



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

H.1.

3/5/2026

### Subject:

Princeton Technology, LLC requests a CUP for (4COP) full liquor, beer and wine license for On-Premises Consumption, accessory to a bar, in a BU-1 zoning classification. (25Z00044) (Tax Account 2104653) (District 1)

### Fiscal Impact:

None

### Dept/Office:

Planning & Development

### Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a CUP (Conditional Use Permit) for Alcoholic Beverages for On-Premises Consumption, accessory to a restaurant, in a BU-1 zoning classification.

### Summary Explanation and Background:

The applicant's request is to expand a Conditional Use Permit (CUP) for Alcoholic Beverages for On-Premises Consumption from a 2COP (beer and wine) license to a 4COP (full liquor, beer, and wine) license in conjunction with a restaurant, in a BU-1 (General Retail Commercial) zoning classification. The current approval for a 2COP (beer and wine) was approved administratively on March 7, 2024, under zoning action 24AA00006. The applicant has been operating the restaurant Doc's Smokehouse at this location since 2024.

The subject property has been previously utilized as a restaurant, Mims Southern BBQ. The proposed use is for a restaurant to expand sales of alcoholic beverages from a 2COP to a 4COP license to serve full liquor, beer, and wine.

The applicant applied for an Administrative Action originally under 25AA00045; however, the applicant did not meet the State criteria under Florida Statute Section 561.20(2)(a)4 to obtain the 4COP Special Food Service (SFS) license (full liquor, beer & wine) due to not having the minimum 120 seats. The applicant was notified that they would need to apply for a 4COP(Quota) as an eating and drinking establishment. Section 62-1906, Brevard County Code of Ordinances, requires an application to be processed for a CUP by public hearing for Alcoholic Beverages for On-Premises Consumption in conjunction with an eating and drinking establishment.

The subject property is within the septic moratorium area. Any potential development requiring a septic permit could potentially be affected by this moratorium. For further information regarding the septic moratorium, the property owner would need to reach out to Department of Environmental Health, which issues septic permits.

North of the subject property is a 1.94-acre parcel, developed with a restaurant/ cafeteria, zoned BU-1 with CC FLU. South of the subject property is one parcel, 1.9 acres, undeveloped, zoned BU-1 with CC FLU. East of the subject property is a 17.29-acre parcel, developed condo association land, zoned RVP with NC FLU. West of the subject property is Highway 1, a state-maintained right-of-way.

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

On January 12, 2026, the Planning and Zoning Board heard the request and unanimously recommended tabling the item to the February 16, 2026, meeting, due to the applicant failing to appear.

On February 5, 2026, the Board of County Commissioners opened the public hearing and continued the item to its March 5, 2026 zoning meeting.

On February 16, 2026, the Planning and Zoning Board heard the request and voted unanimously to recommend approval, with an additional condition that the CUP is applicable only to establishments operated by C&S Restaurants, Inc.

**Clerk to the Board Instructions:**

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

**Resolution 25Z00044**

On motion by Commissioner Delaney, seconded by Commissioner Feltner, the following resolution was adopted by a unanimous vote:

**WHEREAS, Princeton Technology, LLC** requests a zoning classification change from BU-1 (General Retail Commercial) with a CUP (Conditional Use Permit) to BU-1 (General Retail Commercial) with a CUP (Conditional Use Permit) for Alcoholic Beverages for On-Premises Consumption, accessory to a bar, on property described as Tax Parcel 254, as recorded in OR Book 7986, Page 2223 of the Public Records of Brevard County, Florida. **Section 20, Township 21, Range 35.** (2.77 acres) Located on the east side of US Hwy 1, 775' south of Cuyler Street (2191 US Hwy 1, Titusville); and

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

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

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from BU-1, with a CUP to BU-1, with a CUP for Alcoholic Beverages for On-Premises Consumption, accessory to a bar and acceptable only to establishments operated by C&S Restaurants, Inc. be approved. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of March 05, 2026.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida  
*Thad Altman*  
Thad Altman, Chair  
Brevard County Commission  
As approved by the Board on March 05, 2026.

ATTEST:



RACHEL M. SADOFF, CLERK

(SEAL)

P&Z Board Hearing – February 16, 2026.

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

**development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.**

## **ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT**

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

### **Administrative Policy 1**

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

### **Administrative Policy 2**

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

#### **Criteria:**

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

### **Administrative Policy 3**

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

#### **Criteria:**

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
  - 1. historical land use patterns;
  - 2. actual development over the immediately preceding three years; and
  - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

#### **Administrative Policy 4**

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

##### **Criteria:**

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

#### **Administrative Policy 5**

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

**Criteria:**

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

**Administrative Policy 6**

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

**Administrative Policy 7**

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

**Administrative Policy 8**

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

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

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

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

#### **CONDITIONAL USE PERMITS (CUPs)**

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

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in

support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
  - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
  - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
  - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:

- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

#### **FACTORS TO CONSIDER FOR A REZONING REQUEST**

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

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

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

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

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

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

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

#### DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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



BOARD OF COUNTY COMMISSIONERS

**Planning and Development Department**

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

**STAFF COMMENTS**

**25Z00044**

**Princeton Technology, LLC.**

**A Conditional Use Permit (CUP) for Alcoholic Beverages for On-Premises Consumption, accessory to a restaurant**

Tax Account Number: 2104653  
 Parcel I.D.s: 21-35-20-00-254  
 Location: 2191 Highway 1, Titusville, FL 32796 (District 1)  
 Acreage: 2.77 acres

Planning & Zoning Board: 01/12/2026  
 Board of County Commissioners: 02/05/2026

**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)

	<b>CURRENT</b>	<b>PROPOSED</b>
<b>Zoning</b>	BU-1 with CUP for 2COP for On-Premises Consumption	BU-1 with CUP for 4COP for On-Premises Consumption
<b>Potential*</b>	2,825 square feet	FAR 1.0
<b>Can be Considered under the Future Land Use Map</b>	YES Community Commercial	YES Community Commercial

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

**Background and Purpose of Request**

The applicant's request is to expand a Conditional Use Permit (CUP) for Alcoholic Beverages for On-Premises Consumption from a 2COP (beer and wine) license to a 4COP (full liquor, beer, and wine) license in conjunction with a restaurant. The current approval for a 2COP (beer and wine) was approved administratively on March 7, 2024, under zoning action **24AA00006**. The applicant has been operating the restaurant Doc's Smokehouse at this location since 2024.

The subject property has been previously utilized as a restaurant, Mims Southern BBQ. The proposed use is for a restaurant expanding sales of alcoholic beverages from a 2COP to a 4COP license to serve full liquor, beer, and wine.

The applicant applied for an Administrative Action originally under **25AA00045**; however, the applicant did not meet the state criteria under F.S. 561.20(2)(a)4 to obtain the 4COP SFS (full liquor, beer & wine) due to not having the minimum 120 seats. The applicant was notified that they would need to apply as a 4COP(Quota) as an eating and drinking establishment. Section 62-1906 requires an application to be processed for a CUP by public hearing for Alcoholic Beverages for On-Premises Consumption in conjunction with an eating and drinking establishment.

The subject property is within the septic moratorium area. Any potential development requiring a septic permit could potentially be affected by this moratorium. For further information regarding the septic moratorium, the property owner would need to reach out to Department of Environmental Health, which issues septic permits.

BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

The subject property is located on the east side of Highway 1. The parcel is currently zoned BU-1 with Community Commercial (CC) FLU designation.

The site has access to Highway 1, a State-Maintained Right-of-Way.

**ZONING HISTORY:**

On March 7, 1974, the property had an approved rezoning under **Z-3564**, from AU to BU-1.

On October 11, 1984, the property had an approved rezoning under **Z-6870**, from AU to TTP w/ Binding Site Plan (BSP).

On December 21, 1987, the property had an approved rezoning under **Z-7972**, from AU & TTP w/BSP to BU-1.

On May 3, 2022, under **22AA00020**, the establishment was approved for a 2COP (beer & wine) accessory to a restaurant.

On March 7, 2024, under **24AA00006**, the establishment was approved for a 2COP (beer & wine) accessory to a restaurant.

**Surrounding Area**

	Existing Use	Zoning	Future Land Use
<b>North</b>	Restaurant/ cafeteria	BU-1	CC
<b>South</b>	Undeveloped	BU-1	CC
<b>East</b>	Willow Lakes Condo Association property	RVP	NC
<b>West</b>	Highway 1	N/A	N/A

North of the subject property is a 1.94-acre parcel, developed with a restaurant/ cafeteria, zoned BU-1 with CC FLU.

South of the subject property is one parcel, 1.9 acres, undeveloped, zoned BU-1 with CC FLU.

East of the subject property is a 17.29-acre parcel, developed condo association land, zoned RVP with NC FLU.

West of the subject property is Highway 1, a state-maintained right-of-way

BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

RVP (Recreational Vehicle Park) zoning classification encompasses lands devoted for recreation vehicle, tent, park trailer and cabin uses together with such ancillary structures as allowed to promote a recreational type atmosphere for both park owners and/or their guests. The minimum park size shall be five acres. Recreational vehicle sites shall have a minimum area of 2,000 square feet and shall have a minimum width of 30 feet and minimum depth of 60 feet. As defined, spaces or lots may be used by a recreational vehicle or equivalent facilities constructed in or on automotive vehicles, or tents, or other short-term housing devices. Cabins or park trailers used for short-term rentals may comprise no more than 20 percent of the permitted space or lots and shall not exceed a maximum of 1,000 square feet each in size.

### **Land Use**

The subject property is currently designated CC (Community Commercial). The BU-1 zoning classification can be considered consistent with the CC FLU designation.

### **Applicable Land Use Policies**

#### **FLUE Policy 2.2 – Role of Zoning Regulations in the Designation of Commercial Lands**

The zoning process regulates the types and intensities of uses for a parcel of land. Criteria which aid in assessing zoning compatibility, shall include consideration of the following standards:

#### **Criteria:**

A. Permitted/prohibited uses;

**Staff analysis: The owner proposes to expand his license from a 2COP to a 4COP license for Alcoholic Beverages for On-Premises Consumption accessory to a bar. The applicant doesn't have enough seating to qualify for the State's ABT 4COP SFS license.**

B. Existing commercial zoning trends in the area;

**Staff analysis: The subject property was developed as a restaurant in 1982. Located north of the subject property is a BU-1 zoned commercial property that was developed in 1960 as a restaurant. Abutting south of the subject property is an undeveloped commercial property zoned BU-1. East of the subject property is the Willow Lakes RV Resort Condo Association**

property zoned RVP. West of the subject property is Highway 1, but abutting the roadway are multiple properties zoned IU (Industrial Light) with uses such as a repair shop and a steel fabrication business.

C. Compatibility of the proposed use with the area, pursuant to Administrative Policy 3;

**Staff analysis:** The subject property will need to comply with the Brevard County Performance Standards defined by Sections 62-2251 through 62-2272 for hours of operations, lighting, noise levels, traffic, and site activity to not cause any violations with the residential areas.

