pleasant thing to see to say the least.

I also want to inform the County commissioners that I am going to file a complaint to BCSO as to what I told you about being harassed with multiple text messages from fake phone numbers. Suspect Eric James Preece and if it is discovered that it was him I guarantee you I will file charges for harassment against him.

I am saying **NO** to multiple family zoning we got enough to deal with on this block. Mr Preece is nothing but trouble. I knew him from back in high school and he was nothing but trouble in the neighborhood. And after all these years history repeats itself.

BTW: When they were clearing out the lot they did it in such a sloppy job that part of my asphalt extended drive was damaged from his tree roots and also the demo crew hit the power pole and it is not leaning about 10 degrees to the right. It doesn't look safe at all;.
I informed MR Preece about this and all he did was laugh at me about the situation.
A hurricane could possibly take it down from high winds and it would fall directly onto my driveway and possibly cause death.

Please Please do not let this type of construction/zoning take place.

Sincerely
Joseph Russo

Objection
21Z00033
Preece

From: [Mascellino, Carol](#)
To: [Jones, Jennifer](#)
Cc: [Pritchett, Rita](#); [Mascellino, Carol](#); [Smith, Nathan](#); [Price, Jessica](#)
Subject: FW: 117 franklyn ave
Date: Thursday, December 2, 2021 8:21:10 AM
Attachments: [image001.png](#)
[image002.png](#)

Good Morning,

On behalf of Commissioner Pritchett, please see the below public comment regarding zoning item #21Z00033.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



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7101 S. Highway 1
Titusville, FL 32780
Telephone: 321-607-6901

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From: Commissioner, D1
Sent: Thursday, December 2, 2021 8:16 AM
To: Noelle Cohen <noellecohen22@gmail.com>
Cc: Pritchett, Rita <Rita.Pritchett@brevardfl.gov>; Mascellino, Carol <Carol.Mascellino@brevardfl.gov>; Smith, Nathan <Nathan.Smith@brevardfl.gov>; Price, Jessica <Jessica.Price@brevardfl.gov>
Subject: RE: 117 franklyn ave

Good Morning Ms. Cohen,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office
7101 S. Highway 1
Titusville, FL 32780
Telephone: 321-607-6901

Please note:

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From: Noelle Cohen <noellecohen22@gmail.com>
Sent: Wednesday, December 1, 2021 7:03 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: 117 franklyn ave

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

Good evening,

I live on franklyn Avenue. The street is too busy already. My son is 10 and walks to and from school. No sidewalks and it's congested. This small street from a1a to Indialantic elementary wasn't designed for all the traffic. That is a single family dwelling not a lot for 3 townhouses. Please vote no.

Sincerely,

Noelle Cohen

108 franklyn ave

Objection
21Z00033
Preece

From: [Mascellino, Carol](#)
To: [Jones, Jennifer](#)
Cc: [Pritchett, Rita](#); [Mascellino, Carol](#); [Smith, Nathan](#); [Price, Jessica](#)
Subject: FW: 117 Franklyn Zoning Change
Date: Thursday, December 2, 2021 8:21:36 AM
Attachments: [image001.png](#)
[image002.png](#)

Good Morning,

On behalf of Commissioner Pritchett, please see the below public comment regarding zoning item #21Z00033.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office
7101 S. Highway 1
Titusville, FL 32780
Telephone: 321-607-6901

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From: Commissioner, D1
Sent: Thursday, December 2, 2021 8:17 AM
To: Craig Kelly <craigk319@gmail.com>
Cc: Pritchett, Rita <Rita.Pritchett@brevardfl.gov>; Mascellino, Carol <Carol.Mascellino@brevardfl.gov>; Smith, Nathan <Nathan.Smith@brevardfl.gov>; Price, Jessica <Jessica.Price@brevardfl.gov>
Subject: RE: 117 Franklyn Zoning Change

Good Morning Mr. Kelly,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

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Legislative Aide to Commissioner Rita Pritchett



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From: Craig Kelly <craigk319@gmail.com>
Sent: Thursday, December 2, 2021 8:07 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: 117 Franklyn Zoning Change

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

I would urge you to turn down the requested zoning change @ 117 Franklyn to allow a multifamily duplex/triplex. As I understand it this will be a rental property. I live at 230 Grosse Pointe Ave for the last 7-8 years and have experienced massive growth, both on Franklyn and Grosse Pointe. Please consider:

Increased Traffic Flow that effects local residents. (Cars are backed up on Grosse Pointe, Franklyn, and Palm during school dropoff and residence can't back out of their driveway)

Many children walk to school and more traffic will provide a danger to these kids.

There is a Daycare located on Franklyn the houses a number of young children, do we really want a non-resident living on the same street?

Do we know the vetting process of prospective renters? Do we risk getting the drug dealers that

were on my block previously on Grosse Pointe. (Check police records)

Did you consider privacy issues if a triplex for the neighbors?

DO YOU REALLY WANT TO TAKE THE RISK OF HURTING SCHOOLKIDS AND HAVING NEFARIOUS CHARACTERS IN OUR BEAUTIFUL AND SAFE NEIGHBORHOOD. DON'T LET THAT HAPPEN.

Craig Kelly
230 Grosse Pointe Ave
407-927-2248

Objection
21Z00033
Preece

116 Franklyn Avenue
Indialantic, FL 32903
30 November 2021

Ms. Kristine Zonka
Brevard Commissioner District 5
Re: Rezoning of 117 Franklyn Avenue, Indialantic, FL 32903

Commissioner Zonka:

As a resident of the easternmost segment of Franklyn Avenue since 2005, I must object to the Commission's plans to approve rezoning to multifamily use of the 117 property which lies in the middle of this very short, one-block, already overly congested street.

My objections are due primarily to the **Safety** issues that such a drastic rezoning will affect, especially if multiple duplex or triplex units are built by the requesting owner on this .25-acre residential lot.

In short, this street cannot handle the ensuing additional traffic without serious repercussions to residents. Please consider the conditions this street supports under its present density:

The following use factors occur daily on our street:

1. **School Traffic** — Between 7:00 am and 8:30 am on school days, in addition to those drivers headed to their jobs, there are school buses picking up and delivering children to Indialantic Elementary, Hoover Junior High, and high schools, along with parents taking children to Busy Bears daycare. This is repeated between 1:00 pm and 6:00 pm, with parents returning from work to collect their children. Local children walk to these schools on the street, since there are no sidewalks or curbs. On garbage pickup days, they dart between the refuse cans. Many drivers park temporarily in residents' yards to avoid the traffic circles at the schools.
2. **Commercial Traffic** — Moo's Ice Cream shop at the corner of Franklyn and A1A is tremendously popular and enjoys constant auto and foot traffic from A1A, Franklyn, and Gross Pointe from 7:00 am to 10:00 pm. Often, the traffic is so backed up around the

restaurant that residents must drive through Petrillo's across the street just to get to the schools or their homes. Many local residents arrive in golf carts loaded with children, which may be fun, but is very dangerous. Delivery trucks to both restaurants pose even further congestion, as do the traffic and delivery trucks that use Gross Pointe to access the shopping center and Longdogger's Restaurant on A1A.

3. **Beach Traffic**—Franklyn provides almost direct beach access to fishermen, surfers, and sunbathers, who, with their “gear” on bicycles, scooters, and even skateboards, also prove to be targets to motor vehicles. have several residents in their 80's and 90s who at great peril, walk to the Baptist Church at the west end of the street, since they no longer drive.
4. **By-Pass and Shortcut Traffic** — To avoid the traffic lights and congestion at Gross Pointe and 5th Avenue intersections, commercial, police, and emergency vehicles often use Franklyn as a shortcut to Riverside, or other locations west of A1A. I personally, have been forced to jump aside while collecting my mail at streetside to avoid a patrol car in “hot pursuit.” Speeding is not unusual on Franklyn, especially for FedEx or other parcel services.

