



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.2.

3/5/2026

Subject:

Resolution setting forth the findings and conclusions of the Board of County Commissioners, re: the denial of a request for a change of zoning classification from AU and RR-1 to SR with a BDP on property owned by Strada Development, LLC.

Fiscal Impact:

N/A

Dept/Office:

County Attorney's Office

Requested Action:

Approve and authorize the Chair to execute the proposed resolution setting forth the findings of fact and conclusions of the Board pertaining to the denial of a request for a change of zoning classification from AU and RR-1 to SR with a BDP on property owned by Strada Development, LLC.

Summary Explanation and Background:

On February 5, 2026, the Board of County Commissioners held a public hearing and considered a request for a change of zoning classification from AU and RR-1 to SR with a BDP on property owned by Strada Development, LLC, application number 25Z00039. The Board voted to deny the request by a unanimous vote and directed the County Attorney's Office to prepare findings of fact. The requested Resolution setting forth proposed findings of fact, conclusions of law, and the action taken is attached.

Pursuant to BCC-51, when the Board directs the County Attorney to develop a resolution setting forth proposed findings of fact, the resolution is to be scheduled for approval as a consent agenda item at a subsequent regular meeting of the Board. If the Board removes the resolution and findings of fact from the consent agenda for discussion at a regular meeting, the discussion shall not constitute a reopening of the public hearing, nor shall the Board hear any new evidence from the public. BCC-51 does not prevent the Board from continuing a public hearing to a date certain and reopening the public hearing at that time. In the event the Board wishes to reopen the public hearing, the item shall be readvertised.

Clerk to the Board Instructions:

Please provide copies of the executed resolution to the Planning and Development Director and County Attorney.



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

March 6, 2026

MEMORANDUM

TO: Morris Richardson, County Attorney

RE: Item F.2., Resolution Setting Forth the Findings and Conclusions of the Board of County Commissioners for the Denial of a Request for a Change of Zoning Classification from AU and RR-1 to SR with a Binding Development Plan (BDP) on Property Owned by Strada Development, LLC

The Board of County Commissioners, in regular session on March 5, 2026, tabled the proposed resolution setting forth the findings of fact and conclusions of the Board pertaining to the denial of a request for a change of zoning classification from AU and RR-1 to SR with a BDP on property owned by Strada Development, LLC, to the April 2, 2026, Zoning meeting.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/ds

cc: Planning and Development

RESOLUTION NO. 26-____

A RESOLUTION SETTING FORTH THE FINDINGS OF FACT AND CONCLUSIONS OF THE BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS PERTAINING TO THE DENIAL OF THE REQUEST FOR REZONING FROM AGRICULTURAL RESIDENTIAL, AU, AND RURAL RESIDENTIAL, RR-1, ZONING TO SUBURBAN RESIDENTIAL, SR, ZONING WITH A BINDING DEVELOPMENT PLAN (BDP) ON PROPERTY OWNED BY STRADA DEVELOPMENT, LLC.

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, as follows:

STATEMENT OF THE CASE AND FACTS

This item came before the North Merritt Island Dependent Special District Board (“NMI Board”) on January 8, 2026. The NMI Board unanimously recommended denial of the request. On January 12, 2026, the Planning & Zoning Board recommended denial of the request in a 9-4 vote. The item came before the Board of County Commissioners of Brevard County, Florida, on February 5, 2026. At the public hearing, the Board of County Commissioners reviewed evidence, heard comments and testimony from the applicant and applicant’s legal counsel, members of the public, and Brevard County staff, and ultimately denied the request in a unanimous vote.

The record is attached as Exhibit “A.” It consists of documents maintained by the Brevard County Planning and Development Department as part of the official application file and provided to the Planning & Zoning Board and the Board of County Commissioners, relevant sections of the Brevard County Code of Ordinances, relevant provisions of the Brevard County Comprehensive Plan, and minutes from the public hearings. The pages will be referred to as R- ____.

Description	Page Numbers
Records Certification	R-1
Administrative Policies of the Future Land Use Element	R-2
Staff Comments 25Z00039	R-10
Addendum to Staff Comments	R-22
Application for Zoning Action	R-24
Personal Representative’s Deed for 782, LLC	R-35
Authorizations to Act on Behalf of 782, LLC	R-38
Boundary Survey	R-40
Operating Agreement for 782, LLC	R-41

Brevard County Public School Concurrency Analysis	R-48
Proposed Binding Development Plan from Owner	R-58
Brevard County Property Appraiser's Office Real Property Details	R-63
Map of Subject Property	R-67
GIS Maps	R-68
Affidavit of Posting Public Notice	R-81
Aerial Maps and GIS Maps	R-83
Brevard County Property Appraiser's Office Real Property Details	R-86
Confirmation of Posted Notice	R-90
North Merritt Island Dependent Special District Board Minutes (January 8, 2026)	R-94
Public Comment Email (Sara Belichki - against request)	R-120
Aerial Map	R-121
Section 62-3724, Brevard County Code	R-122
Traffic Considerations	R-124
Public Comment Email (Sara Belichki - against request) 1/9/26	R-129
Public Comment Letter (Matt McFadden - against request) 1/12/26	R-131
Public Comment Email (Jeff & Diana Scarincio - against request) 2/2/26	R-150; R-166
Public Comment Email (Elijah Egger - against request) 2/2/26	R-151
Public Comment Email (Matt McFadden - against request) 1/31/26	R-152; 168
Public Comment Email (Glenn Egger - against request) 2/1/26	R-154
Public Comment Email (Sara Belichki - against request) 2/2/26	R-155
Public Comment Email (Christopher Smith - against request) 2/2/26	R-157
Public Comment Email (Judy Durette - against request) 2/3/26	R-159, R-160, R-163
Public Comment Letter (Michelle and Jason Kennedy - against request)	R-161; R-172
Public Comment Email (Christopher Smith - against request) 2/2/26	R-164
Public Comment Email (Glenn Egger - against request) 2/1/26	R-167

Public Comment Email (Amy Muir - against request) 1/30/26	R-170
Public Comment Letter (Amy Muir - against request)	R-174
Public Comment Letter (Alexandra Gelatt - against request)	R-178
Public Comment Letter (Olga Wirtzberger - against request)	R-179
Public Comment Letter (Amy Muir - against request)	R-180
Public Comment Letter (Matt McFadden - against request)	R-181
Public Comment Letter (Glenn Egger - against request)	R-184
Public Comment Email (Sara Belichki - against request)	R-185
Public Comment Email (Reina Dalton - against request)	R-187
Public Comment Letter (Janet Sebastian - against request)	R-188
District 4 Commissioner Meeting Disclosure	R-189
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District 3 Commissioner Meeting Disclosure	R-191
Chapter X – Coastal Management Element, Brevard County Comprehensive Plan	R-192
Chapter I – Conservation Element, Brevard County Comprehensive Plan	R-247
Section 62-1151, Brevard County Code, Amendments to official zoning map – Amendments initiated by property owner	R-292
Section 62-1334, Brevard County Code, Agricultural residential, AU and AU(L)	R-295
Section 62-1336, Brevard County Code, Rural residential, RR-1	R-298
Section 62-1338, Brevard County Code, Suburban residential, SR	R-300
MH Corbin Traffic Analyzer Study, Crisafulli Road	R-302
Brevard County Speed Hump Study, E. Crisafulli Rd. between N. Courtenay Pkwy and Judson Rd., Nov. 2, 2023	R-307

Strada/Preserve Point Sign Entry Rendering	R-309
Special Warranty Deed to Owner (OR Book 10437, Page 1459)	R-310
Operating Agreement for Owner	R-313
Authorization to Act on Behalf of Owner	R-321
Transcript of Hearing, Board of County Commissioners February 5, 2026	R-322

The applicant, Strada Development, LLC (“Strada” or the “applicant”), has owned the subject property (Tax Accounts 2316605, 2316606, 2316607, 2316617) since September 2025 after purchasing the property from 782, LLC. The applicant is seeking to change the zoning classification of the subject property, which contains 142.13 acres, from Agricultural Residential (AU) and Rural Residential (RR-1) to Suburban Residential (SR) with a binding development plan (BDP) to allow for the development of sixty-one (61) single-family residences. R-11. The subject property has been in its current configuration since at least 1962. R-11. Based on the staff report, the current zoning classifications applicable to the subject property are as follows:

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, and beekeeping.

RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one-acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns, and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses are accessory to a principal residence within the RR-1 zoning district.

R-11.

The applicant is seeking to change the subject property’s zoning to SR, which

. . . encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum half-acre lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

R-11.

The subject property has a future land use designation of RES 1, which limits development to one (1) unit per acre. R-23. Pursuant to Section 62-1255, Brevard County Code, the AU and RR-1 zoning classifications already on the subject property are both consistent with the RES 1 future land use designation. R-14. The requested SR zoning classification is not consistent with the RES 1 future land use designation; SR allows development on half-acre lots while RES 1 requires one (1) acre minimum for development. R-14. However, in order to address inconsistencies between zoning and the land use, Section 62-1255(2), Brevard County Code, permits a BDP to be used to limit density in accordance with the future land use designation. Specifically,

. . . [w]here an application for a change of residential zoning classification is not consistent with the residential future land use map designation as depicted on the following table, the rezoning may be considered if the applicant limits the project to a density equal to or less than the maximum density threshold for the subject property.

Section 62-1255(2), Brevard County Code. A binding development plan is an agreement voluntarily submitted by an applicant for a change of zoning or conditional use permit to minimize the impacts on the surrounding area or, as is the case in this situation, limit the density of the development to ensure compliance with the Brevard County Comprehensive Plan. Sections 62-1157 and 62-1255, Brevard County Code. As part of the County's staff report, reference is made to the *potential* developability of the subject property, with the caveat being that development potential – identified as 70 units – was still subject to applicable County land development regulations and additional regulations from authorities having jurisdiction. R-10. Additional factors, such as traffic, sewer and water service, and environmental impacts, need to be considered as part of the rezoning application. R-4; R-22 – R-23.

For example, according to the staff comments, a preliminary traffic concurrency indicates the proposed use will not materially and adversely impact traffic in the established area. R-16; R-17. The area surrounding the subject property is presumed to be predominantly residential, although there are agricultural uses present as well as large-lot undeveloped properties. R-17.

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. Most of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. This property is mapped as FEMA Special Flood Hazard Area (SFHA) AE.

The parcel is also located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities. The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Approximately 1,700 feet east of the subject property is a large area of mapped Florida Scrub Jay occupancy.

R-17.

Other significant environmental issues were addressed in the staff comments by the County's Natural Resources Management Department, which provided a summary of issues followed by extended discussion. The summary is provided below along with portions of the extended discussion (beginning at R-18).

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- *Wetlands and Hydric Soils*
- *Coastal High Hazard Area*
- *Floodplain Protection in North Merritt Island*
- *Indian River Lagoon Nitrogen Reduction Septic Overlay*
- *Land Clearing and Landscape Requirements*
- *Protected and Specimen Trees*
- *Protected Species*

Wetlands and Hydric Soils

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Copeland-Bradenton-Wabasso complex, limestone substratum; Bradenton fine sand, limestone substratum; Anclote sand, frequently ponded, 0 to 1 percent slopes; Wabasso sand, 0 to 2 percent slopes; and Riviera sand, 0 to 2 percent slopes); indicators that wetlands

*may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.***

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 62-3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require no net loss mitigation in Brevard County in accordance with Section 62-3696. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Coastal High Hazard Area

The majority of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high hazard area and direct development outside of this area.

Floodplain Protection in North Merritt Island

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Additionally, the parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record

*that there will be no adverse flooding impacts upon properties resulting from the proposed development. **The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities.***

Indian River Lagoon Nitrogen Reduction Septic Overlay

The property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Protected and Specimen Trees

*Protected and Specimen trees may exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.***

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. There is a large area of mapped Florida Scrub Jay occupancy adjacent to the property, approximately 1,700 feet to the east. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the U.S. Fish and Wildlife Service, as applicable.

R-18 – R-21.

At the County Commission's Zoning meeting on February 5, 2026, the Board heard from the applicant's representatives, members of the public, and Brevard County staff. In addition, the County received public comment letters and emails opposing the rezoning request. R-129 – R-188.

Attorney Kim Rezanka, legal counsel for the applicant, explained the request as a change of zoning to Suburban Residential (SR), with a BDP, to allow one-half acre lots with clustering to protect wetlands. Attorney Rezanka further stated that the subject property could be developed with 70 units, but because the BDP was needed to comply with the Future Land Use Element of the Brevard County Comprehensive Plan, the limit would be 61 units. Attorney Rezanka made additional claims regarding how many units could actually be developed on the subject property under the existing land use and zoning. R-322; R-324 – R-325; R-342 – R-344.

Mr. Hassan Kamal, the professional engineer for the applicant, stated that the proposed development was for sixty-one (61) lots, with the actual development footprint to impact between fifty (50) to fifty-five (55) acres, and the remaining acreage of the subject property was going to be preserved. R-323; R-328. Mr. Kamal explained that a full jurisdictional wetlands review had not yet been completed for the subject property, but preliminary wetlands mapping was available showed the 1.8% limit on wetlands impacts would be observed and followed by the applicant, with between two and two and one-half acres of wetlands on the subject property being impacted. R-323; see Maps on R-72 – R-74.

After the applicant completed its initial presentation, Commissioner Goodson requested Mr. Billy Prasad, the Brevard County Planning and Development Director and the Zoning Official of the County, to answer questions relating to the application. The first question requested an overview of the coastal high hazard area (CHHA) as it applied to the subject property. Mr. Prasad stated that the vast majority of the site was within the CHHA, as defined by Florida law and incorporated into the County's Comprehensive Plan as required by Florida law to show how the County mitigates issues related to development within such areas. Mr. Prasad explained that Objective 7 of the Coastal Management Element of the Brevard County Comprehensive Plan limits densities within the CHHA and directs development outside of said area. Administrative Policy 6 states that the Board of County Commissioners should determine whether a rezoning request is consistent with the Comprehensive Plan.

Commissioner Goodson then asked about drainage impacts on the surrounding area and Mr. Prasad explained that the subject property fell within the FEMA flood zone, as identified in the GIS maps included in the agenda packet, R-75, and provided general guidance that the County was devoting significant resources towards addressing the drainage issues in the area. Mr. Prasad went on to say that Administrative Policy 7 provides that "proposed uses shall not cause or substantially aggravate any substantial

drainage problem on surrounding properties or significant adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.” If the Board was to find that the rezoning and associated BDP would impact wetlands or cause/exacerbate drainage problems, the request could be denied for failure to comply with the Administrative Policies. R-325 – R-327.

Commissioner Goodson also requested clarification on whether the rezoning request was the appropriate path forward. Mr. Prasad stated that, while the Board is the ultimate decision-making authority as it relates to the request, the BDP was being used to establish consistency between the future land use density of RES 1, which requires a minimum of one unit per acre, and SR, which allows half-acre lots, allowing the applicant to cluster development on the subject property. It was further explained that a BDP is a voluntary agreement entered into by the parties, and the Board did not have to accept the applicant’s proposed solution to the inconsistency being created between the future land use and requested rezoning. R-327.

Chair Altman requested the applicant to provide estimates on pervious versus impervious surfaces related to the proposed development. Mr. Kamal estimated that roughly 70% of the subject property is going to be pervious and approximately 30% of the subject property would be impervious, which would include roads, driveway, and buildings. R-328.