This CUP request, if approved, can be considered compatible based on the subject property being in a commercial area of character and not in a residential neighborhood. Based on staff analysis, the expansion of a 2COP to a 4COP (Full Liquor) conditional use could be considered compatible with the character of the adjacent properties.

D. Impact upon Level of Service (LOS) standards for roads, potable water service, sanitary sewer service and solid waste disposal;

**Staff analysis:** Based on a preliminary review, there is no anticipated increase in LOS for road capacity, potable water service, sanitary sewer service, and solid waste disposal.

The Board should evaluate the compatibility of this application within the context of the Board's Administrative Policies 1 through 8 of the Future Land Use Element, outlined in the Administrative Policies.

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

Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use;

**Staff analysis:** The applicant's request is not anticipated to significantly diminish the enjoyment of, safety, or quality of life.

Traffic from the proposed development will not impact the surrounding area, however, the corridor is anticipated to operate within the Maximum Acceptable Volume (MAV). The maximum development potential from the proposed FLUM amendment increases the percentage of MAV utilization by 0.0%. The corridor is anticipated to operate at 48.5% of capacity daily. Specific concurrency issues will be addressed at the time of subdivision review.

Regarding the hours of operation, lighting, odor, noise levels, traffic, or site activity, the proposed CUP must comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. The Board may require additional conditions and/or limitations.

**Brevard County Code of Ordinances states within Chapter 6, Section 6-3 Hours of sale: "Unless otherwise prohibited, in the unincorporated area of the county, alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license under the division of alcoholic beverages and tobacco 24 hours a day, seven days a week."**

- 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.

**Staff analysis: Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed request.**

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:

1. historical land use patterns;

**There are seven (7) FLU designations within a half-mile radius of the subject property. They include Residential 2 (RES 2), Residential 4 (RES 4), Residential 6 (RES 6), Recreation (REC), Industrial (IND), Community Commercial (CC), and Neighborhood Commercial (NC). Res 4 is the predominant FLU designation in the area.**

**The existing pattern is a mixture of residential, industrial, and commercial properties. Commercial uses in the area include restaurants, a mini warehouse, and equipment sales. Industrial uses include steel fabrication and a packing plant, which were both developed in 1955. There is one RV Park in the area, Willow Lakes, which has 484 RV lots, and one subdivision, Brandywine North, which is approved for 53 single-family detached homes and is completely built out. Lot sizes in the subdivision are approximately one-quarter of an acre.**

**There are twenty (20) zoning classifications: RR-1, SR, AU, BU-1, BU-2, IU, IN(L), GML, GML(H), RU-1-7, RU-1-9, RU-1-11, EU-2, RVP, RU-2-4, RU-2-6, RU-2-10, TR-1, TR-2, and TR-3 within the 0.5-mile radius of the subject property, with the predominant zoning classification being AU.**

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

**There has been no new development within a half-mile radius of the subject property within the last three (3) years.**

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

**Staff Analysis: There has been one zoning approval in the past three (3) years.**

- **24Z00008 changed zoning from RU-2-10(5) to RVP w/ BDP on a 6.92-acre parcel located on the east side of Highway 1, approximately 1,120 feet south of Parrish Rd. on October 3, 2024. The lot is located south of the subject property, approximately 0.5 miles.**

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

**Staff analysis: No material violation of relevant policies has been identified.**

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

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

##### **Criteria:**

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

**This property was developed in 1982, according to the Brevard County Property Appraiser's website. On May 3, 2022, under 22AA00020, the first alcoholic beverage use on this parcel for Mims Southern BBQ was administratively approved.**

**The applicant has been operating his business (Doc's Smokehouse) at this location since 2024. Based on staff analysis, the requested CUP is not anticipated to materially or adversely affect the surrounding developments.**

- B. In determining whether an established residential neighborhood exists, the following factors must be present:

1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

**The area has well-established boundaries, roads, and open spaces. The subject property is not located in a residential neighborhood or subdivision but is located directly on Highway 1, which is a commercial corridor, between Parrish Rd. and Cuyler St.**

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.

**Staff analysis indicates that the area east side of Highway 1 is not residential in character. North and south of the subject property has a commercial nature as there is a restaurant, an office building, and vacant commercially zoned property. East of the subject property is Willow Lakes RV resort.**

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.

**Staff analysis has determined the subject parcel is located directly on Highway 1, which primarily has commercial uses abutting the roadway.**

**Administrative Policy #5 - the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the use(s) shall be considered.**

The proposed CUP will access the Highway 1 (U.S.1) segment between Dairy Rd. and S.R.46. The maximum development potential from the proposed CUP increases the percentage of MAV utilization by 0.0%. The Highway 1 (U.S.1) corridor is anticipated to operate at 48.5% of capacity daily. The request is not anticipated to create a deficiency in LOS.

### **Preliminary Concurrency**

The closest concurrency management segment to the subject property is Highway 1 (U.S.1) between Dairy Rd. and S.R. 46, which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 48.5% of capacity daily. The maximum development potential from the proposed CUP increases the percentage of MAV utilization by 0.0%. The Highway 1 (U.S.1) corridor is anticipated to operate at 48.5% of capacity daily. The request is not anticipated to create a deficiency in LOS.

No school concurrency information has been provided as the development proposal is for commercial use and not residential use.

The parcel is serviced by Brevard County Utilities for public water and centralized sewer.

### **Special Considerations for CUP (Conditional Use Permit)**

The Board should consider the compatibility of the proposed CUP pursuant to Section 62-1151(c) and to Section 62-1901, as outlined on pages 6 – 8 of these comments. Section 62-1901 provides that 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.** The applicant's responses and staff observations, if any, are indicated below.

Section 62-1151(c) directs the Board to consider the character of the land use of the property and its surroundings; changes in the conditions of the land use being considered; impact upon infrastructure; compatibility with land use plans for the area; and appropriateness of the CUP based upon

consideration of applicable regulations relating to zoning and land use within the context of public health, safety and welfare. The applicant has submitted documentation in order to demonstrate consistency with the standards set forth in Section 62-1901 and Section 62-1906.

This request should be evaluated in the context of **Section 62-1906** which governs alcoholic beverages for on-premises consumption which states in, specifically 62-1906 (3) and (5):

- 3) Except for restaurants with more than 50 seats, no alcoholic beverages shall be sold or served for consumption on the premises from any building that is within 300 feet from the lot line of a school or church if the use of the property as a school or church was established prior to the commencement of the sale of such alcoholic beverages. For the purposes of this subsection, a school shall include only grades kindergarten through 12. For the purpose of establishing the distance between the proposed alcoholic beverage use and churches and schools, a certified survey shall be furnished from a registered engineer or surveyor. Such survey shall indicate the distance between the front door of the proposed place of business and all property lines of any church or school within 400 feet. Each survey shall indicate all such distances and routes.

**Staff analysis: The owner/applicant has provided a survey which states that there are no churches or schools within 400 feet from the front door of the restaurant to the lot line of a school or church.**

- 5) Imposition of additional operational requirements. When deemed appropriate, as based upon circumstances revealed through the general and specific standards of review set forth in this division, the Board shall have the option of imposing operational requirements upon an establishment approved for a conditional use for alcoholic beverages for on-premises consumption. Requirements may include, but are not limited to, the following: maximum number of patrons; hours of operation; limitations upon outdoor seating and service of alcoholic beverages; limitations upon outside music and/or public address systems; additional buffering requirements; additional parking requirements; internal floor plan arrangement; or other specific restrictions based upon special neighborhood considerations. Additional requirements shall not exceed the limits of regulatory authority granted to local governments in the State Beverage Law, F.S. § 562.45.

**Staff analysis: The applicant has been operating a beer and wine 2COP license over the last year and now seeks a CUP for a full liquor, beer, and wine (4COP) license for Alcoholic Beverages for On-Premises Consumption to potentially expand the number of visiting customers.**

### **General Standards of Review**

Section 62-1901(c)(1)(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.

*Applicant's Response: Yes, the proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties as described above.*

**Staff analysis: The proposed CUP must comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. The request is not anticipated to create a deficiency in Highway 1 traffic Level of Service (LOS).**

Section 62-1901(c)(1)(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.

*Applicant's Response: Yes, the proposed use will be compatible with the character of the adjacent and nearby properties as described above.*

**Staff analysis: The parcel is located in a commercial area and is not adjacent to any residential development. Section 62-1906 (6) requires that the expansion of a beer and/or wine use to include intoxicating liquor requires a new application.**

Section 62-1901(c)(1)(c): The proposed use will not cause a substantial diminution in value of abutting residential property. Note: A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15 percent reduction in value as a result of the proposed conditional use. A reduction of ten percent of the value of abutting property shall create a reputable 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 a MAI certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.

*Applicant's Response: Yes, the proposed use will not cause a substantial diminution in value of abutting residential property.*

**Staff analysis: Competent and substantial evidence by a MAI certified appraiser has not been provided by the applicant.**

Section 62-1901(c)(2)(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.

Note: Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20 percent, or ten percent 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 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.

*Applicant's Response: Yes, Ingress and egress to the property and proposed structures will be adequate as described above.*

**Staff analysis:** This property has ingress and egress directly on Highway 1.

Section 62-1901(c)(2)(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.

*Applicant's Response:* Yes, noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use will not substantially interfere with the use or enjoyment of the adjacent and nearby property.

**Staff analysis:** The proposed must comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272. Any proposed outdoor lighting and noise standards should remain within code requirements, or a violation will be created.

Section 62-1901(c)(2)(c): Noise levels for a conditional use are governed by section 62-2271.

*Applicant's Response:* Yes, Noise levels for a conditional use will comply with Section 62-2271 as described above.

**Staff analysis:** The proposed CUP does not include outdoor areas. The site must comply with the noise ordinance.

Section 62-1901(c)(2)(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.

*Applicant's Response:* Yes, the proposed conditional use will not cause the adopted level of service for solid waste disposal for the property or area covered by such level of service to be exceeded.

**Staff analysis:** The adopted level of service for solid waste disposal is not anticipated to be affected.

Section 62-1901(c)(2)(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.

*Applicant's Response:* Yes, the proposed conditional use will not cause the adopted level of service for potable water or wastewater for the property or the area covered by such level of service, to be exceeded by the proposed use.

**Staff analysis:** The CUP should not exceed the adopted level of service for potable water or wastewater. The establishment is connected to the public sewer system.

Section 62-1901(c)(2)(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.

*Applicant's Response:* The current use is as a restaurant and will continue as such. No additional buffers will be required for light or sound as all activity will be indoors.

**Staff analysis:** The property was developed in 1982, according to the Brevard County Property Appraiser's website. On May 3, 2022, under administrative action 22AA00020, approved the first alcoholic beverage use on this parcel. The property must continue to meet the Brevard County Performance Standards.

Section 62-1901(c)(2)(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.

*Applicant's Response: Yes, Proposed signs and exterior lighting will not cause unreasonable glare or hazard to traffic safety, or interference with this use or enjoyment of adjacent and nearby properties.*

**Staff analysis:** Any new signage would need to meet the current Brevard County Code.

Section 62-1901(c)(2)(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.