Franklyn Avenue is a small, residential street in a residential and school neighborhood. We are not against progress, or even a developer's profit, but not at the expense of endangering the citizens who live here. The thought of from nine to twenty-seven additional vehicles routinely using Franklyn Avenue is simply terrifying.

Please consider this request to vote **NO** to multi-family zoning for 117 Franklyn Avenue, Indialantic, FL.

Yours sincerely,

Jan H. Herndon

cc:

Dave Berkman

Rita Pritchett

Bryan Lober

John Tobia

Curt Smith

November 30, 2021

Rita Pritchett
Bryan Lober
John Tobia
Curt Smith
Kristine Zonka

RE: 117 Franklyn Avenue – Rezoning

This is a request for you to please vote “NO” on December 2nd, for rezoning 117 Franklyn Avenue to Multiple Family Dwellings.

It has always been Single Family. It is a very congested area with two schools, Hoover Middle School and Indialantic Elementary as well as a day care center. Parents pack the streets to drop off and pick up their children at school and the day care center!

There are children walking to and from school as well as a school bus stop at the corner of Shannon Avenue and Gross Pointe for high school students. There are so many kids and adults on bikes.

There is also an over 55 community right across from this site on Grosse Pointe.

A 3 story multi-family dwelling added to this already congested area seems absolutely outrageous.

Please consider a “NO” vote for the community.

Gladie Eliassen
1130 N Shannon Avenue
Indialantic FL 32903

Roig, Janette

From: Joe R <joer948@gmail.com>
Sent: Wednesday, December 1, 2021 6:12 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4;
Commissioner, D5
Subject: 117 Franklyn Ave Indialantic 32903

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

December 1st, 2021

Good Afternoon:

My name is Joseph Russo and:

I currently reside at 115 FRANKLYN AVE INDIALANTIC
NORTH INDIALANTIC BY THE SEA
REPLAT OF E 25ft OF LOT 6 & W 50 FT of LOT 5 BLK F.

I am writing to you in order to inform you that Mr Eric James Preece wants to build a 2/4 story Triplex @ 117 Franklyn Ave Indialantic Fl. This would be located right next to my residence 115 Franklyn Ave Indialantic Fl. This not only would cause more chaos on the block, and it would add more traffic congestion then we already have. This definitely would become a very unsafe area not only for the pedestrians on the block especially when both schools Indialantic Elementary and Hert Hoover Jr High School dismissed the students. I can't tell you how many near misses I have seen with my own two eyes of a child or an adult getting hit by a vehicle on my block. They park everywhere.

From what I understand he wants to have access from Franklyn Ave and Grosse Pointe that would also add to the confusion and that would be a BIG mistake.

If the county approves this and from what I understand, he wants to build a 2/3 story Triplex?

Outrages for the block and the neighborhood. You don't see any of that down the other parts of Franklyn Ave only on the 100 block of Franklyn Ave, Wake up people we are sick of it

When I personally spoke to Mr Preece he told most everyone on the block that he was going to construct a one story 3bed 2 bath home for his daughter. Of course that was a total lie he already had hidden agendas of wanting to construct this so-called Triplex building.

This block is terrible when it comes to zoning. Please I understand the county ONLY UNDERSTANDS ABOUT MAKING MONEY NOT ABOUT THE PEOPLE WHO ALREADY LIVE HERE.

Mr Preece and I have the same lot size. Back in 2017 I hired a Remax agent to check on this for me and paid him a fee of over \$200 hundreds dollars. I wanted to split my lot from an RU1 to an RU2 and you turned me down flat.

Why are you letting Mr Preece split his lot from an RU1 to an RU2.

Again the county is very inconsistent with their rulings.

On top of that he went to everyone on the south side of Franklyn Ave and was offering cash buyouts on other homes. He had completely harassed me several times about selling my home to him in which I would not do because I knew what his intentions were. He basically buy it and rent it out. At least that's what he told me verbally.

THIS WOULD AFFECT ME GREATLY!! I WOULD LOSE ALL OF MY PRIVACY IF THE COUNTY LETS SOMETHING LIKE THIS TO BE CONSTRUCTED.

He was also sending me multiple text messages with fake ID phone numbers constantly asking me to take a cash buyout of my residence.

If you allow this then the surrounding residents/homeowners especially like myself would not only lose their privacy but it would create nothing but negative effects on this block. We have enough rentals on this block and let me tell you it's a constant nightmare as to who moves in the neighborhood. Before you know it they are kicked out because they cant pay the rent then you have the county sheriff on the block submitting eviction notices. Not a pleasant thing to see to say the least.

I also want to inform the County commissioners that I am going to file a complaint to BCSO as to what I told you about being harassed with multiple text messages from fake phone numbers. Suspect Eric James Preece and if it is discovered that it was him I guarantee you I will file charges for harassment against him.

I am saying **NO** to multiple family zoning we got enough to deal with on this block.

Mr Preece is nothing but trouble. I knew him from back in high school and he was nothing but trouble in the neighborhood. And after all these years history repeats itself.

BTW: When they were clearing out the lot they did it in such a sloppy job that part of my asphalt extended drive was damaged from his tree roots and also the demo crew hit the power pole and it is not leaning about 10 degrees to the right. It doesn't look safe at all;

I informed MR Preece about this and all he did was laugh at me about the situation.

A hurricane could possibly take it down from high winds and it would fall directly onto my driveway and possibly cause death.

Please Please do not let this type of construction/zoning take place.

Sincerely

Joseph Russo

Roig, Janette

From: Noelle Cohen <noellecohen22@gmail.com>
Sent: Wednesday, December 1, 2021 7:03 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4;
Commissioner, D5
Subject: 117 franklyn ave

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Good evening,

I live on franklyn Avenue. The street is too busy already. My son is 10 and walks to and from school.

No sidewalks and it's congested. This small street from a1a to Indialantic elementary wasn't designed for all the traffic. That is a single family dwelling not a lot for 3 townhouses. Please vote no.

Sincerely,

Noelle Cohen

108 franklyn ave

Roig, Janette

From: Craig Kelly <craigk319@gmail.com>
Sent: Thursday, December 2, 2021 8:11 AM
To: Commissioner, D5
Subject: 117 Franklyn Zoning Change

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There is a Daycare located on Franklyn the houses a number of young children, do we really want a non-resident living on the same street?

Do we know the vetting process of prospective renters? Do we risk getting the drug dealers that were on my block previously on Grosse Pointe. (Check police records)

Did you consider privacy issues if a triplex for the neighbors?

DO YOU REALLY WANT TO TAKE THE RISK OF HURTING SCHOOLKIDS AND HAVING NEFARIOUS CHARACTERS IN OUR BEAUTIFUL AND SAFE NEIGHBORHOOD. DON'T LET THAT HAPPEN.

Craig Kelly
230 Grosse Pointe Ave
407-927-2248

In Favor
21Z00033
Preece

Roig, Janette

From: Beth Carver <bethcarverart@gmail.com>
Sent: Wednesday, December 1, 2021 10:33 AM
To: Commissioner, D5
Subject: 117 franklyn ave indalantic

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

Since 1985 I live across from this property. Never maintained .Australian pines with homeless . Snakes ,rats , garbage , House falling down full of junk. New owner cleaned up mess. Now will make it an asset . Yes let him design , build 2 story .

--
Beth Carver
321-591-3161
122 Frankly Avenue
Indialantic Florida, 32903
bethcarverart@gmail.com



Virus-free. www.avast.com

Roig, Janette

From: Joe R <joer948@gmail.com>
Sent: Wednesday, December 1, 2021 6:12 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: 117 Franklyn Ave Indialantic 32903

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December 1st, 2021

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REPLAT OF E 25ft OF LOT 6 & W 50 FT of LOT 5 BLK F.

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From what I understand he wants to have access from Franklyn Ave and Grosse Pointe that would also add to the confusion and that would be a BIG mistake.