During the public comment phase of the hearing, a number of citizens spoke out against the requested rezoning. The reasons for the Board to support denial included concerns with respect to flooding and its adverse impacts to infrastructure, including the roadway system; the destruction of wetlands, which would exacerbate the flooding issues; Objective 7 relating to limiting density and directing development outside of the CHHA; and, the subject property falling within the FEMA Special Flood Hazard Area. R-329 – R-340.

Following public comment, Ms. Trina Gilliam, Brevard County Planning and Development Zoning Manager, provided additional clarification with respect to the applicant’s claims on how many units could be developed on the subject property in its current condition. It was explained that 70 units was the potential for the site, but that the number would inevitably be lowered in order to comply with applicable provisions of the Brevard County Code of Ordinances. It was roughly calculated that, based on the information available, a total of 34 units would be able to be developed on the site. Mr. Prasad further addressed the staff comments wherein it clearly states the 70-unit number is *potential* based on the lack of information provided by the applicant, such as engineering, wetlands delineations, or placement of stormwater ponds, roads, or other improvements for the proposed site. R-340 – R-341.

Mr. Kamal was provided the opportunity to review staff's calculations and generally stated that the proposed 34 units was staff's worst-case scenario and that, without a verified wetlands delineation, the number of actual units that could be developed was unknown. R-346 – R-347.

After the public hearing portion was closed and the Board of County Commissioners completed its discussion, Commissioner Goodson made a motion to deny the request, which was seconded by Commissioner Delaney. The Board voted unanimously to deny the request.

FINDINGS OF FACT

The Board of County Commissioners finds:

1. The subject property was purchased by the applicant (the current owner) on September 18, 2025, per the Special Warranty Deed recorded in Brevard County Official Records at Book 10437, Page 1459. R-310.
2. The subject property is currently undeveloped and consists of 142.13 acres. R-11.
3. The applicant requested a rezoning from AU and RR-1 to SR with a BDP. R-11; R-24.
4. The subject property has a future land use designation of RES 1. This means that the overall density applicable to the property requires a minimum of one acre per unit. According to Section 62-1255, Brevard County Code, the SR zoning classification is not consistent with the RES 1 future land use designation because the SR zoning classification allows for development on lots with a minimum of half-acre. The requested zoning classification is not consistent with the Future Land Use Element of the Brevard County Comprehensive Plan.
5. The Brevard County Comprehensive Plan has elements required by Chapter 163, Florida Statutes, that address issues relating to development, including, but not limited to, conservation, floodplains, wetlands, and coastal high hazard areas.
6. The applicant seeks to cure the inconsistency between the SR zoning classification and RES 1 future land use designation by offering a binding development plan (BDP). Pursuant to Section 62-1255(b)(2), Brevard County Code, “. . . [w]here an application for a change of residential zoning

classification is not consistent with the residential future land use map designation . . . , the rezoning may be considered if the applicant limits the project to a density equal to or less than the maximum density threshold for the subject property.” R-23. A BDP is a voluntary agreement that must be entered into by both parties; the County is under no obligation to accept the terms and conditions offered by the applicant, especially when density would be increased. R-23.

7. The proposed BDP would effectively allow clustering of units at a density rate above what is otherwise allowed on the subject property as established by the Comprehensive Plan. Specifically, the request is to build half-acre lots, when the future land use designation requires a minimum of one-acre lots. The BDP is not sufficient or appropriate to cure the inconsistency between the SR zoning classification and RES 1 land use designation due to Administrative Policies 6 and 7. Without the BDP, the rezoning request of SR would be inconsistent with the future land use designation of RES 1, which would violate the Future Land Use Element of the Brevard County Comprehensive Plan.
8. Administrative Policy 6 of the Future Land Use Element of the Brevard County Comprehensive Plan requires that “[t]he 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.” R-4.
9. The majority of the subject property is located within the coastal high hazard area. R-20; Map on R-76. This means that the majority of the subject property is below the elevation of a Category 1 storm surge elevation as defined by Chapter 163, Florida Statutes. R-20.
10. Objective 7 of the Coastal Management Element of the Brevard County Comprehensive Plan seeks to “[l]imit densities within the coastal high hazard area and direct development outside of [such] area.” R-12; R-20; R-22; R-219. The requested rezoning seeks to cluster development at a density rate higher than what would otherwise be allowed, especially when in the CHHA, under both the Future Land Use Element and the Coastal Management Element of the Brevard County Comprehensive Plan.

11. Before both the Planning & Zoning Board and the Board of County Commissioners, the engineer for the applicant stated that roughly 50 to 55 acres would be developed with 61 lots at least half-acre in size. R-94 – R-95; R-328. Such calculation would amount to a density above one unit per acre, exceeding the limit established and required by the RES 1 Future Land Use designation, which applies to the entirety of the subject property.
12. The applicant's engineer also stated that the subject property would be roughly 70% pervious and 30% impervious, which would consist of things like buildings, roads, and driveways. R-328. The subject property falls almost entirely within the CHHA (Map on R-76) and, based on the rezoning request, would be encouraging development in that area that otherwise would not be permitted under the Brevard County Comprehensive Plan.
13. Administrative Policy 7 of the Future Land Use Element of the Brevard County Comprehensive Plan provides that "[p]roposed uses shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species." R-22.
14. The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District wetlands and hydric soils. R-20. A formal wetlands delineation was not provided by the applicant at the time of the rezoning request. While such information is not otherwise required by the Brevard County Code, based on the nature of the request, including references made by the applicant of their intent to utilize certain buffer distances, cluster development in a particular portion of the subject property, and develop at a density that could potentially violate Section 62-3694, Brevard County Code, generally pertaining to development impacts to wetlands, this additional information could have assuaged concerns pertaining to compliance with Administrative Policy 7. Not enough information was provided by the applicant to demonstrate the proposed use of the subject property, if the rezoning request was granted, would not cause or substantially aggravate significant, adverse and unmitigable impact on significant natural wetlands.
15. The subject property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE. R-20; Map on R-75. During the public hearing, members of the public stated their concerns related to flooding (R-329 – R-339) and provided photographic evidence (R-135 – R-149; R-175 – R-177) of the impacts of flooding in the area around the subject property. The requested

rezoning would allow for additional development on the subject property that may otherwise not be permitted under the County's land development regulations.

16. Pursuant to Administrative Policy 1, "[t]he Brevard County zoning official, planners and the Director of the Planning and Development [Department], 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." The statements made by Ms. Gilliam, the Brevard County Zoning Manager, and Mr. Prasad, the Brevard County Planning and Development Director and Zoning Official, during the public hearing with respect to the application and relevant provisions of the Comprehensive Plan and land development regulations are considered as such. The developability of the subject property as identified in the staff comments deals with potential development, "subject to applicable land development regulations." R-10. This means the applicant is not entitled to that number of units (whether current or proposed) because the County's land development regulations, including Section 62-3694, Brevard County Code, pertaining to wetlands impacts, would apply. The calculations presented by the County as estimates demonstrated that the application represented a likely increase in development potential once all relevant regulations are applied.
17. Administrative Policies of the Future Land Use Element of the Comprehensive Plan, including Administrative Policies 6 and 7, outline what factors must be considered by the Board as it relates to rezoning requests. R-2 – R-9.
18. The proposed rezoning request is inconsistent with the Future Land Use Element of the Brevard County Comprehensive Plan as the SR zoning classification is inconsistent with the RES 1 future land use designation.
19. The proposed rezoning request is inconsistent with the Coastal Management Element of the Brevard County Comprehensive Plan as the requested rezoning would allow for greater density in the CHHA than otherwise allowed by the subject property's RES 1 future land use designation.