*Applicant's Response: Yes, hours of operation of the proposed use will be consistent with the use and enjoyment of the properties in the adjacent residential community.*

**Staff analysis:** The hours of operation appear to be in line with the historical use of the property. The Board may determine that additional measures may be necessary, and the Board may require additional stipulations as part of the request.

Section 62-1901(c)(2)(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.

*Applicant's Response: The height of the proposed use is compatible with the character of the area, and the maximum height of any habitable structure is not more than 35 feet higher than the highest residence within 1,000 feet of the property line.*

**Staff analysis:** The establishment is a single-story building and meets the height requirements.

Section 62-1901(c)(2)(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.

Note: 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.

*Applicant's Response: Yes, Off-street parking and loading areas will not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties.*

**Staff analysis: The establishment of a restaurant was developed in 1982. The applicant states it will continue to operate as a restaurant. Any new additions and alterations to increase patronage will have to meet the current Brevard County Code.**

**Environmental Constraints**

No formal review by the Natural Resources Management Department is required for a CUP for on-premises consumption of alcoholic beverages. Natural Resources Management (NRM) reserves the right to assess consistency with environmental ordinances at all applicable future stages of development.

### **For Board Consideration**

The Board should consider (1) the compatibility of the proposal to expand a Conditional Use Permit (CUP) for Alcoholic Beverages for On-Premises Consumption from a 2COP (beer and wine) license to a 4COP (full liquor, beer, and wine) license, and (2) the Board may consider whether any additional operational requirements should be placed upon the subject property are appropriate, as outlined in Section 62-1906(5).

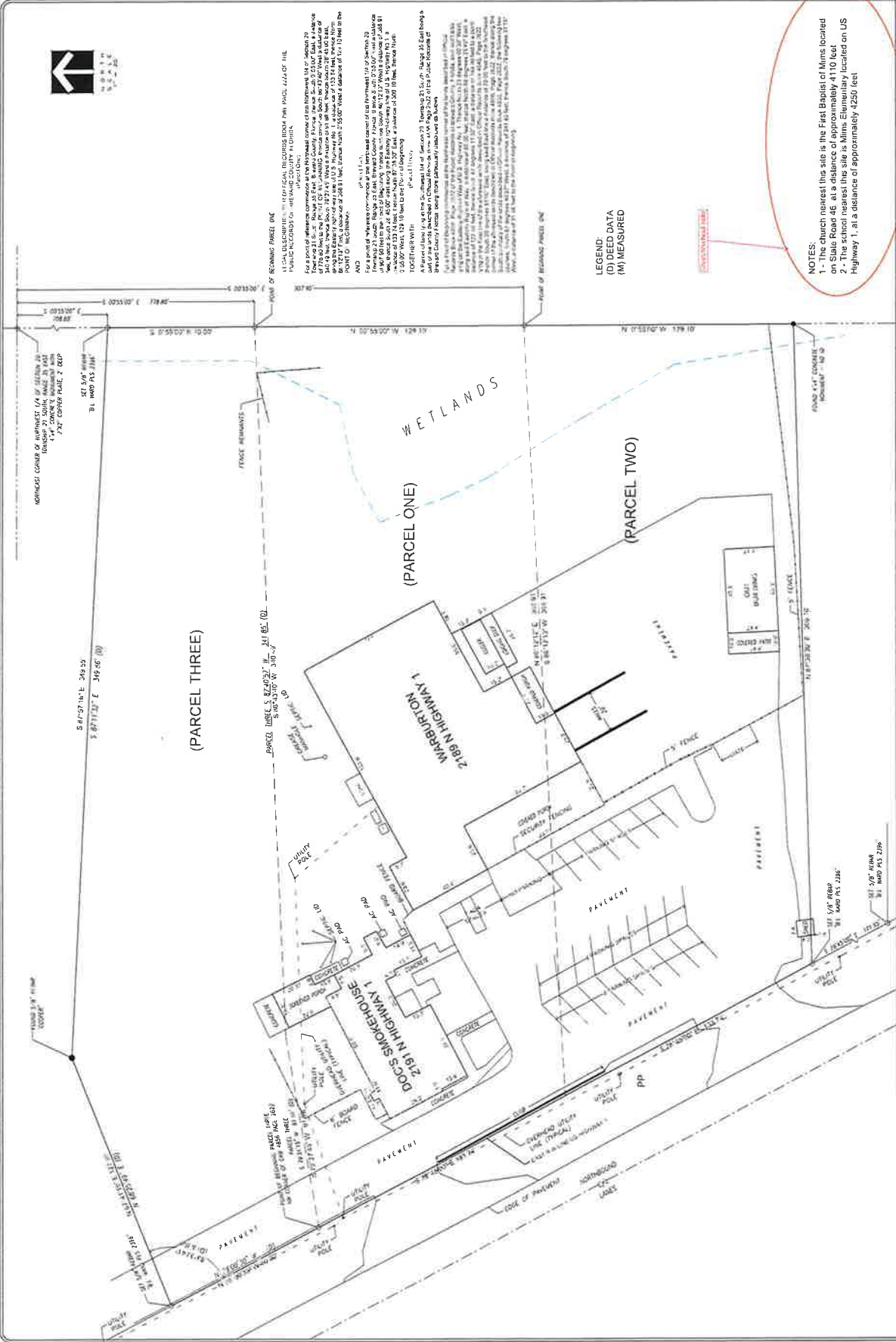
REVISION	BY	DATE

2520 Frontier Drive  
 Houston, Texas 77056 (281) 271-0717

B. L. WARD, P.L.S.  
 P.S. License #2336  
 2520 Frontier Drive  
 Houston, Texas 77056 (281) 271-0717  
 bward@bwardpl.com

PREPARED FOR THE EXCLUSIVE USE OF:  
 DR. SACHEN SHENYU

DATE: 11/11/2014  
 SHEET: 1 OF 1  
 PROJECT: 14-00000000000000000000



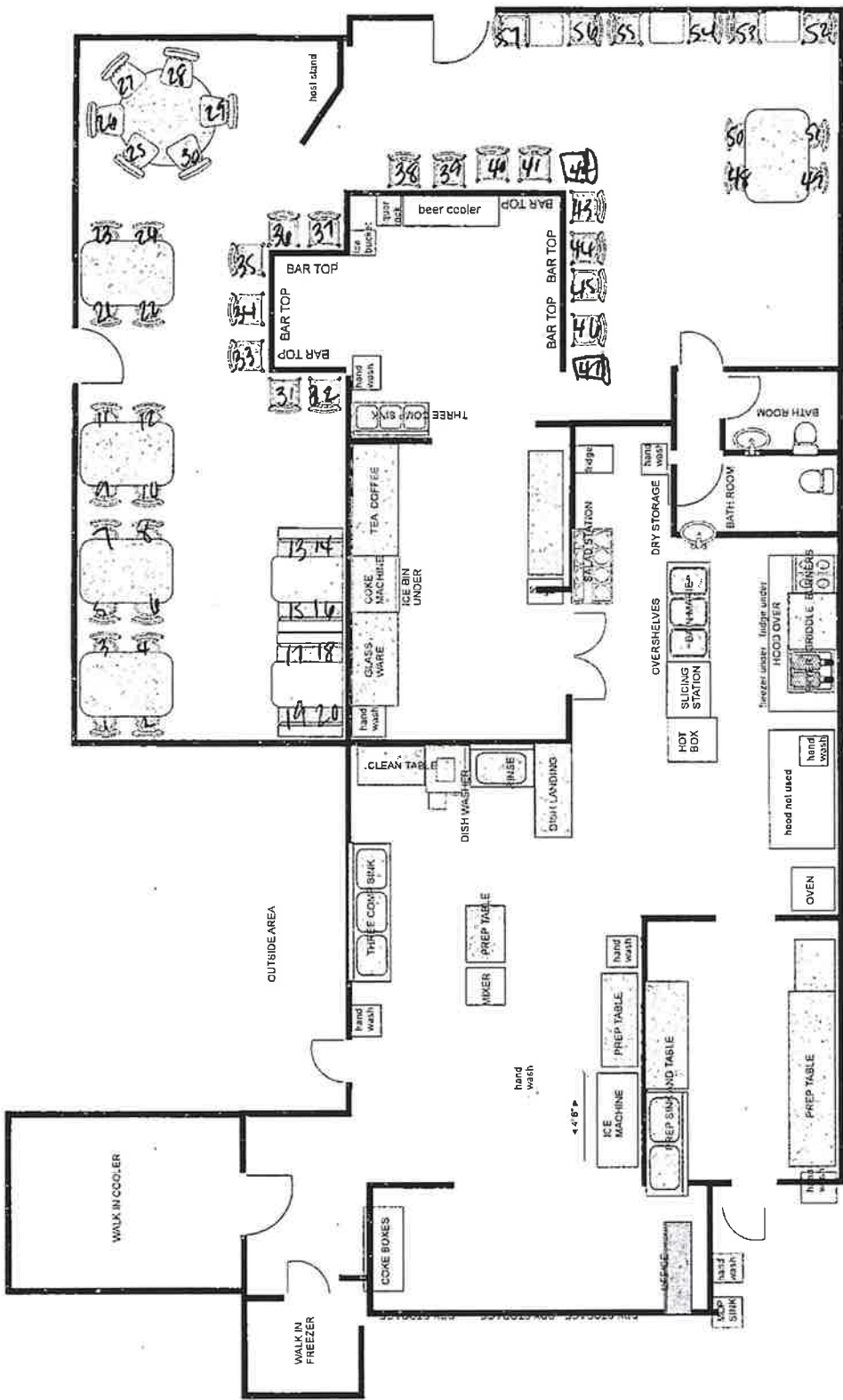
LEGEND:  
 (D) DEED DATA  
 (M) MEASURED

- NOTES:
- 1 - The church nearest this site is the First Baptist of Minns located on State Road 46 at a distance of approximately 4110 feet
  - 2 - The school nearest this site is Minns Elementary located on US Highway 1, at a distance of approximately 2250 feet

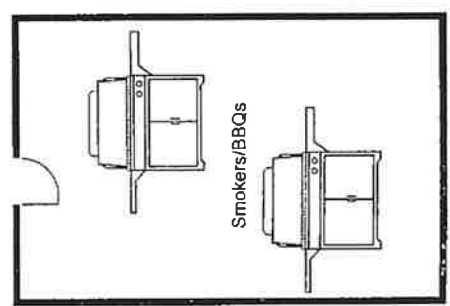
# MAP OF SURVEY

DATE	BY	REVISION

**B. L. WARD, P.L.S.**  
 Surveying - Mapping - Land Planning - Site Design  
 2520 Frontier Drive  
 Houston, Texas 77056 (281) 271-0717  
 bward@bwardpl.com