If the county approves this and from what I understand, he wants to build a 2/3 story Triplex?
Outrages for the block and the neighborhood. You don't see any of that down the other parts of Franklyn Ave only on the 100 block of Franklyn Ave, Wake up people we are sick of it

When I personally spoke to Mr Preece he told most everyone on the block that he was going to construct a one story 3bed 2 bath home for his daughter. Of course that was a total lie he already had hidden agendas of wanting to construct this so-called Triplex building.
This block is terrible when it comes to zoning. Please I understand the county ONLY UNDERSTANDS ABOUT MAKING MONEY NOT ABOUT THE PEOPLE WHO ALREADY LIVE HERE.

Mr Preece and I have the same lot size. Back in 2017 I hired a Remax agent to check on this for me and paid him a fee of over \$200 hundreds dollars. I wanted to split my lot from an RU1 to an RU2 and you turned me down flat.
Why are you letting Mr Preece split his lot from an RU1 to an RU2.
Again the county is very inconsistent with their rulings.

On top of that he went to everyone on the south side of Franklyn Ave and was offering cash buyouts on other homes. He had completely harassed me several times about selling my home to him in which I would not do because I knew what his intentions were. He basically buy it and rent it out. At least that's what he told me verbally.

THIS WOULD AFFECT ME GREATLY!! I WOULD LOSE ALL OF MY PRIVACY IF THE COUNTY LETS SOMETHING LIKE THIS TO BE CONSTRUCTED.

He was also sending me multiple text messages with fake ID phone numbers constantly asking me to take a cash buyout of my residence.

If you allow this then the surrounding residents/homeowners especially like myself would not only lose their privacy but it would create nothing but negative effects on this block. We have enough rentals on this block and let me tell you it's a constant nightmare as to who moves in the neighborhood. Before you know it they are kicked out because they cant pay the rent then you have the county sheriff on the block submitting eviction notices. Not a pleasant thing to see to say the least.

I also want to inform the County commissioners that I am going to file a complaint to BCSO as to what I told you about being harassed with multiple text messages from fake phone numbers. Suspect Eric James Preece and if it is discovered that it was him I guarantee you I will file charges for harassment against him.

I am saying **NO** to multiple family zoning we got enough to deal with on this block. Mr Preece is nothing but trouble. I knew him from back in high school and he was nothing but trouble in the neighborhood. And after all these years history repeats itself.

BTW: When they were clearing out the lot they did it in such a sloppy job that part of my asphalt extended drive was damaged from his tree roots and also the demo crew hit the power pole and it is not leaning about 10 degrees to the right. It doesn't look safe at all;

I informed MR Preece about this and all he did was laugh at me about the situation.

A hurricane could possibly take it down from high winds and it would fall directly onto my driveway and possibly cause death.

Please Please do not let this type of construction/zoning take place.

Sincerely
Joseph Russo

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To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4;
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Subject: 117 franklyn ave

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Sincerely,
Noelle Cohen
108 franklyn ave

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Sent: Thursday, December 2, 2021 8:11 AM
To: Commissioner, D5
Subject: 117 Franklyn Zoning Change

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Craig Kelly
230 Grosse Pointe Ave
407-927-2248

In Favor
21Z00033
Preece

Roig, Janette

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122 Frankly Avenue
Indialantic Florida, 32903
bethcarverart@gmail.com



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From: [Commissioner, D1](#)
To: [Jones, Jennifer](#)
Cc: [Pritchett, Rita](#); [Mascellino, Carol](#); [Smith, Nathan](#); [Price, Jessica](#)
Subject: FW: 117 Franklyn Ave Indialantic 32903
Date: Thursday, December 2, 2021 10:34:53 AM
Attachments: [image001.png](#)
[image001.png](#)
[image001.png](#)

Good Morning,

On behalf of Commissioner Pritchett, please see the below public comment regarding zoning item #21Z00033.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office
7101 S. Highway 1
Titusville, FL 32780
Telephone: 321-607-6901

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From: Joe R <joer948@gmail.com>
Sent: Thursday, December 2, 2021 10:10 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Re: 117 Franklyn Ave Indialantic 32903

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

Good morning

If the county approved this situation I am going to hire a civil attorney and try to have this stopped so I suggest you guys take this seriously because not only myself but many other residences are up in

arms with what mr. Preece wants to do.

Sincerely
Joseph Russo

On Thu, Dec 2, 2021, 8:14 AM Commissioner, D1 <D1.Commissioner@brevardfl.gov> wrote:

Good Morning Mr. Russo,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



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Subject: 117 Franklyn Ave Indialantic 32903

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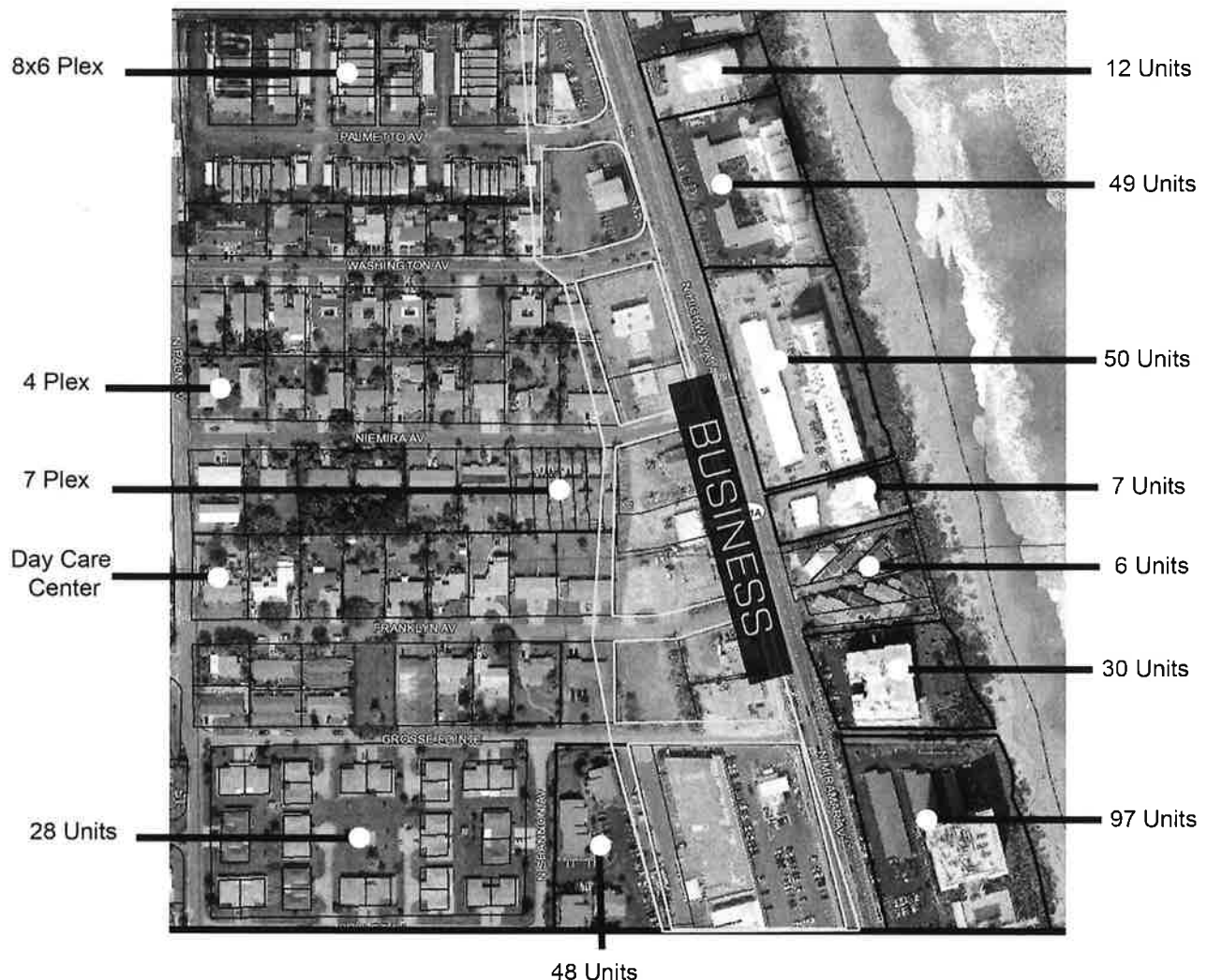
Please Please do not let this type of construction/zoning take place.