CONCLUSION

Based on the foregoing, the Board of County Commissioners hereby finds the proposed rezoning from AU and RR-1 to SR with a BDP fails to meet the requirements of the Future Land Use Element, including, but not limited to, Administrative Policies 6 and 7, and the Coastal Management Element of the Brevard County Comprehensive Plan. Accordingly, the requested rezoning to SR with a BDP is denied.

DONE AND RESOLVED this 5th day of March, 2026.

ATTEST:

BOARD OF COUNTY
COMMISSIONERS OF BREVARD
COUNTY, FLORIDA

Rachel Sadoff, Clerk

Thad Altman, Chair
As approved by the Board on: 3/5/26

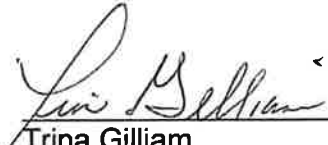
RECORD

CERTIFICATION

STATE OF FLORIDA)
COUNTY OF BREVARD)

I, Trina Gilliam, Planning and Zoning Manager of Brevard County Planning and Development Department, do hereby certify that the following pages are true and correct copies of the February 5, 2026, Board Agenda Item for Strada Development, LLC, Application No. 25Z00039, prepared by the Planning and Development Department and provided to the Board of County Commissioners via Legistar for the February 5, 2026, Zoning Board Meeting for property: Tax Accounts 2316605, 2316606, 2316607, and 2316617.

Dated this 25 day of February, 2026.



Trina Gilliam
Planning and Zoning Manager
Brevard County Planning & Development

STATE OF FLORIDA)
COUNTY OF BREVARD)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25th day of February, 2026, by Trina Gilliam, Planning and Zoning Manager of Brevard County Planning and Development Department, who is personally known to me or who has produced _____ as identification.

[Notary Seal]





Notary Public Signature

Kristen Champion

Name typed, printed or stamped

My Commission Expires: 12/19/26

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

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

Administrative Policy 1

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

Administrative Policy 2

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

Criteria:

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

Administrative Policy 3

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

Criteria:

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

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

Administrative Policy 4

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

Criteria:

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

Administrative Policy 5

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

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

Criteria:

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

Administrative Policy 6

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

Administrative Policy 7

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

Administrative Policy 8

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

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

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

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

CONDITIONAL USE PERMITS (CUPs)

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

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

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

(c) General Standards of Review.

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

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

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

FACTORS TO CONSIDER FOR A REZONING REQUEST

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

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

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

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

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

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

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

DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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



BOARD OF COUNTY COMMISSIONERS

Planning and Development Department

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<https://www.brevardfl.gov/PlanningDev>

**STAFF COMMENTS
 25Z00039**

Strada Development, LLC. (Kim Rezanka)

**AU (Agricultural Residential) & RR-1(Rural Residential) to SR (Suburban Residential)
 W/BDP**

Tax Account Number: 2316605, 2316606, 2316607, 2316617
 Parcel I.D.: 23-36-24-00-500
 23-36-24-00-501
 23-36-24-00-502
 23-36-24-00-513

Location: North side of E. Crisafulli Rd. approximately 90 feet east of Josephs Ct. (District 2)

Acreage: 142.13 acres

NMI Special District Board: 1/08/2026
 Planning and Zoning Board: 1/12/2026
 Board of County Commissioners: 2/05/2026

Consistency with Land Use Regulations

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

	CURRENT	PROPOSED
Zoning	AU, RR-1	SR w/ BDP
Potential*	70 single-family residences	61 single-family residences
Can be Considered under the Future Land Use Map	Yes RES 1	No** RES 1

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

** The proposed BDP would limit the density of the property to one (1) unit per acre (as provided for under Section 62-1255(2), Brevard County Code of Ordinances), to provide consistency between the SR zoning classification and the Future Land Use (FLU) of RES1.

Background and Purpose of Request

The applicant is requesting a change of zoning classification from AU (Agricultural Residential) and RR-1 (Rural Residential) on 142.13 acres to SR (Suburban Residential) with a Binding Development Plan (BDP) to allow for the development of 61 single-family residences on the subject property. The subject parcel has access to E. Crisafulli Rd., a county-maintained roadway. The subject parcel is currently undeveloped and is located on the north side of E. Crisafulli Rd., approximately 90 feet east of Josephs Ct.

The property's current configuration has remained the same since the earliest recorded deed available from February 05, 1962.

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, and beekeeping.

RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one-acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns, and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses are accessory to a principal residence within the RR-1 zoning district.

SR classification encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum half-acre lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

The subject property is within the septic moratorium area. Any proposed 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 the Department of Environmental Health, which issues septic permits.

A portion of the subject property retains its original zoning classification of AU when the Brevard County zoning code was adopted on May 22, 1958.

The portion of the property zoned RR-1 was approved under resolution **Z-4894**, on May 10, 1979, which changed the zoning classification from AU to RR-1.

The RES 1 FLU designation is the original from the adoption of the Brevard County Comprehensive Plan on September 8, 1988.

The subject property is located within both the 1992 and 2018 North Merritt Island (NMI) Small Area Studies, situated approximately 0.5 miles south of N. Courtenay Pkwy. The 1992 study notes that residential density should be reduced from two (2) units per acre to one (1) unit per acre, which applies to 65% of the NMI area. 92B.5.13 affected the subject parcel by changing the residential density from Suburban 2 to Suburban 1 on a total of 6500± acres.

The subject property is also located within the 2018 NMI Small Area Study also wanted a reduction in density by a Future Land Use (FLU) change. This Future Land Use change from Residential 1 to Residential 1:2.5 (RES 1:2.5) would apply to 2,486.14 acres, which could potentially reduce the number of dwelling units that can be built in the Study Area by a maximum of 1,492 dwelling units. This NMI study did not impact the subject property, due to the owner at submitting a letter to the Brevard County Commissioners requesting that this property be removed from the small area study.

Brevard County Utility Service comments state: Please be aware that the North Indian River Lagoon Basin Management Action Plan Injunction prohibits septic tanks in this area. In the context of onsite sewage treatment and disposal systems, "Available" is defined in F.S. 381.0065 (2)(a) and the requirements to connect to an existing onsite sewage treatment and disposal system to central sewerage system are defined in F.S. 381.00655 (1)(a). Brevard County has the exclusive right to furnish the sewer service per Section 110-181, Brevard County Code of Ordinances, because this is within the Brevard County Utility Services Department Service Area. Please note that a Brevard County force main abuts Tax ID 2316607 on Crisafulli Road.

The parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. **The applicant is encouraged to continue communication with Natural Resources Management prior to any plan or permit submittal or performing any land clearing activities.**

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Most of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statutes. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high-hazard area and direct development outside of this area.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	Single-family residence, single-family residence with grazing land	AU	RES 1
South	Undeveloped, single-family residence	RR-1	RES 1

East	Nursery, conservation tract	AU, SR	RES 1
West	Undeveloped, single-family residence	AU	RES 1

North of the subject property are three (3) parcels, all zoned AU with RES 1 FLU. First parcel is 10.32 acres, developed with the agricultural pursuit of mixed tropical fruits. The second parcel is 10.32 acres, developed with a single-family residence. Finally, the third parcel is 20 acres, developed with a single-family residence along with grazing land.

South of the subject property are five (5) parcels, all zoned RR-1 with RES 1 FLU. One parcel is 1.0 acres developed with a single-family residence. Next are two (2) parcels, both are 1.69 acres, developed with single-family residences. There is an additional parcel, 1.69 acres, that is undeveloped. Lastly, there is a 0.37-acre parcel, developed with a single-family residence.

South and west of the subject property is a 1.69-acre parcel, zoned RR-1 with RES 1 FLU, developed with a single-family residence.

South and east of the subject property is a 2.93-acre parcel, zoned RR-1 with RES 1, developed with a single-family residence.