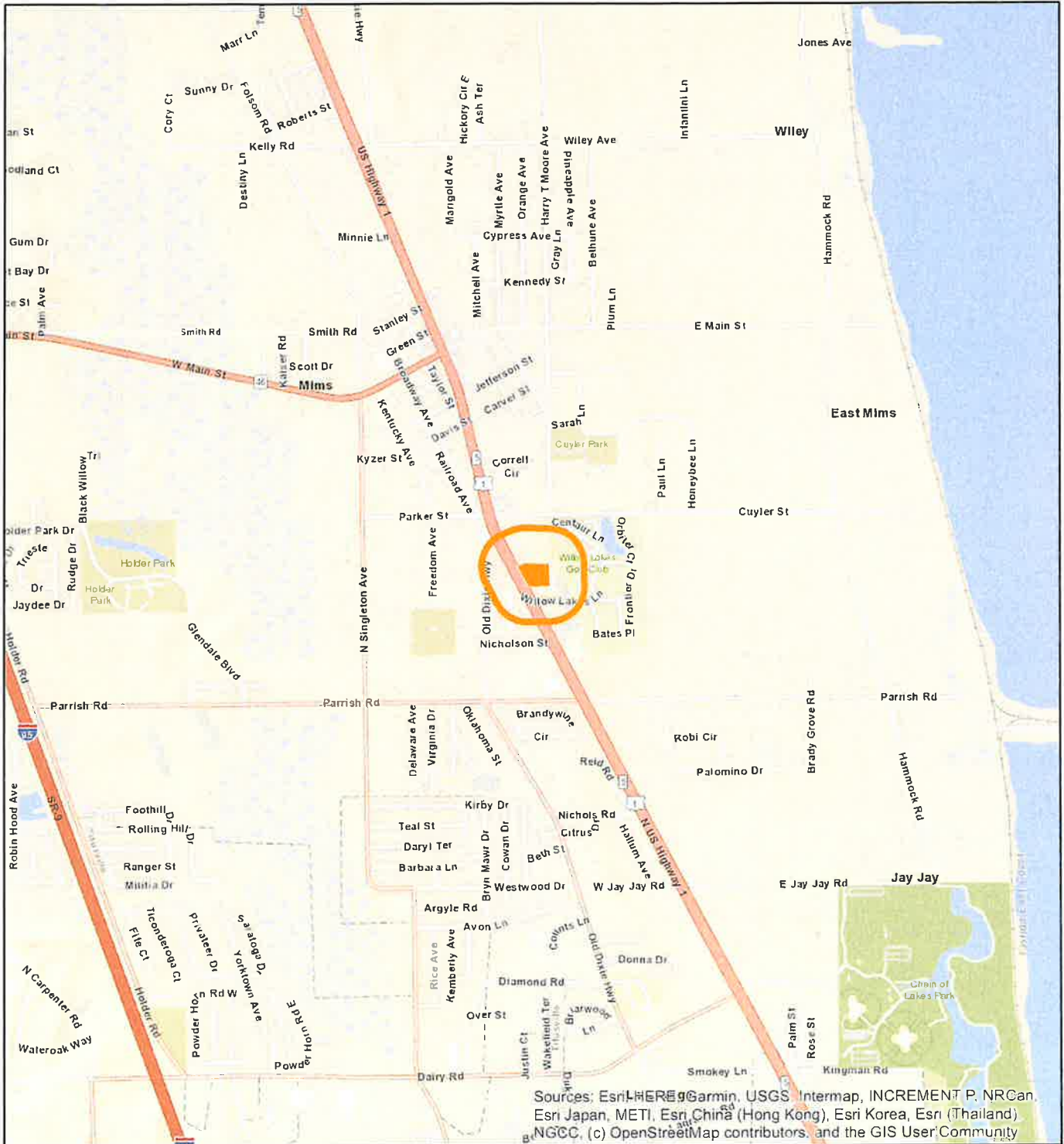
57 inside seats  
 0 outside seats



# LOCATION MAP

## PRINCETON TECHNOLOGY LLC

25Z00044



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



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.

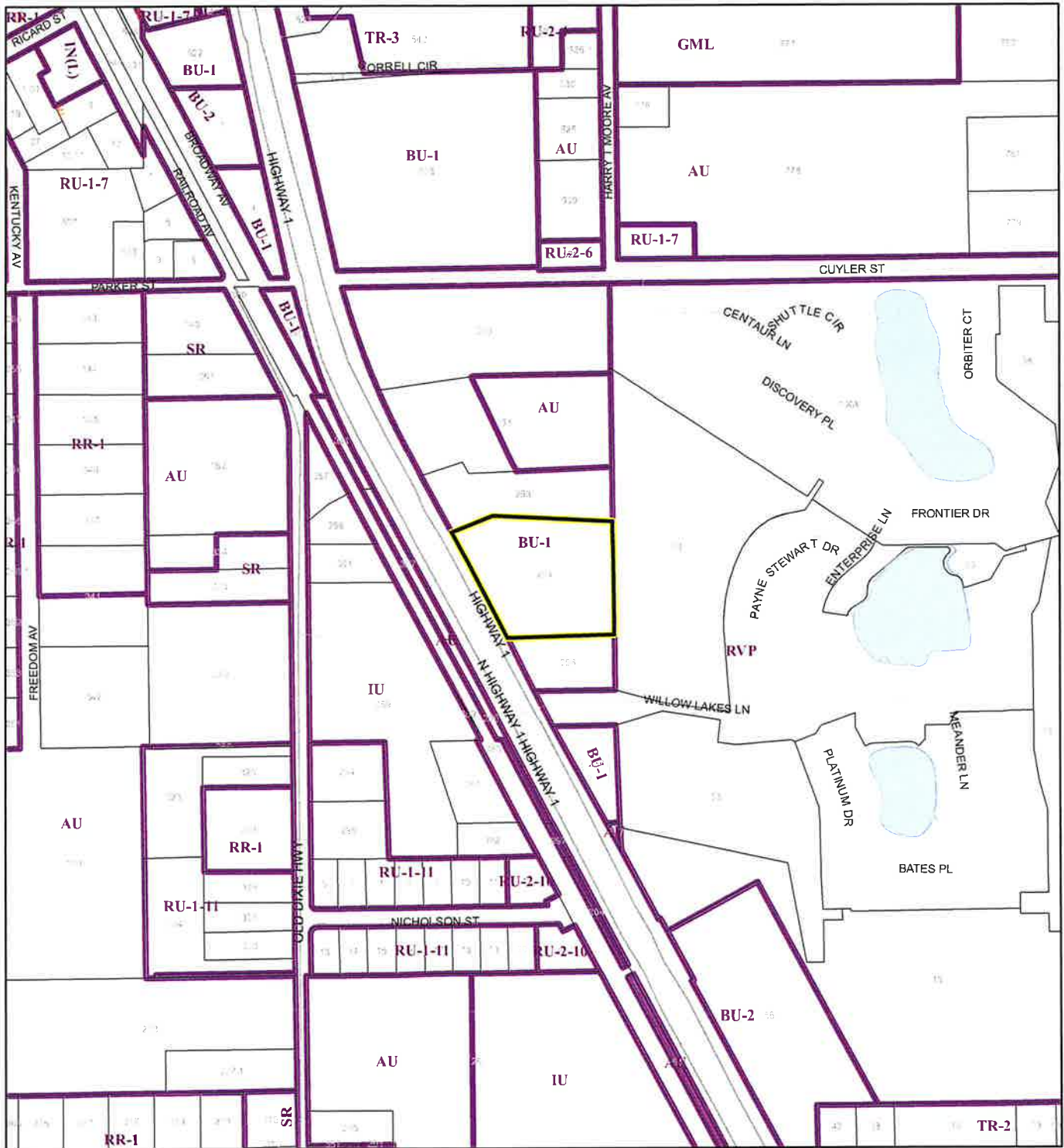
Produced by BoCC - GIS Date: 9/30/2025

- Buffer
- Subject Property

# ZONING MAP

## PRINCETON TECHNOLOGY LLC

### 25Z00044



1:4,800 or 1 inch = 400 feet

- Subject Property
- Parcels
- Zoning

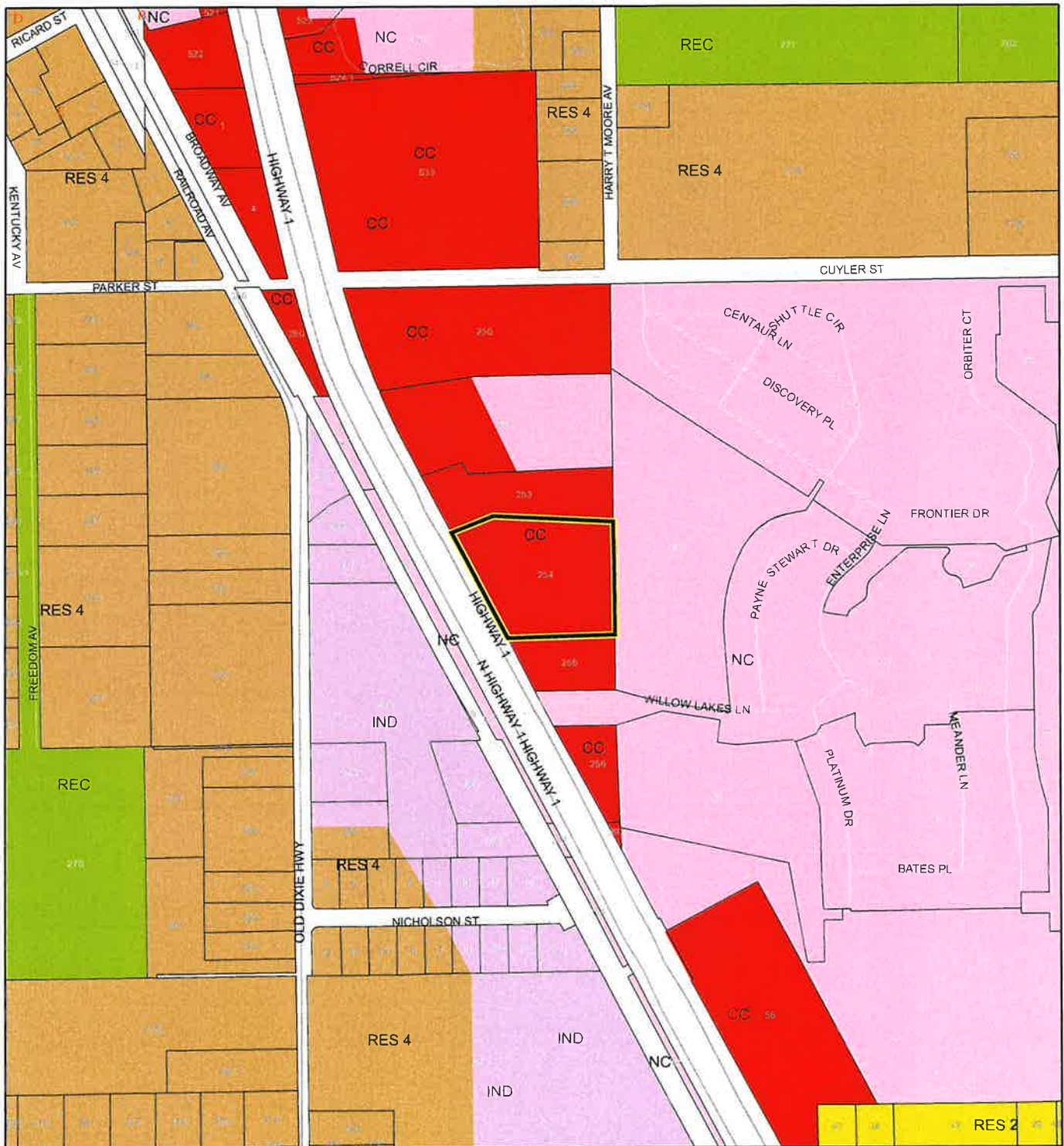
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/30/2025