Sincerely
Joseph Russo

Multi-Family Comparison - 21Z00033

Map view below shows all parcels are multi-family or BU-1 except five parcels zoned RU-1-11:

- 117 Franklyn Ave. is adjacent to multi-family including RU-2-12 & a 28 unit complex on three sides.
- 107 Franklyn Ave. is adjacent to multi-family on three sides including a 48 unit complex and BU-1 on the fourth side.
- 111 Franklyn Ave. is adjacent to multi-family including a 28 unit complex on three sides.
- 113 Franklyn Ave. is adjacent to multi-family including a 28 unit complex on two sides.
- 115 Franklyn Ave. is adjacent to multi-family including a 28 unit complex on two sides.



From: [Schmadeke, Adrienne](#)
To: [Jones, Jennifer](#)
Subject: Dec 2 Zoning Disclosures
Date: Wednesday, December 1, 2021 4:15:39 PM
Attachments: [117 Franklyn Ave Multi-Family Rezoning 21Z00033 - Comparison.msg](#)
[117 franklyn ave.msg](#)
[Rezoning 117 Franklyn Ave. Indialantic Fl 32903.msg](#)
[Rezoning 117 Franklyn Avenue.msg](#)
[Rezoning of 117 Franklyn Ave Indialantic FL ID# 21Z00033.msg](#)
[Rezoning 117 Franklyn Ave..msg](#)
[Say NO to 117 Franklyn Ave. rezoning.msg](#)
[Vote NO to Rezoning of 117 Franklyn Ave. Indialantic FL 32903.msg](#)
[Zoning Variance on Frankly Ave.msg](#)

Good afternoon Jennifer,

Commissioner Smith has additional disclosures. The emails are attached.
Additionally, he spoke with Kim Rezanka via phone regarding Agenda items H.5. and H.9.

Regards,

Adrienne Schmadeke



Adrienne Schmadeke
Chief of Staff
Brevard County Commission, District 4
Commissioner Curt Smith
[321.633.2044](tel:321.633.2044) | Adrienne.Schmadeke@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: [Commissioner, D1](#)
To: [Jones, Jennifer](#)
Cc: [Pritchett, Rita](#); [Mascellino, Carol](#); [Smith, Nathan](#); [Price, Jessica](#)
Subject: FW: 117 Franklyn Ave Indialantic zoning
Date: Thursday, December 2, 2021 1:06:04 PM
Attachments: [image001.png](#)
[image002.png](#)

Good Afternoon,

On behalf of Commissioner Pritchett, please see the below public comment regarding zoning item #21Z00033.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office
7101 S. Highway 1
Titusville, FL 32780
Telephone: 321-607-6901

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: Commissioner, D1
Sent: Thursday, December 2, 2021 1:01 PM
To: jan darling <janrdarling@gmail.com>
Cc: 'Pritchett, Rita' <Rita.Pritchett@brevardfl.gov>; 'Mascellino, Carol' <Carol.Mascellino@brevardfl.gov>; Smith, Nathan <Nathan.Smith@brevardfl.gov>; Price, Jessica <Jessica.Price@brevardfl.gov>
Subject: RE: 117 Franklyn Ave Indialantic zoning

Good Afternoon Ms. Darling,

On behalf of Commissioner Pritchett, thank you for your email. The Commissioner has reviewed your email and wants you to know that she will take your comments into consideration.

Thank you for contacting our office and sharing your concerns.

Best regards,

Carol Mascellino
Legislative Aide to Commissioner Rita Pritchett



District 1 Commission Office

7101 S. Highway 1

Titusville, FL 32780

Telephone: 321-607-6901

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: jan darling <janrdarling@gmail.com>

Sent: Thursday, December 2, 2021 11:59 AM

To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>

Subject: 117 Franklyn Ave Indialantic zoning

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

Dear Commissioner,

Please VOTE NO to multi-family zoning request for 117 Franklin Ave Indialantic, FL 32903.

- DANGER TO OUR HIGH VOLUME OF PEDESTRIAN TRAFFIC DUE TO ADDITIONAL CAR/DRIVEWAY TRAFFIC
 - Grosse Pointe Ave is neighborhood's main thoroughfare to the beach (crosswalk to beach access at Grosse Pointe & Hwy A1A), strip mall, beach side restaurants, Publix.
 - Residents walk, run, ride bikes/skateboards, on Grosse Pointe Ave throughout the day – frequently with pets/strollers/surfboards/fishing gear/groceries
 - Residents in the Chalet Atlantique senior housing (South side Grosse Pointe) walk this street for exercise and above amenities. Many are hard of hearing, have medical conditions, move slowly.
 - Grosse Pointe Ave is a very narrow street, no divided lanes, no sidewalks, and

above pedestrian traffic is in the actual street.

- Parents park along the North side of Grosses Point Ave and walk their kids to/from the elementary middle schools on West perpendicular street.
 - Grosse Pointe Ave is a neighborhood bus stop for the high school students. They walk from one cross street down Grosse Point to the next cross street for the bus.
 - Multi-family means multiple additional vehicles on driving on the street, pulling in/out of driveway, and most likely parking on the street.
-
- ALL CURRENT HOMES ON GROSSE POINTE AVE ARE SINGLE LEVEL WITH GENEROUS LOTS.
 - A multilevel home will ruin the flow and aesthetic of the street and look out of place.
 - The lot at 117 Franklyn is very narrow, and any structure beyond single-family or duplex will have to be crowded into the space to also accommodate parking.

Thank you so very much for your consideration in this matter.

Sincerely,

Janice Raspberry Darling

Owner/resident of 203 Grosse Point Ave Indialantic
(purchased by my parents in 1989)

This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. This email may contain confidential and privileged material for the sole use of the intended recipient. Any unauthorized review, use, or distribution by others is strictly prohibited. If you are not the intended recipient please contact the sender and delete all copies.

#. 9

Brevard County Board of County Commissioners

December 2, 2021

- PRESENTED ON BEHALF OF -

PROPERTY OWNER

**Item # H.9. Requests a change of classification from RU-1-11
BDP, to RU-2-12.
(21Z00033) (Tax Account 2731687) (District 5)**

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



Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2731687
 Owners JAMES ERIC PREECE REVOCABLE LIVING TRUST
 Mailing Address 615 N RIVERSIDE DR INDIALANTIC FL 32903
 Site Address 117 FRANKLYN AVE INDIALANTIC FL 32903
 Parcel ID 27-38-31-EW-F-6.02
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions NONE
 Taxing District 5300 - UNINCORP DISTRICT 5
 Total Acres 0.26
 Subdivision NORTH INDIALANTIC BY THE SEA, REPLAT OF
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0009/0070
 Land Description NORTH INDIALANTIC BY THE SEA, REPLAT OF W 75
 FT OF E 1/2 OF LOT 6 BLK F

VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$192,860	\$169,130	\$167,510
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$192,860	\$114,890	\$112,310
Assessed Value School	\$192,860	\$114,890	\$112,310
Homestead Exemption	\$0	\$25,000	\$25,000
Additional Homestead	\$0	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$192,860	\$64,890	\$62,310
Taxable Value School	\$192,860	\$89,890	\$87,310

SALES/TRANSFERS

Date	Price	Type	Instrument
03/08/2021	\$285,000	WD	9043/1326
12/29/2020	\$189,000	WD	8969/2650
12/20/2006	---	WD	5731/7070
09/01/1974	\$15,500	---	1480/0471