East of the subject property are two (2) parcels: First parcel is 70.73 acres, zoned AU with RES 1 FLU, developed as a nursery. The second parcel is 56.38 acres, zoned SR w/ BDP and RES 1 FLU, undeveloped as a conservation tract for the Indian Forest Preserve Subdivision. The BDP limited development to 110 units in the subdivision, which encompassed a total of 110.97 acres (as is proposed in the subject property, the inconsistency between the zoning classification and the land use designation was cured through this BDP, pursuant to Section 62-1255(2)).

West of the subject property are three (3) parcels, all zoned AU with RES 1. The first parcel is 4.39 acres, developed with a single-family residence. The final two (2) parcels are 7.59 acres and 26.57 acres, which are both undeveloped.

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, and beekeeping.

RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one-acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns, and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses and agricultural uses are accessory to a principal residence within the RR-1 zoning district.

SR classification encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum **half-acre** lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

Future Land Use

The subject property's AU zoning classification is consistent with the RES 1 Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The subject properties' other current RR-1 zoning classification can be considered consistent with the RES 1 Future Land Use. The applicants' request for SR zoning classification cannot be considered consistent under the RES 1 Future Land Use. However, pursuant to Section 62-1255(2), “. . . Where an application for a change of residential zoning classification is not consistent with the residential future land use map designation . . . the rezoning may be considered if the applicant limits the project to a density equal to or less than the maximum density threshold for the subject property.”

Applicable Land Use Policies

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

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

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

Criteria:

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

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

In addition, the performance standards within Sections 62-2251 through 62-2272 will be reviewed at the subdivision stage should the zoning change be approved.

Traffic from the proposed development will 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 1.63%. The corridor is anticipated to operate at 48.56% of capacity daily. Specific concurrency issues will be addressed at the time of subdivision review.

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

Only a certified MAI (Member Appraisal Institute) 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;

Within the 0.5-mile radius of the subject property, there are two (2) FLU designations: RES 1 and Residential 1:2.5 (RES 1:2.5). RES 1 is the predominant FLU in the area.

The existing pattern is a mixture of single-family detached homes and vacant land on properties predominantly approximately 1 acre in size, with two lots ranging from 0.3 to 0.5 acres. Several properties, approximately 10 acres or more in size, are developed with agricultural uses. There is one subdivision in the area, Island Forest Preserve, which is approved for 110 single-family detached homes and is currently built out at 65%. Lot sizes in the development are approximately one-quarter of an acre.

There has been one FLUM amendment within one-half mile of the subject property in the past three years.

There are several zoning classifications: RR-1, SR, and AU 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

Development of the Island Forest Preserve subdivision has occurred within 0.5 miles of the subject property within the last three years. It is located abutting the subject property to the northeast. From 2023 to 2025, a total of 72 single-family detached dwellings have been developed, which is 65% of the total maximum development of the property.

Additionally, one single-family detached dwelling was built in 2023, and two more were built in 2022, on three properties that abut the subject property to the south.

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

It appears no development has been approved and not yet constructed in the immediate area within the last three years. However, there has been one zoning action:

- **21Z00020: On 9/2/2021, approved rezoning from Planned Industrial Park (PIP) to RR-1 on 8.25 acres. This rezoning had an approved companion application 21PZ00033, changing the FLU from Planned Industrial (PI) to RES 1.**

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

Only a certified MAI (Member Appraisal Institute) appraisal can determine if material reduction has or will occur due to the proposed request.

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.

Staff analysis of a preliminary traffic concurrency indicates the proposed use will not materially and adversely impact the established residential areas, agricultural lands, and a residential subdivision by introducing types or intensity of traffic, parking, or trip generation. This is not an introduction of commercial activity within the identified boundaries of a 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.

The area is not considered an established residential neighborhood. However, there are clearly established boundaries, such as roads and open spaces.

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.

The surrounding is considered a residential area, not a residential neighborhood. The proposed use would not preclude the existence of the existing residential area.

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.

This area is presumed to be predominantly residential. However, there are agricultural uses within the area of the subject property, along with large lot undeveloped properties.

FLUE 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 unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. Most of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. This property is mapped as FEMA Special Flood Hazard Area (SFHA) AE.

The parcel is also located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities. The entire property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Approximately 1,700 feet east of the subject property is a large area of mapped Florida Scrub Jay occupancy.

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is N. Courtenay Pkwy., between Hall Rd. and N. Tropical Trail, which has a Maximum Acceptable Volume (MAV) of 39,170 trips per day, a Level of Service (LOS) of D, and currently operates at 46.92% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 1.63%. The corridor is anticipated to operate at 48.56% of capacity daily. The maximum development potential of the proposal is not anticipated to create a deficiency in LOS. Specific concurrency issues will be addressed at the time of site plan review. This is only a preliminary review and is subject to change. Preliminary concurrency was

conducted using traffic counts from N. Courtenay Pkwy., since E. Crisafulli Rd. currently has no traffic counts from SCTPO.

School concurrency indicates there is enough capacity at Lewis Carroll Elementary School, Jefferson Middle School, and Merritt Island High School for the total of projected and potential students from this development. This was a non-binding review; a Concurrency Determination must be performed by the School District prior to a Final Development Order and the issuance of a Concurrency Evaluation Finding of No Deficiency by the Local Government.

The subject property is within access to centralized sewer from Brevard County Utilities and centralized water from the City of Cocoa.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Coastal High Hazard Area
- Floodplain Protection in North Merritt Island
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements
- Protected and Specimen Trees
- Protected Species

Please refer to all comments provided by the Natural Resource Management Department at the end of this report.

For Board Consideration

The Board should consider whether the proposed zoning request is consistent and compatible with the surrounding area. The Board may also consider whether the proposed BDP is sufficient and appropriate to cure the inconsistency between the proposed SR zoning and the land use designation of RES 1, and whether an effective density of two units per acre (through clustering of one-half acre lots, which is the minimum lot size of SR zoning) is consistent and compatible with the area despite the land use designation.

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25Z00039

Applicant: Kimberly Rezanka (Owner: Strada Development, LLC)

Zoning Request: AU and RR to SR with a BDP

Note: to develop 61 single family residential units

Advisory Board: 01/07/2026; **Zoning Hearing:** 01/12/2026; **BCC Hearing:** 02/05/2026

Tax ID No.(s): 2316605, 2316606, 2316607, 2316617

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Wetlands and Hydric Soils
- Coastal High Hazard Area
- Floodplain Protection in North Merritt Island
- Indian River Lagoon Nitrogen Reduction Septic Overlay
- Land Clearing and Landscape Requirements
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Copeland-Bradenton-Wabasso complex, limestone substratum; Bradenton fine sand, limestone substratum; Anclote sand, frequently ponded, 0 to 1 percent slopes; Wabasso sand, 0 to 2 percent slopes; and Riviera sand, 0 to 2 percent slopes); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres, as unbuildable. **This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 62-3694(c)(6).** Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require no net loss mitigation in Brevard County in accordance with Section 62-3696. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.**

Coastal High Hazard Area

The majority of this property is located within the Coastal High Hazard Area (CHHA) as defined by Florida Statute 163.3178(2)(h), and as shown on the CHHA Map. The Coastal Management Element of the Comprehensive Plan, Policy 6.1, designates Coastal High Hazard Areas to be those areas below the elevation of the Category 1 storm surge elevation as defined in Chapter 163, Florida Statute. Objective 7 of the Coastal Management Element aims to limit densities within the coastal high hazard area and direct development outside of this area.