# FUTURE LAND USE MAP

PRINCETON TECHNOLOGY LLC

25Z00044



1:4,800 or 1 inch = 400 feet

-  Subject Property
-  Parcels

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

Produced by BoCC - GIS Date: 9/30/2025

AERIAL MAP  
PRINCETON TECHNOLOGY LLC  
25Z00044



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2025

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: 9/30/2025

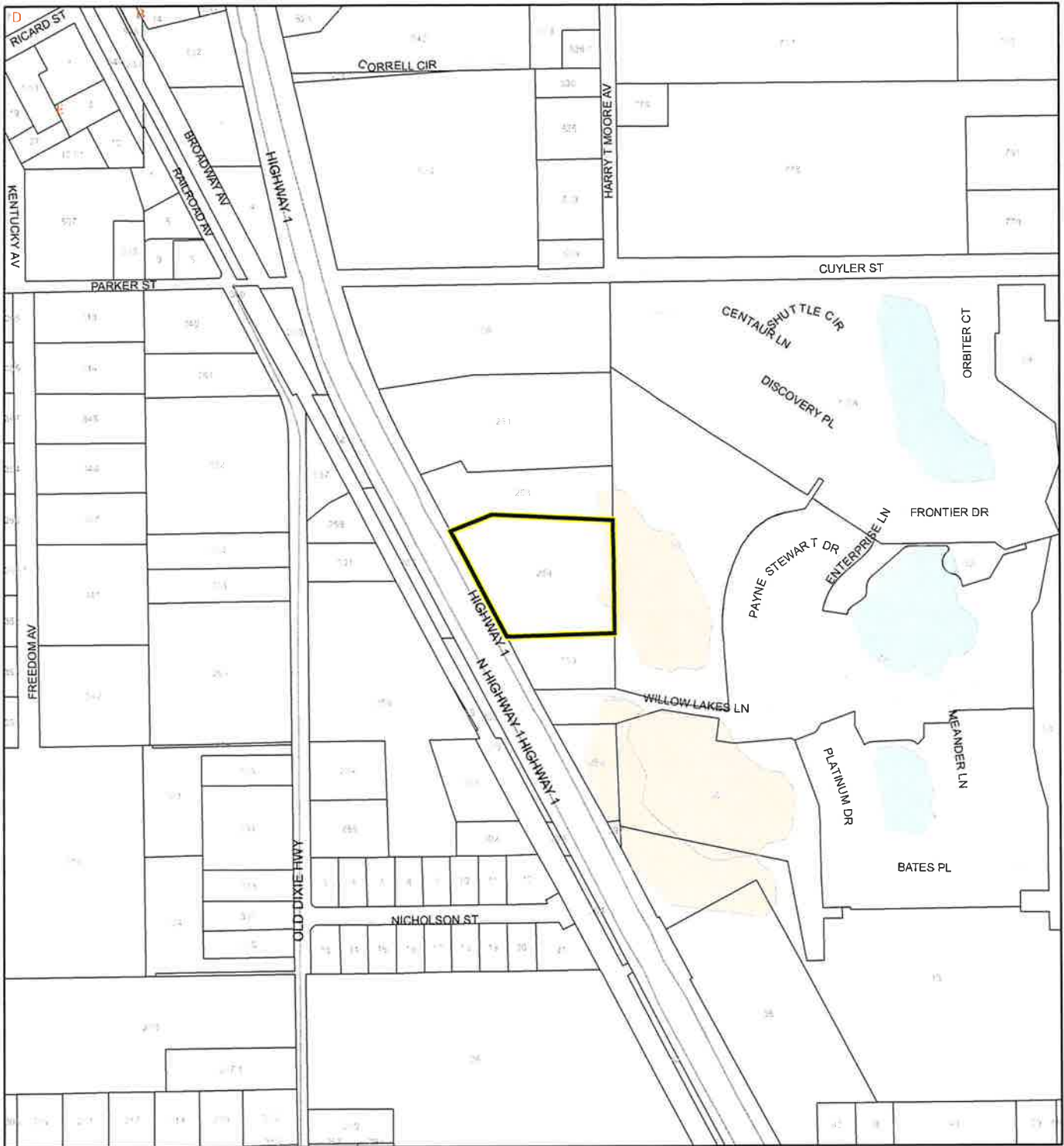
 Subject Property

 Parcels

# NWI WETLANDS MAP

PRINCETON TECHNOLOGY LLC

25Z00044



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: 9/30/2025

### 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

PRINCETON TECHNOLOGY LLC

25Z00044