BUILDINGS

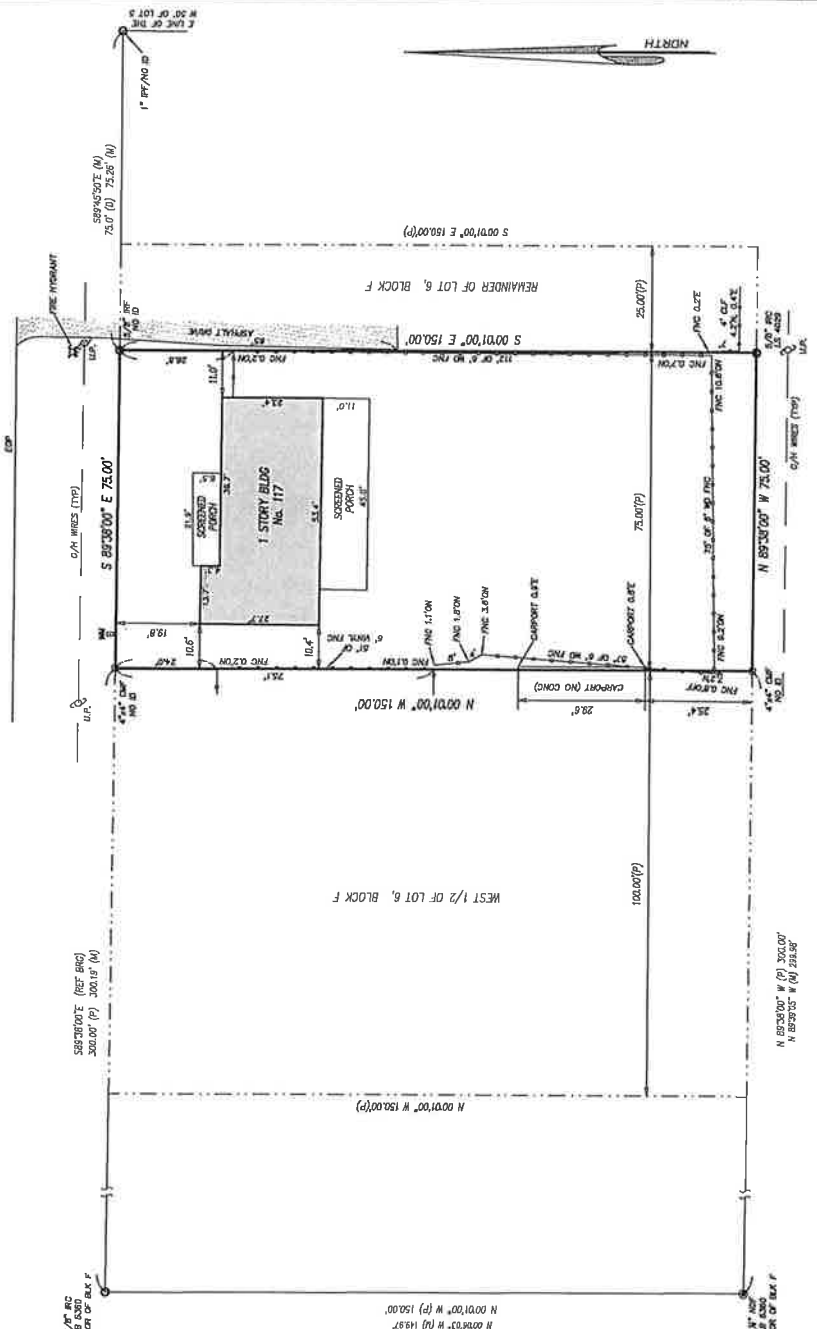
PROPERTY DATA CARD #1

Building Use: 0110 - SINGLE FAMILY RESIDENCE

Materials	Details	
Exterior Wall:	STUCCO	Year Built 1957
Frame:	MASNRYCONC	Story Height 8
Roof:	BU-TG/MMBRN	Floors 1
Roof Structure:	FLAT/SHED	Residential Units 1
		Commercial Units 0
Sub-Areas	Extra Features	
Base Area (1st)	Covered Patio	400
Enclosed Por		392
Total Base Area		936
Total Sub Area		1,328

MAP OF BOUNDARY SURVEY

FRANKLYN AVENUE
60' PUBLIC R/W



GROSSE POINTE
50' PUBLIC R/W

GRAPHIC SCALE



(IN FEET)

LEGAL DESCRIPTION:

THE WEST 75 FEET OF THE EAST ONE-HALF OF LOT 6, BLOCK F, REPLAT OF NORTH INDIAN LANTIC BY THE
 SEEA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 70, OF THE PUBLIC RECORDS
 OF BREVARD COUNTY, FLORIDA.

NOTE: CLIENT IS ADVISED THAT MORE THAN ONE SOLUTION MAY BE POSSIBLE IN DETERMINING THE EAST AND WEST BOUNDARY LINES OF THE SUBJECT PARCEL. THE SURVEYOR HELD THE FOUND OCCUPATION, HOWEVER A 2' TO 3' VARIANCE FROM PLAT IN THE OVERALL BLOCK DISTANCES WAS FOUND IN THE FIELD.

CERTIFICATION: THAT THE ATTACHED SURVEY WAS DONE UNDER MY PERSONAL SUPERVISION AND MEETS THE STANDARDS AND PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 17, FLORIDA ADMINISTRATIVE CODE, PARAGRAPH 17-10, SECTION 472.007

JOEL A. SEMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA No. 26133
DATE 3/11/21

DRAWN BY: JIL

BOUNDARY	DATE: 11/24/2020	JOB No. 40905
REVISED CERTIFICATIONS	DATE: 3/11/21	NIGHTS/LEBB

Kane Surveying, Inc.
FLORIDA LICENSED BUSINESS NO. LB 7838
503 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 978-0427 FAX (321) 994-1448

NOTES:
BEARINGS BASED ON THE S. R/W LINE BEING S89°38'00"E AS PER PLAT (SEE SKETCH)

[illegible]