Floodplain Protection in North Merritt Island

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) AE, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The parcel is subject to the development criteria in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Additionally, the parcel is located on North Merritt Island (NMI), north of Hall Road. Section 62-3724(4) contains additional criteria including compensatory storage and written certification from the engineer of record that there will be no adverse flooding impacts upon properties resulting from the proposed development. **The applicant is encouraged to continue communication with NRM prior to any plan or permit submittal or performing any land clearing activities.**

Indian River Lagoon Nitrogen Reduction Septic Overlay

The property is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. Per Chapter 46, Article II, Division IV - Nitrogen Reduction Overlay, if adequate sewer for the

development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required. NRM requires a Septic Maintenance Notice be filed with the Brevard Clerk of Courts.

Protected and Specimen Trees

Protected and Specimen trees may exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. There is a large area of mapped Florida Scrub Jay occupancy adjacent to the property, approximately 1,700 feet to the east. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the U.S. Fish and Wildlife Service, as applicable.



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>

Addendum 25Z00039 Strada Development, LLC.

This addendum is provided to address comments and questions raised during the Planning and Zoning Board public hearing and to clarify the applicability of Comprehensive Plan policies, Administrative Policies, and zoning approval criteria relevant to the rezoning request.

During the hearing, the applicant, Strada Development, stated through its representative that the applicant would agree to Binding Development Plan (BDP) conditions limiting development to no more than sixty-one (61) dwelling units, subject to wetland and floodplain constraints. Staff notes that any such limitation would need to be formally incorporated into a Binding Development Plan approved by the Board in order to be enforceable and tracked through subsequent development review.

The applicant's engineer stated that stormwater drainage from both the subject subdivision and adjacent portions along E. Crisafulli Road would be evaluated and considered during the subdivision and stormwater design phase, and that the developer would complete any improvements required by County code. While these statements acknowledge future evaluation, Administrative Policy 7 requires that proposed uses shall not cause or substantially aggravate drainage problems on surrounding properties or cause significant, adverse, and unmitigable impacts to wetlands or water bodies. At the rezoning stage, no engineering analysis or drainage modeling has been provided to demonstrate compliance with this policy, and commitments to evaluate drainage at a later stage do not, by themselves, establish consistency with Administrative Policy 7 at the time of rezoning.

During the hearing, the applicant stated that the rezoning request was limited to compatibility. Staff clarifies that rezoning review is not limited solely to compatibility. Section 62-1151(5), Brevard County Code, requires that the appropriateness of a proposed zoning classification be evaluated based on applicable zoning and land use regulations and considerations of public health, safety, and welfare. Accordingly, issues related to environmental constraints, drainage, flood hazards, transportation impacts, and consistency with Comprehensive Plan elements are applicable considerations at the rezoning stage.

The Comprehensive Plan's Coastal Management Element, Objective 7.0, directs development away from the Coastal High Hazard Area and seeks to limit densities within it. The majority of the subject property is mapped within both the Coastal High Hazard Area and the Special Flood Hazard Area. Comments were raised regarding the introduction of three to four feet of fill to accommodate development and the potential impacts to runoff and drainage. Staff notes that increasing density within these hazard areas raises policy considerations related to flood hazards, drainage, and environmental impacts, similar to concerns previously identified by the Board in prior rezoning cases involving properties within the Coastal High Hazard Area.

Concerns were also raised regarding increased traffic and whether such impacts could diminish the enjoyment, safety, or quality of life in the surrounding area. These concerns are applicable under Administrative Policies 3 and 4, which address neighborhood and area impacts. During the hearing, the applicant's representative stated that a traffic study would be completed for E. Crisafulli Road, and that the developer would complete any roadway improvements required by the County. Administrative Policy 5 requires that, when reviewing a rezoning, the impacts of the proposed use on transportation facilities be considered, including adopted levels of service, roadway capacity and construction quality, public safety, and whether projected traffic would materially and adversely affect surrounding residential neighborhoods. At the time of rezoning, no traffic study or transportation analysis has been submitted to demonstrate compliance with these criteria; given the current known conditions of the area, the Board may consider whether more information is needed in order to demonstrate compliance with the Comprehensive Plan.

Administrative Policy 6 requires that rezoning requests be consistent with all applicable land development policies and the relevant elements of the Comprehensive Plan, including the Coastal Management, Conservation, Surface Water, and Transportation Elements. Staff notes that the proposed rezoning raises questions regarding consistency with Coastal Management Element Objective 7, which seeks to limit development within the Coastal High Hazard Area.

Pursuant to Administrative Policy 2, staff is required to analyze rezoning applications for consistency with Comprehensive Plan policies, zoning approval criteria, and other applicable written standards. Based on the policies cited above, staff notes that wetlands, drainage, flood hazards, and traffic impacts are applicable considerations at the rezoning stage, even if detailed engineering analysis would occur during later phases of development review. Should the Board wish to approve this application, it may consider memorializing any commitments offered by the applicant through an enforceable mechanism such as a Binding Development Plan in order to ensure consistency with applicable policies and allow for effective review and enforcement during subsequent development approvals.

Staff additionally notes that this application requires the Board to approve a Binding Development Plan in order to establish consistency between the SR zoning classification and the RES 1 future land use designation (which are not considered consistent under Brevard County Code of Ordinances). This is done by capping the overall density of the project, but would allow more than one unit per acre (two per acre). Should the Board find that this is not appropriate in this instance, the Board should note that entering such an agreement is voluntary. Alternatively, the applicant could submit a request for a Planned Unit Development, which would allow consistency with the Comprehensive Plan while allowing clustering where appropriate. Such a PUD application would also allow the applicant the opportunity to demonstrate consistency with policies referenced above through the approval of the associated Preliminary Development Plan (PDP), and give the Board the opportunity to condition approval based on circumstances in the area. If the Board offers this option and the applicant accepts, the applicant would be required to submit a new rezoning application requesting PUD zoning. reviewed formally by the county zoning office and such other departments of county government as necessary to determine the consistency of the plan with county plans and policies prior to the submission of the PUD zoning application to the planning and zoning board of the county. The planning and zoning board shall then review the preliminary plan.



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

BOARD OF COUNTY COMMISSIONERS

Application for Zoning Action, Comprehensive Plan Amendment, or Variance

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

PZ # 25Z00039

Existing FLU: RES1 Existing Zoning: AU and RR-1

Proposed FLU: _____ Proposed Zoning: SR

PROPERTY OWNER INFORMATION

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

<u>Joseph "Bud" Crisafulli</u>		<u>782, LLC</u>	
Name(s)		Company	
<u>5525 N. Courtenay PKWY</u>	<u>Merritt Island</u>	<u>FL</u>	<u>32953</u>
Street	City	State	Zip Code
<u>budc5525@yahoo.com</u>	<u>321-453-7131</u>	_____	
Email	Phone	Cell	

APPLICANT INFORMATION IF DIFFERENT FROM OWNER:

Attorney Agent Contract Purchaser Other

<u>Kimberly B. Rezanka</u>		<u>Lacey Rezanka</u>	
Name(s)		Company	
<u>6013 Farcenda Pl.</u>	<u>Melbourne</u>	<u>FL</u>	<u>32940</u>
Street	City	State	Zip Code
<u>KRezanka@llr.law</u>	<u>321-608-0892</u>	_____	
Email	Phone	Cell	

APPLICATION NAME

- Large Scale Comprehensive Plan Amendment (CP) (greater than 50 acres)
- Small Scale Comprehensive Plan Amendment (CP) (less than 50 acres)
- Text Amendment (CP): Element _____
- Other Amendment (CP): Name _____
- Rezoning Without CUP (RWOC)
- Combination Rezoning and CUP (CORC)
- Conditional Use Permit (CUP)
- Binding Development Plan (BDP)
- Binding Development Plan (BDP) (Amendment)
- Binding Development Plan (BDP) (Removal)
- Variance(s) (V) (building permits will not be approved until 30 days after the date the order is signed)
- Administrative Approval of Setbacks, Lot Size, or Accessory Structures
- Administrative Approval of Flag Lot or Easement
- Administrative Approval of On-Premises Consumption of Alcoholic Beverages for Restaurants / Snack Bars
- Other Action: Name _____

Acreage of Request: 142.13

Reason for Request:

Rezone from AU and RR-1 to SR.