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: 9/30/2025

## 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

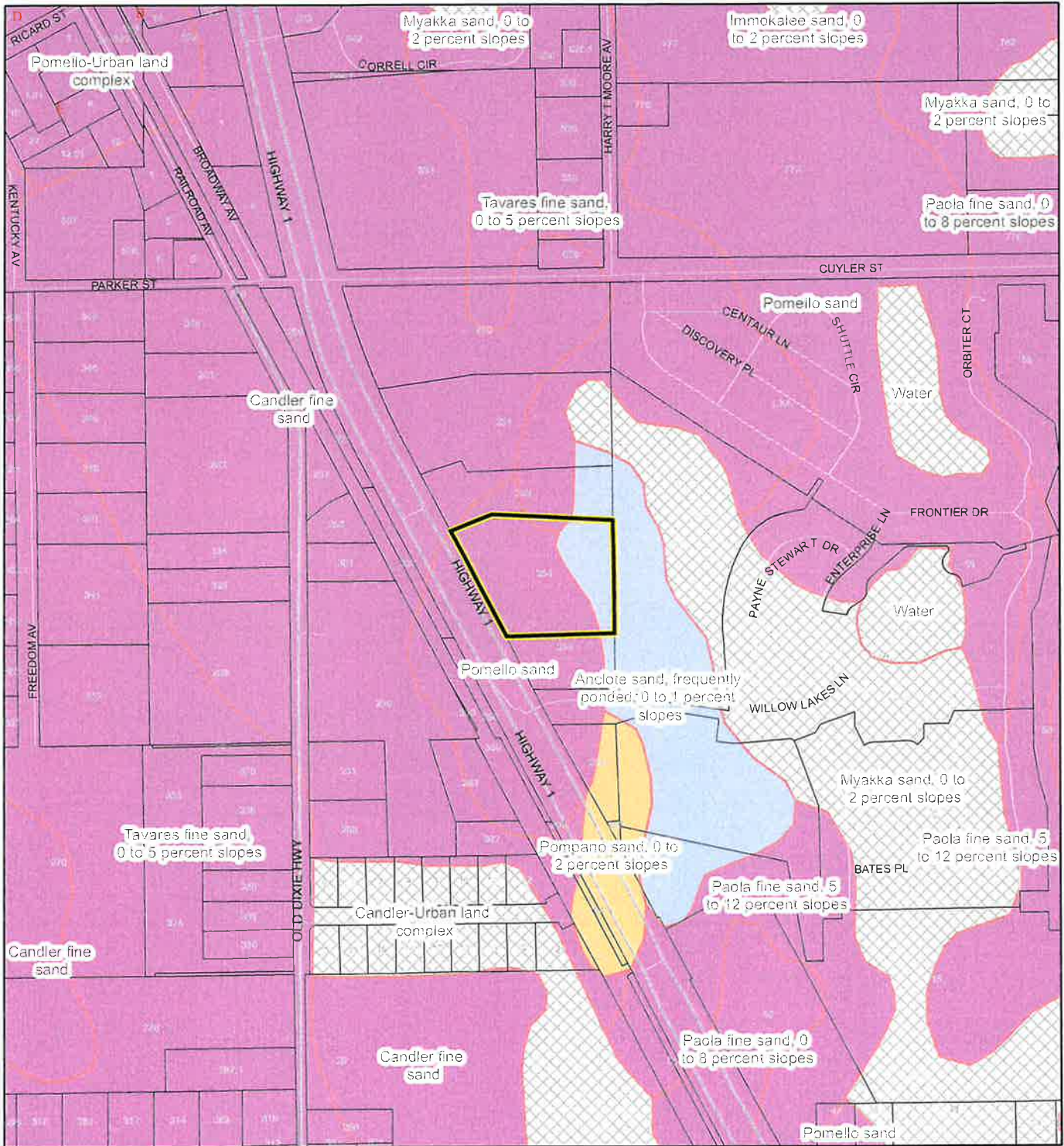
Subject Property

Parcels

# USDA SCSSS SOILS MAP

PRINCETON TECHNOLOGY LLC

25Z00044



1:4,800 or 1 inch = 400 feet

### USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

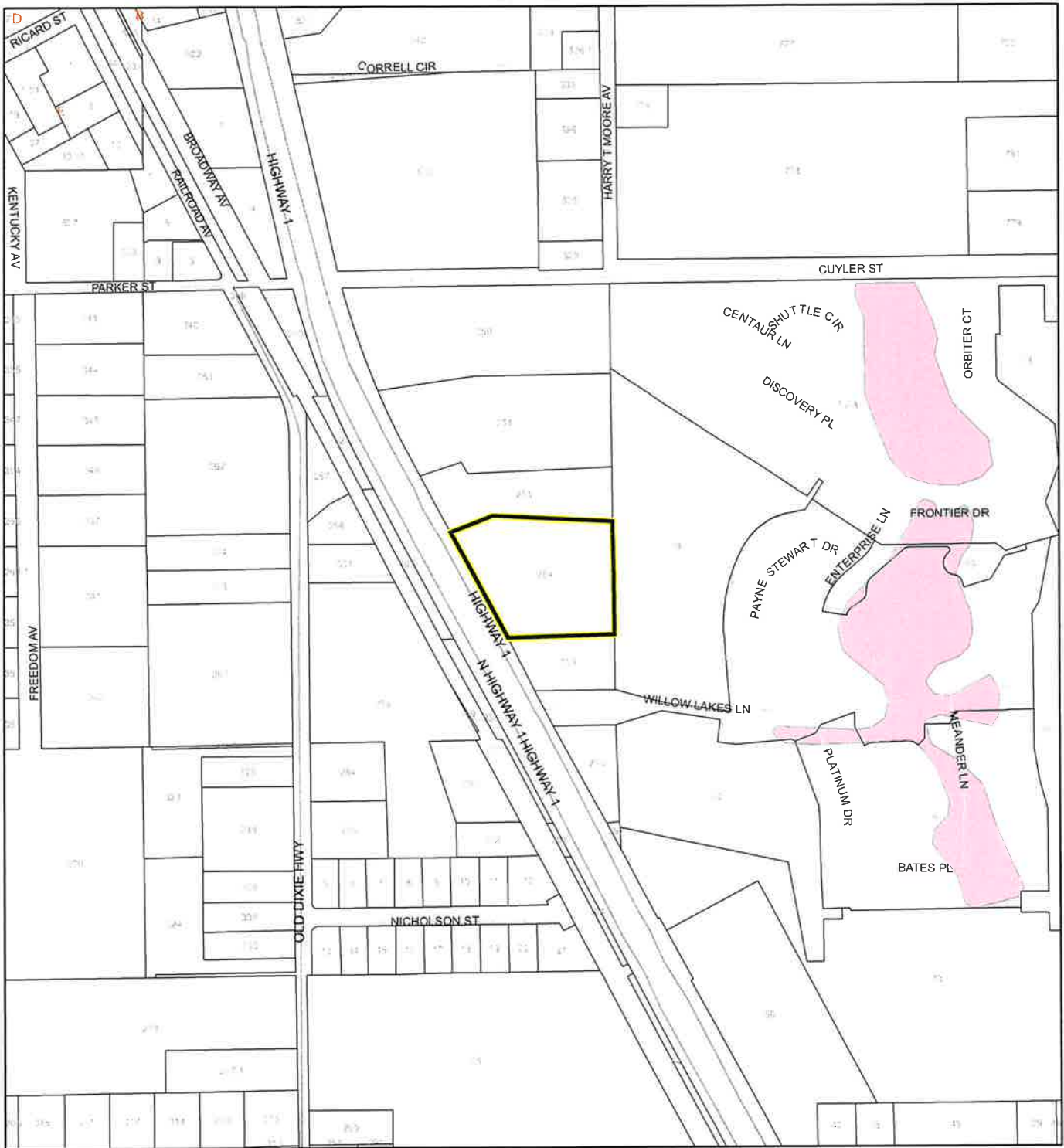
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 9/30/2025

# FEMA FLOOD ZONES MAP

PRINCETON TECHNOLOGY LLC

25Z00044



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.

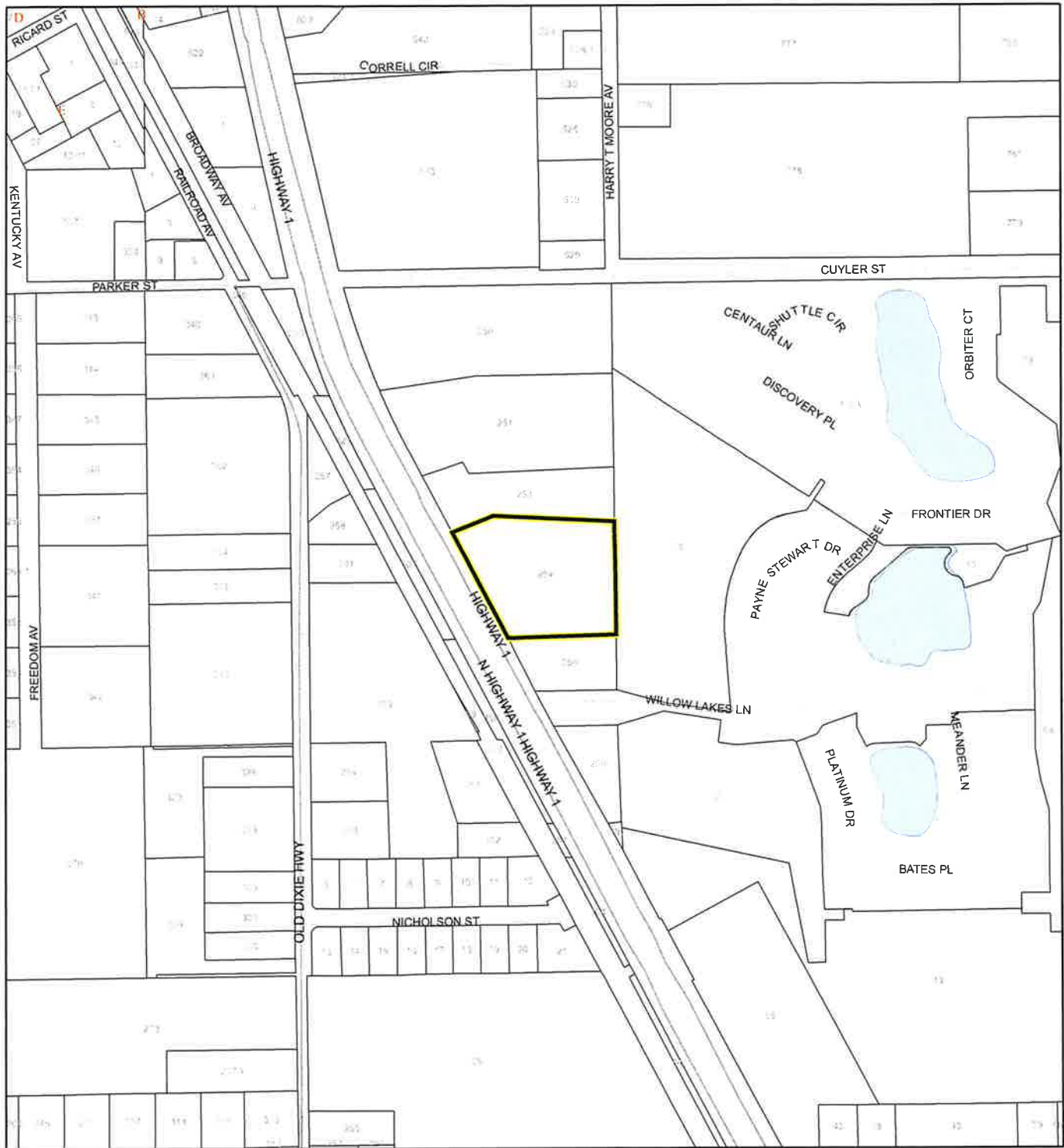
Produced by BoCC - GIS Date: 9/30/2025

- FEMA Flood Zones**
- A
  - AO
  - Open Water
  - AH
  - VE
  - Subject Property
  - Parcels