CERTIFIED TO: JAMES ERIC PREECE

FRANKLYN AV

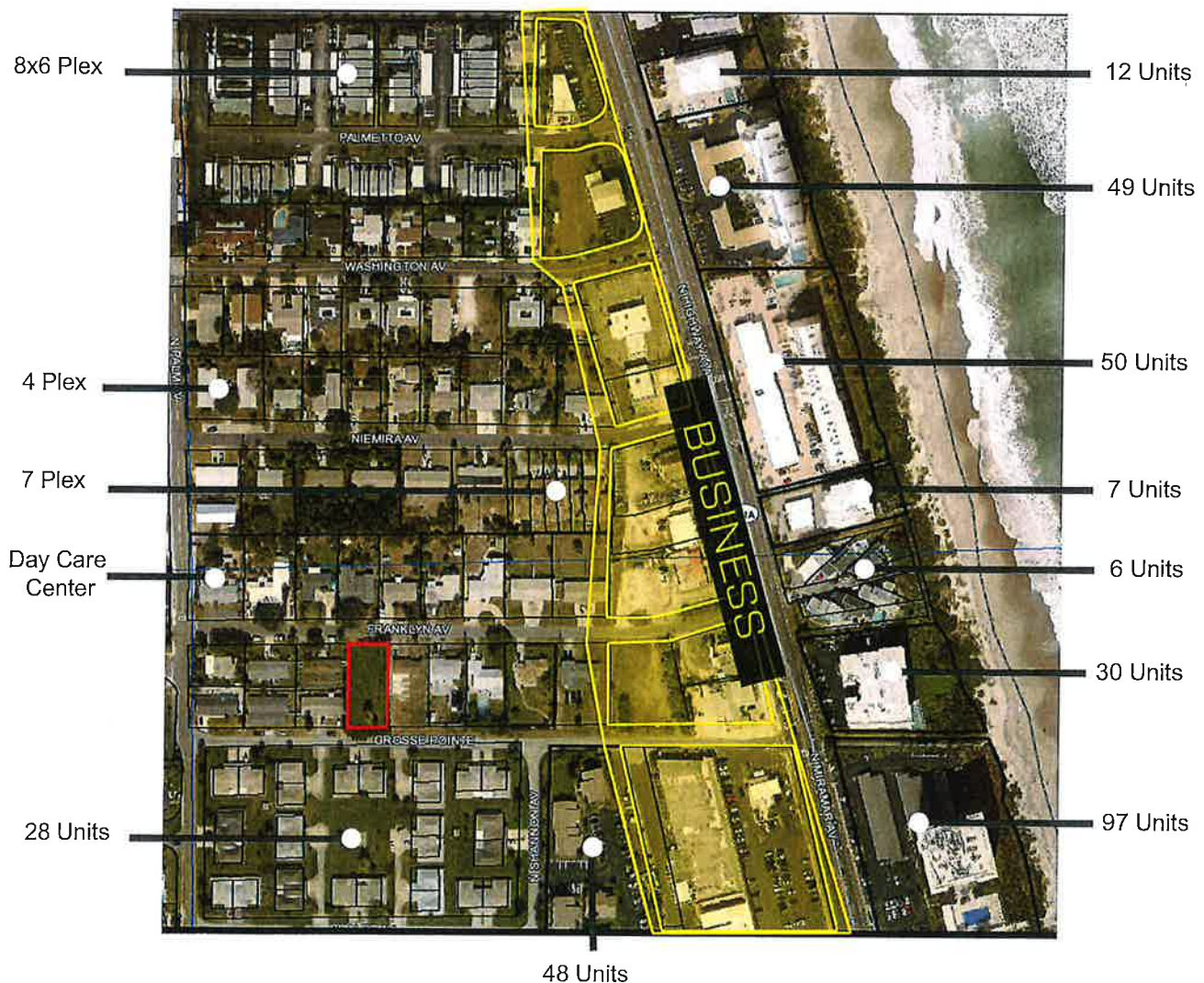
2.04
2.02
2.03

GROSSE POINTE

Multi-Family Comparison - 21Z00033

Map view below shows all parcels are multi-family or BU-1 except five parcels zoned RU-1-11:

- 117 Franklyn Ave. is adjacent to multi-family including RU-2-12 & a 28 unit complex on three sides.
- 107 Franklyn Ave. is adjacent to multi-family on three sides including a 48 unit complex and BU-1 on the fourth side.
- 111 Franklyn Ave. is adjacent to multi-family including a 28 unit complex on three sides.
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- 115 Franklyn Ave. is adjacent to multi-family including a 28 unit complex on two sides.



Opposition:

125 Grosse Point Ave Zoned Multi Family Renter Jen Gordon
123 Grosse Point Ave Zoned Multi Family Renter Rich Egan
208 Chalet Ave Zoned Multi Family Heckman
202 Chalet Ave Zoned Multi Family Bemis
216 Chalet Ave Zoned Multi Family Weeks
209 Chalet Ave Zoned Multi Family Everett
210 Chalet Ave Zoned Multi Family Rotondo
214 Chalet Ave Zoned Multi Family Linick
203 Grosse Point Ave Zoned Multi Family Darling
207 Grosse Point Ave Zoned Multi Family Burnette
217 Grosse Point Ave Zoned Multi Family Brown
211 Grosse Point Ave Zoned Multi Family Amos
200 Chalet Ave Zoned Multi Family Collins
1130 Shannon Ave Zoned Multi Family Elliassen
215 Grosse Point Ave Zoned Multi Family Wilson
225 Grosse Point Ave Zoned Multi Family Sigmund
223 Grosse Point Ave Zoned Multi Family Thacker
230 Grosse Point Ave Kelly 4.29.21 / rental property at 125 Franklyn Ave (due north)
109 Franklyn Ave Zoned Multi Family RA-2-6 Knoepfler
112 Franklyn Ave Zoned Multi Family Ann Ilgenfritz
109 Franklyn Ave - not on same block Kavi
132 Franklyn Ave - Daycare Center - Waldorf
107 Franklyn Ave - Told Preece "will rezone in future" Kleefisch
115 Franklyn Ave \$205,770 MV J. Russo not owner, sold to son, threatened to hire lawyer
114 Franklyn Ave \$246,960 MV Tishler
108 Franklyn Ave Zoned Multi Family Cohen renter
Franklyn Ave. Address Unknown Herndon
No address Cindy Earp & A. Simms

In Favor:

122 Franklyn Avenue (across street and west) CARVER
Shore View Drive THALWITZER
901 N. Riverside Drive GREEN



Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2731674
 Owners TISHLER, MICHELLE SAMPAIO
 Mailing Address 114 FRANKLYN AVENUE INDIALANTIC FL 32903
 Site Address 114 FRANKLYN AVE INDIALANTIC FL 32903
 Parcel ID 27-38-31-EW-E-8.01
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Taxing District 5300 - UNINCORP DISTRICT 5
 Total Acres 0.28
 Subdivision NORTH INDIALANTIC BY THE SEA, REPLAT OF
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0009/0070
 Land Description NORTH INDIALANTIC BY THE SEA, REPLAT OF E 80
 FT OF W 120 FT OF LOT 8 BLK E



VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$246,960	\$223,400	\$221,300
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$142,500	\$140,540	\$137,390
Assessed Value School	\$142,500	\$140,540	\$137,390
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$92,500	\$90,540	\$87,390
Taxable Value School	\$117,500	\$115,540	\$112,390

SALES/TRANSFERS

Date	Price	Type	Instrument
05/21/2009	\$182,500	WD	5959/2951
05/31/2001	\$85,000	WD	4354/1976
07/29/1999	--	PR	4082/2992
02/01/1984	--	QC	2486/1702

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - SINGLE FAMILY RESIDENCE

Materials	Details	
Exterior Wall:	STUCCO	Year Built 1960
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)	1,232	Covered Patio 120
Garage	320	
Open Porch	264	
Total Base Area	1,232	
Total Sub Area	2,016	



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Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2731686
 Owners RUSSO, TYLER J
 Mailing Address 115 FRANKLYN AVE INDIALANTIC FL 32903
 Site Address 115 FRANKLYN AVE INDIALANTIC FL 32903
 Parcel ID 27-38-31-EW-F-6.01
 Property Use 0110 - SINGLE FAMILY RESIDENCE
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 Taxing District 5300 - UNINCORP DISTRICT 5
 Total Acres 0.26
 Subdivision NORTH INDIALANTIC BY THE SEA, REPLAT OF
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0009/0070
 Land Description NORTH INDIALANTIC BY THE SEA, REPLAT OF E 25
 FT OF LOT 6 & W 50 FT OF LOT 5 BLK F



VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$205,770	\$182,520	\$181,780
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$123,420	\$121,720	\$118,990
Assessed Value School	\$123,420	\$121,720	\$118,990
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$73,420	\$71,720	\$68,990
Taxable Value School	\$98,420	\$96,720	\$93,990

SALES/TRANSFERS

Date	Price	Type	Instrument
07/02/2021	\$300,000	WD	9177/0944
03/14/2008	---	QC	5855/8530
12/14/2006	---	QC	5730/1741
07/30/1996	---	WD	3589/2362
07/01/1990	---	QC	3084/0912
01/01/1975	---	---	1502/0790

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0110 - SINGLE FAMILY RESIDENCE

Materials	Details	
Exterior Wall:	STUCCO	Year Built 1957
Frame:	MASNRYCONC	Story Height 1
Roof:	ASPH/ASB SHNGL	Floors 1
Roof Structure:	HIP/GABLE	Residential Units 1
		Commercial Units 0

Sub-Areas	Extra Features	
Base Area (1st)	1,176	Patio - Concrete 120
Garage	000	Screen Enclosure 144
Open Porch	60	



Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

Phone: (321) 264-6700

<https://www.bcpao.us>

PROPERTY DETAILS

Account 2731899
 Owners SIGMUND, CHARLES
 Mailing Address 225 GROSSE POINTE AVE INDIALANTIC FL 32903
 Site Address 225 GROSSE POINTE INDIALANTIC FL 32903
 Parcel ID 27-38-31-26-12-11 03
 Property Use 0121 - HALF-DUPLEX USED AS SFR
 Exemptions HEX1 - HOMESTEAD FIRST
 HEX2 - HOMESTEAD ADDITIONAL
 WDWL - WIDOWER'S EXEMPTION FOR HUSBAND
 Taxing District 5450 - INDIALANTIC
 Total Acres 0.06
 Subdivision MAGGIE JOHNSONS PLAT OF MELBOURNE BEACH,
 RESUBD OF PT OF
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0009/0010
 Land Description MAGGIE JOHNSONS PLAT OF MELBOURNE BEACH,
 RESUBD OF PT OF PART OF LOT 11 BLK 12 AS DES
 IN ORB 2073 PG 718 A/K/A UNIT 5 OF CHALETS
 ATLANTIQUE