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

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

Joseph Bud Crisafulli
 Signature of Property Owner or
 Authorized Representative

8-26-25
 Date

State of FLORIDA

County of BREVARD

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

this 26th day of, August, 20 25, personally appeared

Joseph Bud Crisafulli, who is personally known to me or produced

PERSONALLY KNOWN as identification, and who did / did not take an oath.

Rachel Whitcomb
 Notary Public Signature

Seal



Office Use Only:

Accela No. 25Z00039 Fee: See receipt Date Filed: 10/13/2025 District No. 2

Tax Account No. (list all that apply) 2316617, 2316605, 2316606, 2316607
23-36-24-00-513

Parcel I.D. No. 23-36-24-00-500
23-36-24-00-501
23-36-24-00-502

Twp _____ Rng _____ Sec _____ Sub _____ Block _____ Lot/Parcel _____

Planner: D.J. Sign Issued to: C.E. Notification Radius: 500'

MEETINGS

	DATE	TIME
P&Z	<u>1/12/2026</u>	<u>15:00</u>
PSJ Board	_____	_____
NMI Board	<u>1/7/2026</u>	<u>18:00</u>
LPA	_____	_____
BOA	_____	_____
BCC	<u>2/5/2026</u>	<u>17:00</u>

Wetland survey required by Natural Resources Yes No Initials _____

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

Yes No If yes, list NMI

Location of subject property:

Located on the north side of E. Crisafulli Rd., approx. 90' east of Josephs Ct.

Description of Request:

AU & RR-1 to SR with BDP.



Planning & Development
Central Cashier
2725 Judge Fran Jamieson Way
Building A, Room 114
Melbourne, FL 32940

RECEIPT OF PAYMENT

Payment Date: 9/5/2025
Receipt #: 819128
Transaction Id# 182080035

Payment Method	Payment Reference #	Amount Paid	Comments
	182080035	\$2,540.00	
		\$2,540.00	Total
Rezoning		\$2,540.00	
25Z00039			
Fee	Invoice #	Amount	
Rezoning Natural Resources Review	1002415	\$300.00	
Rezoning Single Family Residential	1002415	\$2,240.00	
			Grand Total
			\$2,540.00

Reprint Date: 10/10/25

Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.
To verify fees please visit the Brevard County Planning & Development Search.

www.brevardcounty.us/PlanningDev
P (321) 633-2068 F (321) 633-2052



Planning & Development
Central Cashier
 2725 Judge Fran Jamieson Way
 Building A, Room 114
 Melbourne, FL 32940

RECEIPT OF PAYMENT

Payment Date: 8/28/2025
Receipt #: 818195
Transaction Id# 181697608

Payment Method	Payment Reference #	Amount Paid	Comments
	181697608	\$25.00	
		\$25.00	Total
Rezoning 25Z00039			\$25.00
Fee	Invoice #		Amount
Application Processing Fee	1001498		\$25.00
Grand Total			\$25.00

Reprint Date: 10/10/25

Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.
To verify fees please visit the Brevard County Planning & Development Search.

www.brevardcounty.us/PlanningDev
P (321) 633-2068 F (321) 633-2052

Zoning Information Worksheet

Owner(s): 782 LLC
(Does this match the warranty deed?)

Applicant(s): Kimberly Rezanka
(Does this person have authorization from everyone listed on the warranty deed?)

Parcel ID#: 23-36-24-00-513, 23-36-24-00-500, 23-36-24-00-501, 23-36-24-00-502
(If more than one parcel, they must share a property line to be on the same application.)

Present Zoning: AU & RR-1

Is there a BDP or a CUP on the property? Yes/No: NO (If yes, attach BDP)

Existing BDP states: _____

Requested Zoning/CUP: SR

BDP Requested? Yes/No: YES- see attached proposed BDP

If CUP Request, do you have a CUP worksheet filled out by the applicant? Yes/No

Previously Approved Zoning Actions on lot:

Z-4894 rezoning from AU to RR-1 ;

Is this a non-conforming lot of record? Yes/No: Yes^x Why? Lot meets minimum lot size requirements.
Non-Conforming to: _____

Is this a substandard lot? Yes/No: Yes^x Why? Lot meets minimum lot size requirements.

What is the FLU Designation of the property?: RES 1

- Is the requested zoning consistent with the FLU? Yes/No (See compatibility table) yes, with BDP
- If no, what is the requested **small scale plan amendment**? (Must be 10 acres or less)

Character of the Area – List the recent zoning changes in same section? (Last 3 years)

Action #, Date of action and State what changed?

Z# na

If this is a CUP request, list all CUP's on adjacent properties: _____

Abutting property zoning: N _____ S _____ E _____ W _____ X

JPA/Special Board/Special Section? Yes/No (Circle one and make a note on the application) PSJ, NMI, MIRA
ROCKLEDGE, MELBOURNE, PALM SHORES, TITUSVILLE, PALM BAY or within 500' of PALM BAY EXTENSION

Reason for Rezoning Request: Applicant is proposing to develop 61 single family units

- If proposing single-family or multi-family how many units? 61 single family units
- If proposing a CUP for alcohol, how many seats? _____ Bar or Restaurant? _____
 - Do you have a certified survey indicating there are no churches or schools within 400'? Yes/No
 - Do you have a site plan showing the layout and parking configuration? Yes/No
 - Do you have a CUP worksheet filled out by the applicant? Yes/No
- If the request is for commercial zoning, do you have a wetland survey that includes a legal description of the wetland? Yes/No (If no, NR must have checked no on the front of the application)

Existing structures/uses on the property? Vacant

Describe the character of the area based upon Administration Policy 3 of FLUE (attached):
single family residential neighborhood.

Concerns raised as part of request: Septic Moratorium within NIRL.

Other options discussed with applicant: Online application submission.

Did you print out the Property Appraiser's Map for this property?
Did you mark the map?
Did you stamp the deed(s)?

Jackson, Desiree
Digitally signed by Jackson,
Desiree
Date: 2025.10.10 16:59:56 -04'00'

Planner Signature

Date

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 foresee ably 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 an 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.



BOARD OF COUNTY COMMISSIONERS

Planning and Development

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

NOTICE TO APPLICANTS FOR CHANGE OF LAND USE

The Planning and Development Department staff will be preparing written comments concerning your request. These comments will be provided to the Planning and Zoning Board/Local Planning Agency and Board of County Commissioners. The comments will address the following:

- The current zoning of the property along with its current development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.
- The proposed zoning of the property along with its development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.
- The proposal's impact on services, such as roads and schools.
- The proposal's impact upon hurricane evacuation, if applicable.
- Environmental factors.
- Compatibility with surrounding land uses.
- Consistency with the character of the area.

You may place your own written comments on these items into the record. Up to two typewritten pages can be included in the package if received at least 10 working days prior to the Planning and Zoning Board hearing. You are not required to provide written comments. **An applicant presentation to the Planning and Zoning Board is required regardless of written submittals.** The board may approve the requested classification, or a classification which is more intensive than the existing classification but less intensive than the requested classification.

Note:

If your application generates public opposition, as may be expressed in letters, petitions, phone calls, testimony, et cetera, you are advised to meet with concerned parties in an effort to resolve the differences prior to the Board of County Commission (BCC) taking final action on the request; therefore, you are encouraged to meet with affected property owners prior to the public hearing by the Planning and Zoning Board / Local Planning Agency (P&Z / LPA). During the course of conducting the public hearing, if the P&Z / LPA finds the application is controversial, and the applicant has not met with affected property owners, the item shall be tabled to the next agenda to allow such a meeting to take place. If the item is controversial, despite the applicant's efforts to meet with affected property owners, the Planning and Zoning Board / Local Planning Agency may include, in their motion, a requirement to meet with interested parties again prior to the BCC public hearing. The BCC may also table your request

Revised 09/2021

in order for you to meet with interested parties if this has not occurred prior to the public hearing before the BCC. If you need assistance to identify these parties, please contact the Planning and Development Department.