# COASTAL HIGH HAZARD AREA MAP

PRINCETON TECHNOLOGY LLC

25Z00044



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: 9/30/2025

 Subject Property

 Parcels

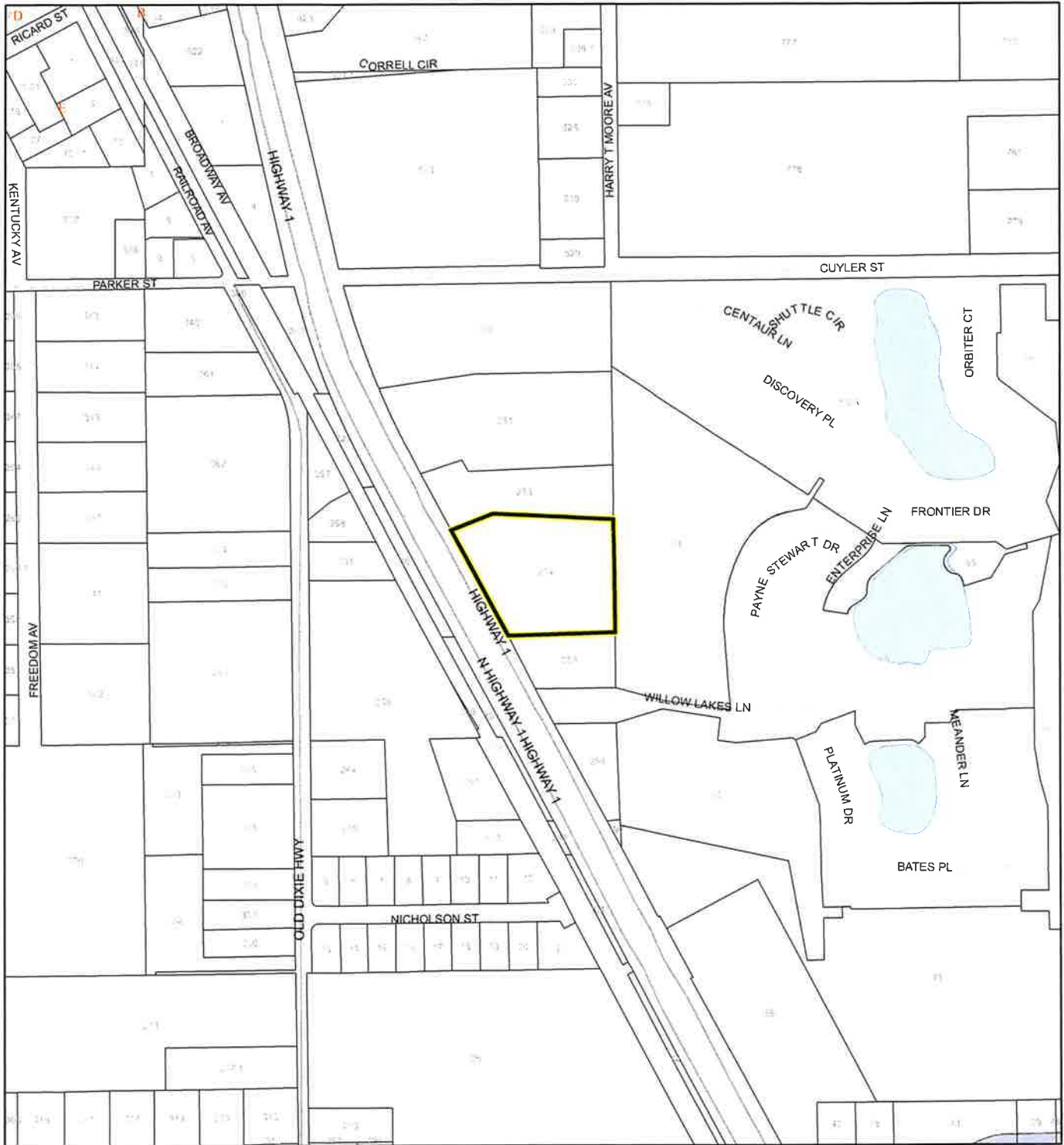
**Coastal High Hazard Area**

 SurgeZoneCat1

# INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

PRINCETON TECHNOLOGY LLC

25Z00044



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: 9/30/2025

 Subject Property

 Parcels

**Septic Overlay**

 40 Meters

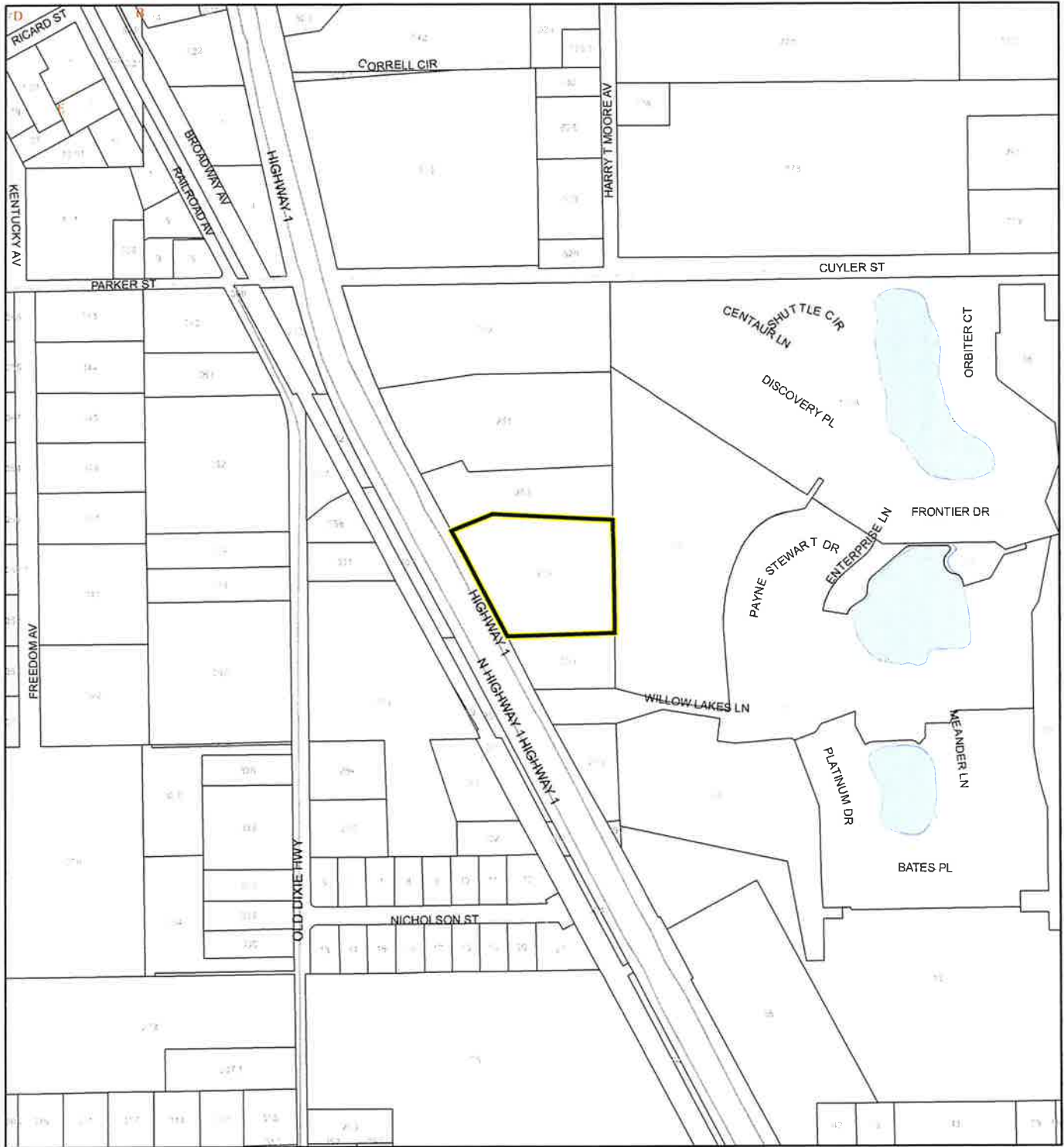
 60 Meters

 All Distances

# EAGLE NESTS MAP

PRINCETON TECHNOLOGY LLC

25Z00044



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: 9/30/2025

 Subject Property

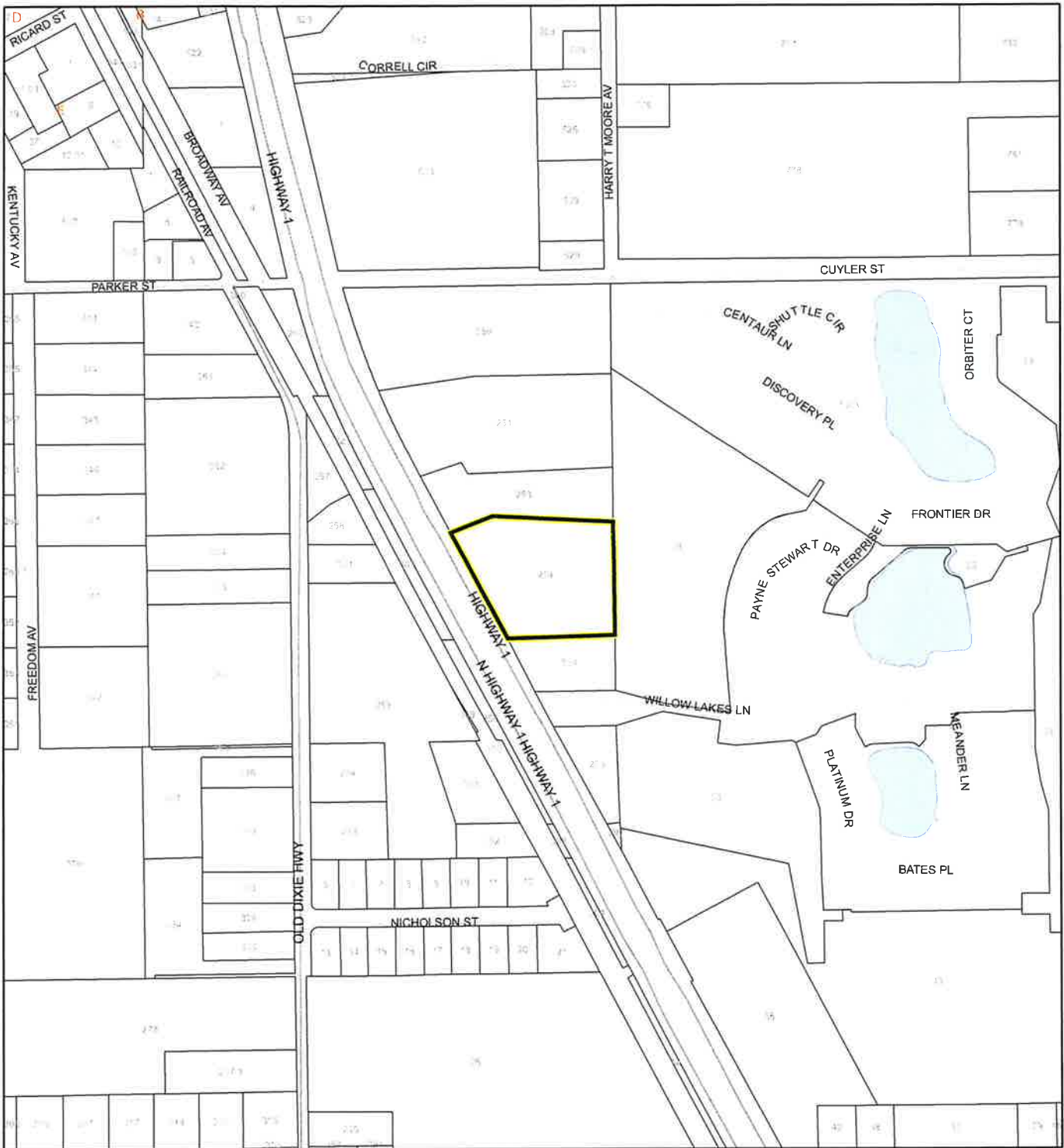
 Parcels

 Eagle Nests FWS

# SCRUB JAY OCCUPANCY MAP

PRINCETON TECHNOLOGY LLC




25Z00044



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.