VALUE SUMMARY

Category	2021	2020	2019
Market Value	\$211,830	\$203,230	\$188,600
Agricultural Land Value	\$0	\$0	\$0
Assessed Value Non-School	\$119,560	\$117,910	\$115,260
Assessed Value School	\$119,560	\$117,910	\$115,260
Homestead Exemption	\$25,000	\$25,000	\$25,000
Additional Homestead	\$25,000	\$25,000	\$25,000
Other Exemptions	\$500	\$500	\$500
Taxable Value Non-School	\$69,060	\$67,410	\$64,760
Taxable Value School	\$94,060	\$92,410	\$89,760

SALES/TRANSFERS

Date	Price	Type	Instrument
02/16/2001	\$92,000	WD	4292/2840
07/01/1991	--	QC	3139/2144
07/01/1979	\$62,500	--	2073/0718

BUILDINGS

PROPERTY DATA CARD #1

Building Use: 0121 - HALF-DUPLEX USED AS SFR

Materials	Details	
Exterior Wall:	BRICK	Year Built 1979
Frame:	WOOD FRAME	Story Height 1
Roof:	ASPH/ASB SHNGL	Floors 1
Roof Structure:	HIP/GABLE	Residential Units 1
		Commercial Units 0

Sub-Areas

Sub-Areas	Extra Features
Base Area (1st)	1,581 No Data Found
Garage	144
Screen Porch	300

Roig, Janette

From: Beth Carver <bethcarverart@gmail.com>
Sent: Wednesday, December 1, 2021 10:33 AM
To: Commissioner, D5
Subject: 117 franklyn ave indalantic

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

Since 1985 I live across from this property. Never maintained .Australian pines with homeless . Snakes ,rats , garbage , House falling down full of junk. New owner cleaned up mess. Now will make it an asset . Yes let him design , build 2 story .

Beth Carver
321-591-3161
122 Frankly Avenue
Indialantic Florida, 32903
bethcarverart@gmail.com



Virus-free. www.avast.com

In Favor
21Z00033
Preece

From: Beth Carver
To: Commissioner, D4
Subject: 117 franklyn ave
Date: Wednesday, December 1, 2021 10:36:19 AM

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

vote yes ,please

--
Beth Carver
321-591-3161
122 Frankly Avenue
Indialantic Florida, 32903
bethcarverart@gmail.com



Virus-free. www.avast.com

Roig, Janette

From: heatherthalwitzer@gmail.com
Sent: Thursday, November 18, 2021 11:28 AM
To: Commissioner, D5
Subject: Pro-rezoning 117 Franklyn

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

To whom it may concern,

I live near 117 Franklyn. I am very pleased to hear of the potential improvement for the area. There is a daycare on this block, along with other businesses. I don't see the harm in knocking down a run-down single family home that no longer suits the needs of modern families to build brand-new structures that will increase surrounding property values.

I see that Mayor Berkman has posted on Nextdoor offering your information to support or oppose "growth." Heads-up that you may have some opposition coming your way. The same folks nearly ran Starbucks out of town.

Thank you for your time and consideration for this property.

Heather Thalwitzer
Nearby neighbor (Shore View Dr.)

Sent from my iPhone

Roig, Janette

From: Ray Green <rayagreen@gmail.com>
Sent: Friday, November 19, 2021 4:22 PM
To: Commissioner, D5
Cc: Stern, Danielle
Subject: Regarding the approved zoning change request for 117 Franklyn Ave.

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

Hello Commissioner Zonka,

I am writing to you today as a 50+ year resident of Indialantic. There was a post on a neighborhood forum urging Indialantic residents to reach out and express concerns about the zoning change for 117 Franklyn Ave. I watched the commission meeting recording (2021-11-15 3:00 PM) where the zoning change was approved and concluded the applicant addressed all reasonable objections that were presented at that meeting.

The posted objections I read basically opposed any increase in population/traffic. As someone who remembers a much less populated neighborhood in my childhood, I understand the impulse to limit all new growth but do not agree with it.

The property in question is positioned in the middle of a mix of duplex and single family units (as shown in the attached map) and so the zoning change fits the neighborhood character. I think it's not unreasonable to allow the homeowner to develop their own property responsibly.

I agree with the zoning change decision and do not think it needs to be revisited or reversed.

Thank you for your time.

Raymond Green

901 N. Riverside Drive, Indialantic



Commissioner, D4

From: Noelle Cohen <noellecohen22@gmail.com>
Sent: Wednesday, December 1, 2021 7:03 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: 117 franklyn ave
Categories: EMAIL-ADRIENNE

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

Good evening,
I live on franklyn Avenue. The street is too busy already. My son is 10 and walks to and from school.
No sidewalks and it's congested. This small street from a1a to Indialantic elementary wasn't designed for all the traffic.
That is a single family dwelling not a lot for 3 townhouses. Please vote no.
Sincerely,
Noelle Cohen
108 franklyn ave

Commissioner, D4

From: A S <towergreencare@gmail.com>
Sent: Wednesday, December 1, 2021 4:44 PM
To: Jones, Jennifer; Stern, Danielle; Commissioner, D5; Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4
Subject: Re :12/2/2021 Planning and Zoning Meeting :Re-zoning of 117 Franklyn Avenue : Opposed because of these reasons
Categories: EMAIL-ADRIENNE

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

Dear Ms. Jones:

I am writing on behalf of my aunt who lives on Franklyn Avenue and has lived there for 40 years. I am also writing on behalf of my parents who live in the Chalets Atlantique 55+ senior living community which faces the south side of the 117 Franklyn Avenue property , and myself as a Brevard County resident. The 117 Franklyn Avenue property has now been clear cut by the new owner, and now spans from Franklyn Avenue on its north side to Grosse Pointe Avenue., on its south side. We are opposed to the rezoning request for many reasons including narrow lot size, aging infrastructure, no sidewalks, limited spaces to park with overcrowding of the streets, and already existing flooding with each rainstorm at the corner of Grosse Pointe and A1a.

This is a narrow lot. It is now common for multiple driver's- aged adults to live in multi family residential units , especially townhome style units that have more bedrooms than a basic single story home or duplex on a narrow lot. There would be very limited space for occupants of the new proposed construction to park if the current plan is allowed. There are no sidewalks, and there are many children, elderly residents, and families with strollers who walk daily to the elementary and middle schools which are one to two blocks to the right from the end of Franklyn Avenue. There is the wonderful Busy Bears Day Care at the corner of Franklyn as well. The residents have lived here because of the current zoning of Franklyn Avenue and Grosse Pointe, and adjacent neighborhoods. The Indian River Lagoon is impacted by all the construction that is occurring, and overbuilding on each lot restricts drainage of water, and flooding at the intersection which could become severe in event of a hurricane.

Please do not vote to approve this request to increase the number of units and the density on this lot. Your votes impact the quality of life of all our Brevard County families and friends in this neighborhood and of this narrow and for this beautiful barrier island community. Please vote No on the rezoning request. There are many other individuals who can and would purchase this lot with no zoning changes.

Sincerely yours.

A. Sims, M.D.

Commissioner, D4

From: Joe R <joer948@gmail.com>
Sent: Wednesday, December 1, 2021 6:12 PM
To: Commissioner, D1; Commissioner, D2; Commissioner, D3; Commissioner, D4; Commissioner, D5
Subject: 117 Franklyn Ave Indialantic 32903
Categories: EMAIL-ADRIENNE

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

December 1st, 2021

Good Afternoon:

My name is Joseph Russo and:

I currently reside at 115 FRANKLYN AVE INDIALANTIC
NORTH INDIALANTIC BY THE SEA
REPLAT OF E 25ft OF LOT 6 & W 50 FT of LOT 5 BLK F.