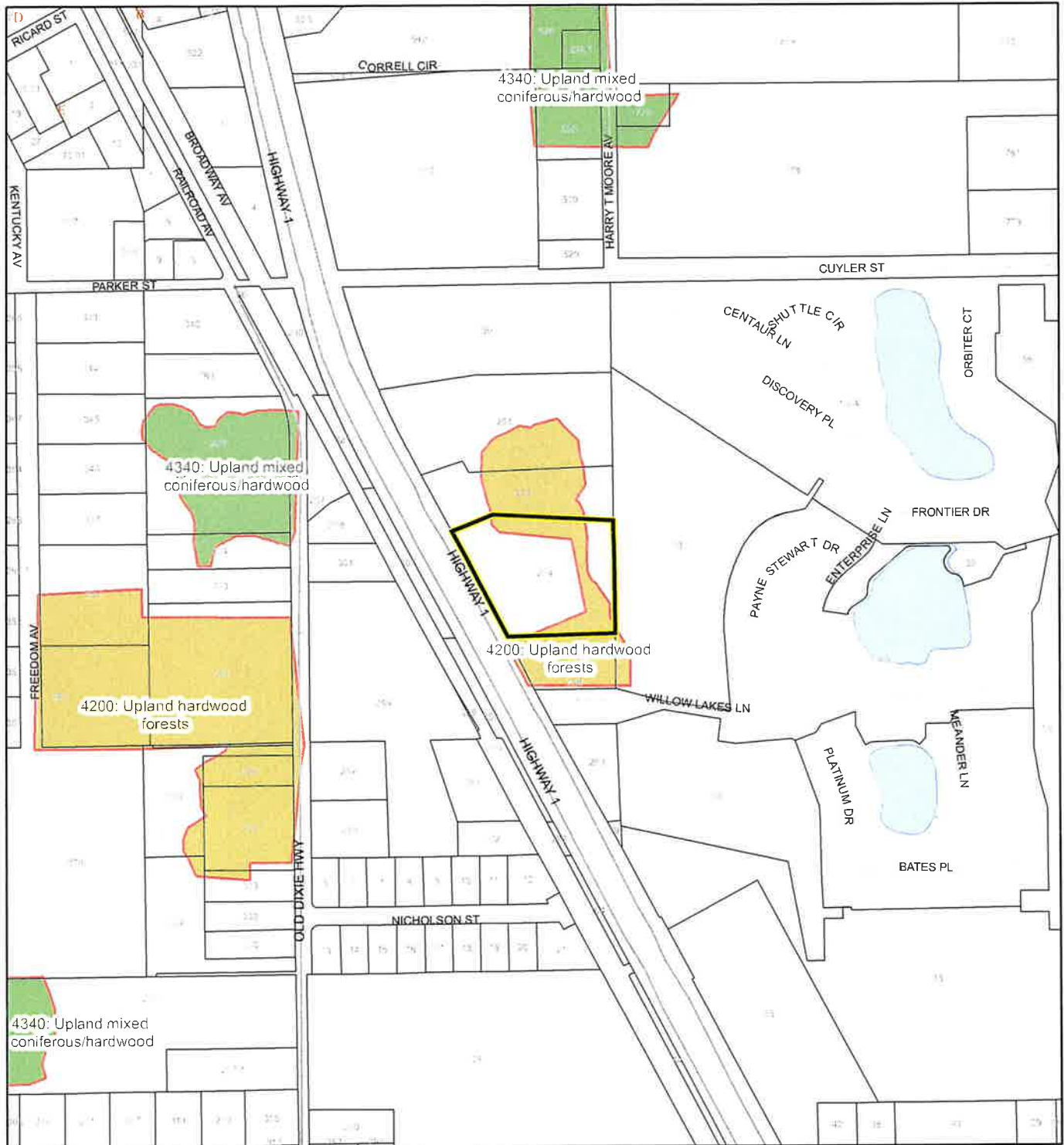
Produced by BoCC - GIS Date: 9/30/2025

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

# SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

PRINCETON TECHNOLOGY LLC

25Z00044



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: 9/30/2025

## SJRWMD FLUCCS Upland Forests

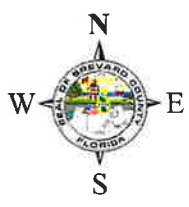
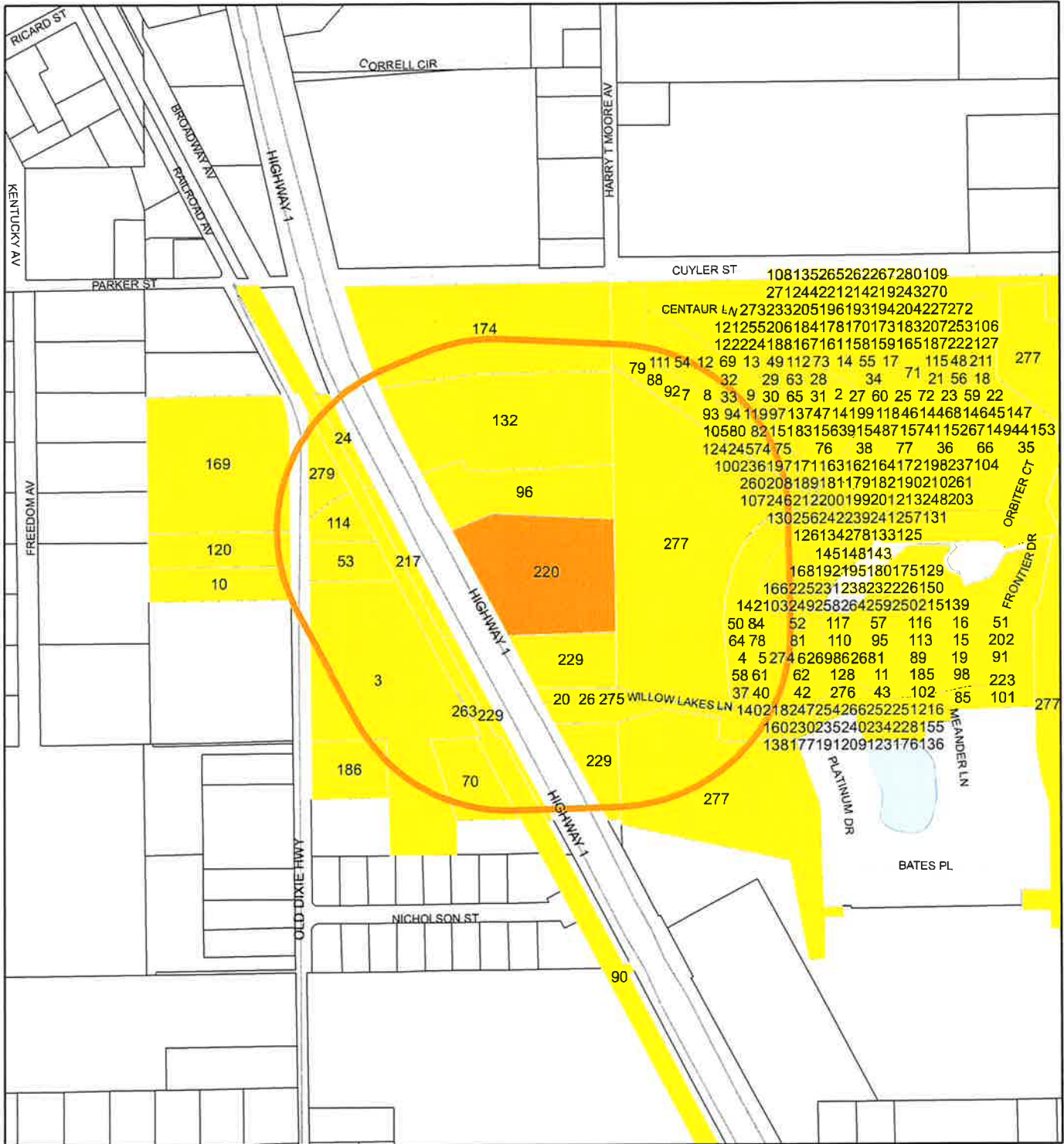
- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property  Parcels

# RADIUS MAP

## PRINCETON TECHNOLOGY LLC

25Z00044



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

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

Produced by BoCC - GIS Date: 9/30/2025

- Buffer
- Subject Property
- Notify Property
- Parcels



## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, January 12, 2026**, 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 Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Jerrad Atkins (D1); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Erika Orriss (D3); Eric Michajlowicz (D3); Debbie Thomas (D4); Neal Johnson (D4); Robert Brothers (D5); Ana Saunders (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; George Ritchie, Planner; Derrick Hughey, Planner; Alex Esseesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

### EXCERPT OF COMPLETE MINUTES

**H.4. Princeton Technology, LLC requests a zoning classification change from BU-1 (General Retail Commercial) with a CUP (Conditional Use Permit) to BU-1 (General Retail Commercial) with a CUP (Conditional Use Permit) for Alcoholic Beverages for On-Premises Consumption, accessory to a restaurant. (25Z00044) (Tax Account 2104653) (District 1)**

Paul Body read the item into the record.

The applicant was not present.

Mr. Atkins commented for what it's worth that restaurant has opened and closed several years. It's probably been 4 or 5 different restaurants. It's never been successful. They've never lasted more than a year or two. It's got very strange parking situation where you kind of just pull off US1 anywhere on the property and pull back on. There's one defined entrance to the lot, but there's only a few parking spaces, so people kind of just park all along the road. Anytime it was a newer restaurant, quite a bit of people just willy-nilly pulling on and off the road, just maybe a concern after they've been drinking.

Motion to continue Item H.4. to February 16, 2026, by John Hopengarten, seconded by Debbie Thomas. Motion passed unanimously.

Meeting adjourned at 6:28 p.m.

## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, February 16, 2026, 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 Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Jerrad Atkins (D1); John Hopengarten (D1); Ron Bartcher (D2); Robert Wise (D2); Erika Orriss (D3); Debbie Thomas (D4); Ana Saunders (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Billy Prasad, Planning and Development Director; Paul Body, Planner; Jane Hart, Natural Resources Management; Alex Esseeesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

### EXCERPT OF COMPLETE MINUTES

**H.2. Princeton Technology, LLC requests a zoning classification change from BU-1 (General Retail Commercial) with a CUP (Conditional Use Permit) to BU-1 (General Retail Commercial) with a CUP (Conditional Use Permit) for Alcoholic Beverages for On-Premises Consumption. (25Z00044) (Tax Account 2104653) (District 1)**

Paul Body read item H.2. into the record.

Dr. Sachin Shenoy spoke to the application. I rented this restaurant about two and a half almost three years ago. It is in Mims, and it was a functioning restaurant for 40 years. It had 75 seats. We opened it as a restaurant with beer and wine license. It was unsuccessful for the most part. So, we closed it down and I do own a full liquor license that I can bring there or I can buy one. We want to open a bar there and it's just 4COP. It could go to QUOTA because I could bring a QUOTA license there and we've already talked to DBPRS about transferring the full QUOTA license there. We want to serve food. It's not that we want to have only a liquor store there. It'll be food and a 4COP. In my current place where the license resides, I don't do QUOTA. I don't sell by the bottle. I don't sell to go. It's just a bar. I might move that bar over there or buy a new license for this place. The seating is 50. Now per their rules, you have to have 120 seats to have a 4COP and we cannot do that. Our restrictions are primarily space, a little parking and maybe a little septic tank issues. It's not my property. I still have a few years on it, and I just want to see if I can make it into a bar and see if that works because that allows us to plan for the future if that concept is viable in Mims or not. So, all I need is to zone it for a 4COP or a QUOTA license with a restaurant. I'm not sure how it is zoned. The process is very convoluted, and we got lost along the way. But that's my intention.

### NO PUBLIC COMMENT

Jerrad Atkins stated he knows that this building has been multiple restaurants over the years, and I know that you guys are trying to make something out of it too. And I'm not against this at all. I would support this. My question is, is there something that can go along with the CUP that stays with that business as opposed to that property in case they decide to relocate, that doesn't hang on to that piece of property? Is that a thing? I've asked around in a hypothetical way and I haven't got an answer.

Trina Gilliam responded Yes. The board can add a condition to the conditional use permit that if this business goes out of business the conditional use would be voided out.

Mr. Atkins asked the applicant if they would be opposed to that.

Mr. Shenoy responded he would not be opposed to that because it protects his investment and if someone wants to do it again they're welcome to go through all the hoops he's gone through and come over here and explain it to you all over again. I'd be happy to do that. Yeah, it would make me very happy. In fact, that might be a strong point for me to renew my lease if it works out. And if I fail, then I walk away. That's business.

There was discussion on how to word the condition to the CUP pertaining to who the CUP would be assigned to if it were recommended for approval.

Billy Prasad stated I think we may have an issue with just the language proposed. I think there's an alternative possible because if you say the condition is that it would be revoked, there's a statutory and code process to this, it would be effectively a rezoning. So, we wouldn't be able to do that. But what you could say is that this CUP, which allows them to do liquor, beer, and wine would only apply to a restaurant operated by this gentleman. And therefore, the CUP would still be on the property after that, but they would be violating the zoning to use it for any restaurant that's not operated by him. So that's one proposal. We can still think about other ways to do it, but I'm just trying to stay away from the idea that the CUP automatically gets revoked somehow because I don't think you can do that.

Mr. Minneboo stated CUPs are just touchy subjects and everybody on Merritt Island's got one whether they got a liquor store or not. I just have some reservations on the continuation because you don't know.

Mr. Prasad stated that he would also point out that most CUPs that we do now are administrative approvals associated with a restaurant. If you look at the code, you must automatically reapply for a new one. Because those can be administratively removed just like they're administratively approved. So, those automatically go away when there's a change of management. They must apply for a new one. But because this is going through the rezoning process with the board; that's where my concern comes in about saying that it's somehow revoked.

Mr. Minneboo responded it's still tricky.

Mr. Prasad stated it very much is. If this board recommended that we would really look at it before it goes to the board of county commissioners to see what the best way might be to implement it.

Motion to recommend approval of Item H.2. by Ron Bartcher, seconded by Jerrad Atkins on condition that the CUP is available only to the restaurant operated by C&S Restaurants, Inc. Motion passed unanimously.

Meeting adjourned at 3:31 p.m.