I am writing to you in order to inform you that Mr Eric James Preece wants to build a 2/4 story Triplex @ 117 Franklyn Ave Indialantic Fl. This would be located right next to my residence 115 Franklyn Ave Indialantic Fl. This not only would cause more chaos on the block, and it would add more traffic congestion then we already have. This definitely would become a very unsafe area not only for the pedestrians on the block especially when both schools Indialantic Elementary and Hert Hoover Jr High School dismissed the students. I can't tell you how many near misses I have seen with my own two eyes of a child or an adult getting hit by a vehicle on my block. They park everywhere.

From what I understand he wants to have access from Franklyn Ave and Grosse Pointe that would also add to the confusion and that would be a BIG mistake.

If the county approves this and from what I understand, he wants to build a 2/3 story Triplex?
Outrages for the block and the neighborhood. You don't see any of that down the other parts of Franklyn Ave only on the 100 block of Franklyn Ave, Wake up people we are sick of it

When I personally spoke to Mr Preece he told most everyone on the block that he was going to construct a one story 3bed 2 bath home for his daughter. Of course that was a total lie he already had hidden agendas of wanting to construct this so-called Triplex building.

This block is terrible when it comes to zoning. Please I understand the county ONLY UNDERSTANDS ABOUT MAKING MONEY NOT ABOUT THE PEOPLE WHO ALREADY LIVE HERE.

Mr Preece and I have the same lot size. Back in 2017 I hired a Remax agent to check on this for me and paid him a fee of over \$200 hundreds dollars. I wanted to split my lot from an RU1 to an RU2 and you turned me down flat.

Why are you letting Mr Preece split his lot from an RU1 to an RU2.

Again the county is very inconsistent with their rulings.

On top of that he went to everyone on the south side of Franklyn Ave and was offering cash buyouts on other homes. He had completely harassed me several times about selling my home to him in which I would not do because I knew what his intentions were. He basically buy it and rent it out. At least that's what he told me verbally.

THIS WOULD AFFECT ME GREATLY!! I WOULD LOSE ALL OF MY PRIVACY IF THE COUNTY LETS SOMETHING LIKE THIS TO BE CONSTRUCTED.

He was also sending me multiple text messages with fake ID phone numbers constantly asking me to take a cash buyout of my residence.

If you allow this then the surrounding residents/homeowners especially like myself would not only lose their privacy but it would create nothing but negative effects on this block. We have enough rentals on this block and let me tell you it's a constant nightmare as to who moves in the neighborhood. Before you know it they are kicked out because they cant pay the rent then you have the county sheriff on the block submitting eviction notices. Not a pleasant thing to see to say the least.

I also want to inform the County commissioners that I am going to file a complaint to BCSO as to what I told you about being harassed with multiple text messages from fake phone numbers. Suspect Eric James Preece and if it is discovered that it was him I guarantee you I will file charges for harassment against him.

I am saying **NO** to multiple family zoning we got enough to deal with on this block.

Mr Preece is nothing but trouble. I knew him from back in high school and he was nothing but trouble in the neighborhood. And after all these years history repeats itself.

BTW: When they were clearing out the lot they did it in such a sloppy job that part of my asphalt extended drive was damaged from his tree roots and also the demo crew hit the power pole and it is not leaning about 10 degrees to the right. It doesn't look safe at all;

I informed MR Preece about this and all he did was laugh at me about the situation.

A hurricane could possibly take it down from high winds and it would fall directly onto my driveway and possibly cause death.

Please Please do not let this type of construction/zoning take place.

Sincerely
Joseph Russo

Commissioner, D4

From: jan darling <janrdarling@gmail.com>
Sent: Thursday, December 2, 2021 12:03 PM
To: Commissioner, D4
Subject: 117 Franklyn Ave Indialantic zoning
Categories: EMAIL-ADRIENNE

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

Dear Commissioner,

Please VOTE NO to multi-family zoning request for 117 Franklin Ave Indialantic, FL 32903.

- DANGER TO OUR HIGH VOLUME OF PEDESTRIAN TRAFFIC DUE TO ADDITIONAL CAR/DRIVEWAY TRAFFIC
 - Grosse Pointe Ave is neighborhood's main thoroughfare to the beach (crosswalk to beach access at Grosse Pointe & Hwy A1A), strip mall, beach side restaurants, Publix.
 - Residents walk, run, ride bikes/skateboards, on Grosse Pointe Ave throughout the day – frequently with pets/strollers/surfboards/fishing gear/groceries
 - Residents in the Chalet Atlantique senior housing (South side Grosse Pointe) walk this street for exercise and above amenities. Many are hard of hearing, have medical conditions, move slowly.
 - Grosse Pointe Ave is a very narrow street, no divided lanes, no sidewalks, and above pedestrian traffic is in the actual street.
 - Parents park along the North side of Grosse Point Ave and walk their kids to/from the elementary middle schools on West perpendicular street.
 - Grosse Pointe Ave is a neighborhood bus stop for the high school students. They walk from one cross street down Grosse Point to the next cross street for the bus.
 - Multi-family means multiple additional vehicles on driving on the street, pulling in/out of driveway, and most likely parking on the street.
- ALL CURRENT HOMES ON GROSSE POINTE AVE ARE SINGLE LEVEL WITH GENEROUS LOTS.
 - A multilevel home will ruin the flow and aesthetic of the street and look out of place.
 - The lot at 117 Franklyn is very narrow, and any structure beyond single-family or duplex will have to be crowded into the space to also accommodate parking.

Thank you so very much for your consideration in this matter.

Sincerely,

Janice Raspberry Darling

Owner/resident of 203 Grosse Point Ave Indialantic

(purchased by my parents in 1989)

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Commissioner, D4

From: Craig Kelly <craigk319@gmail.com>
Sent: Thursday, December 2, 2021 8:10 AM
To: Commissioner, D4
Subject: 117 Franklyn Zoning Change

Categories: EMAIL-ADRIENNE

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

There is a Daycare located on Franklyn the houses a number of young children, do we really want a non-resident living on the same street?

Do we know the vetting process of prospective renters? Do we risk getting the drug dealers that were on my block previously on Grosse Pointe. (Check police records)

Did you consider privacy issues if a triplex for the neighbors?

DO YOU REALLY WANT TO TAKE THE RISK OF HURTING SCHOOLKIDS AND HAVING NEFARIOUS CHARACTERS IN OUR BEAUTIFUL AND SAFE NEIGHBORHOOD. DON'T LET THAT HAPPEN.

Craig Kelly
230 Grosse Pointe Ave
407-927-2248

Commissioner, D4

From: carly sinigoi <sinigoi@hotmail.com>
Sent: Thursday, December 2, 2021 1:56 PM
To: Commissioner, D4
Subject: Voting NO to rezoning 117 Franklyn Ave

Categories: EMAIL-ADRIENNE

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

Hello Curt,

My name is Roger Sinigoi and I am writing on behalf of me and my family that live at 113 Franklyn Ave (2 houses East of the empty lot) We are truly hoping you will not pass this Rezoning for 117 FRANKLYN AVE the following reasons.

1. The investor who bought the property wants to build a 3 story Tri-plex which will ruin the privacy of all surrounding neighbors - you will peer right into the yards. Not to mention it will be a complete eyesore.

2. All the homes on Franklyn are single story and there are many families on the street that would love to keep it this way. A 3 story complex does not belong in a neighborhood that already has high traffic from the schools.

3. The street there is very narrow and the traffic is already an issue, adding 9 more residence (2 cars each) will add 18 more cars to the street daily. This is where my grandchildren play.

Please consider these concerns and if you do choose to make it a multi family lot, please consider a single story duplex like the others in the area, it will be welcomed and the neighbors will be much happier with your decision. Thank you so much for your time and consideration. Best Regards,
Roger Sinigoi and Family