Brevard County Board of County Commissioners approval of a zoning application does not vest a project nor ensure issuance of a permit. At the time of permit application, land development regulations and concurrency-related level of service standards must be met.

Staff comments will be available approximately one week prior to the Planning and Zoning Board hearing. These comments will be made available to you at that time. In order to expedite receipt of staff's comments, please provide an email address, or indicate if you wish to receive the comments by U.S. mail.

krezanka@lr.law

E-mail address

Receipt of Comments by U.S. Mail

Yes

No

Kimberly B. Krezanka
Applicant Signature

THIS INSTRUMENT CONTAINS THE OFFICIAL
RECORD BOOK AND PAGE NUMBERS DESCRIBING
THE PARCELS TO BE ADVERTISED.

Prepared by & Return to
Kevin P Markey PL
380 S Courtenay Parkway Suite A
Merritt Island Florida 32952

[Handwritten Signature]
SIGNATURE

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made on 16 April 2018 between Andrea Lee Negrón, Personal Representative of the Estate of Samuel J Foosaner, Deceased, (hereinafter called the Grantor), to 782 LLC, a Florida limited liability company, whose address is 5525 North Courtenay Parkway, Merritt Island, Florida 32953, (hereinafter called the Grantee)

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation)

WITNESSETH, that the Grantor, by virtue of the power and authority to Grantor given in and by said Last Will and Testament, and in consideration of the sum of SEVEN HUNDRED THOUSAND DOLLARS to Grantor paid by the Grantee, receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remise, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, the Grantee s successors or assigns forever, the following described land, situate, lying and being in Brevard County, Florida (Property'), to-wit

See attached Exhibit A

The Property is vacant, unimproved land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all the estate, right title, interest, property, possession claim and demand whatsoever both in law and equity, which the Testator had in his lifetime and at the time of Testator's death, and which the Grantor has, by virtue of the said Last Will and Testament, or otherwise, of, in and to the above granted premises, and every part and parcel thereof, with the appurtenances

TO HAVE AND TO HOLD all and singular the above granted premises, together with the appurtenances and every part thereof unto the Grantee, its successors or assigns forever, the same in fee simple forever

Reference is hereby made to the Probate Cased No 05-1988-CP-007746 in the Circuit Court of the State of Florida, in and for the County of Brevard in the matter of the Estate of Samuel J Foosaner, Deceased, and particularly the decedent s Last Will and Testament which is filed therein and contains a Power of Sale pertaining to real property without order of Court

This Conveyance is subject to

I Restrictions and limitations of record, and any easements for public utilities

2 Taxes for the year 2018

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written

Signed, sealed and delivered in our presence

Andrea Lee Negroni

Andrea Lee Negroni, Personal Representative of the Estate of Samuel J Foosaner

A. El Bachiri
Signature of Witness

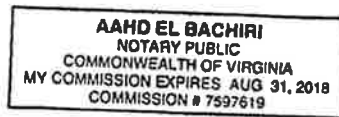
AAHD EL BACHIRI
Name typed or printed

Chavelle Lamy
Signature of Witness

Chavelle Lamy
Name typed or printed

STATE OF VIRGINIA
COUNTY OF ARLINGTON

The foregoing instrument was acknowledged before me on April 12th, 2018, by Andrea Lee Negroni, Personal Representative of the Estate of Samuel J Foosaner, who is personally known to me or has produced VA DRIVER'S LICENSE identification



AAHD EL BACHIRI

Notary Public/State of VA at Large

Printed Name AAHD EL BACHIRI

Commission No 7597619

Commission Expires 08/31/2018

Exhibit A

Tax parcel No s

- 2316617
- 2316607
- 2316606
- 2316605

PARCEL 1

A parcel of land lying in the Southwest 1/4 of Section 24, Township 23 South, Range 36 East, Brevard County, Florida, being more particularly described as follows

Commence at the Southwest corner of said Southwest 1/4 and run N 00 degrees 27'16" W , along the West line of said Southwest 1/4, a distance of 625 0 feet to the point of beginning, thence continue N 00 degrees 27'16" W , along said West line, a distance of 2023 27 feet, to the West quarter corner of said Section 24, thence N 89 degrees 02'20" E , along the North line of said Southwest 1/4, a distance of 2684 74 feet, to the mid-section corner of said Section 24, thence S 00 degrees 25'53" E , along the East line of said Southwest 1/4, a distance of 1353 69 feet, thence 18'00" W , parallel with the South line of said Southwest 1/4, a distance of 500 0 feet, thence S 00 degrees 25'53" E , with said East line of the Southwest 1/4, a distance of 1306 81 feet, to a point on the South line of said Southwest 1/4, thence S 89 degrees 18'00" W , along said South line, a distance of 1348 09 feet, thence N 00 degrees 27'16" W , parallel with said West line of the Southwest 1/4, a distance of 625 0 feet, thence S 89 degrees 18'00" W , parallel with said South line of the Southwest 1/4, a distance of 835 50 feet, to the point of beginning,

LESS AND EXCEPT lands per O R Book 1093, Page 912 being more particularly described as follows

Commence at the Southeast corner of the West 1/2 of said Southwest 1/4, and run N 00 degrees 42'00" W , a distance of 40 0 feet to the point of beginning, thence N 89 degrees 19'00" E , a distance of 100 0 feet, thence N 00 degrees 42'00" W , a distance of 65 0 feet, thence N 75 degrees 57'27" W , a distance of 160 0 feet, thence S 22 degrees 28'50" W , a distance of 115 0 feet, thence N 89 degrees 18'00" E , a distance of 100 0 feet

PARCEL 2

A parcel of land lying in the Southwest 1/4 of Section 24, Township 23 South, Range 36 East, Brevard County, Florida, being more particularly described as follows

Begin at the Southeast corner of said Southwest 1/4 and run S 89 degrees 18'00" W , along the South line of said Southwest 1/4, a distance of 500 0 feet, thence N 00 degrees 25'53" W , parallel with the East line of said Southwest 1/4, a distance of 1306 81 feet, thence N 89 degrees 18'00" E , parallel with the South line of said Southwest 1/4, a distance of 500 0 feet to a point on the said East line of the Southwest 1/4, thence S 00 degrees 25'53" E , along said East line, a distance of 1306 81 feet, to the point of beginning



Planning and Development
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

AUTHORIZATION TO ACT ON BEHALF OF OWNER

I, Joseph "Bud" Crisafulli

authorize Kimberly B. Rezanka, Hassan Kamal/BSE, Robert Lee & Eric Sergi/Maronda Homes

to act on my behalf, which may include representing me in public hearings pertaining to the submittal of the attached application.

Choose the applicable application type. More than one may apply.

- Administrative Action
- Development Plan
- Variance
- Comprehensive Plan Amendment
- Rezoning

Joseph "Bud" Crisafulli
Signature

8-26-25
Date

State of FLORIDA

County of BREVARD

The foregoing instrument was acknowledged before me this 26th day of August, 20 25

by Joseph "Bud" Crisafulli, who is personally known to me or has produced PERSONALLY KNOWN as identification, and who did or did not take an oath.

Rachel Whitcomb
Signature of Notary

Seal:





BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

AUTHORIZATION TO ACT ON BEHALF OF OWNER

I, Joseph "Bud" Crisafulli, as manager on behalf of T&Z, LLC

authorize Kevin P. Markey, Esq.

to act on my behalf, which may include representing me in public hearings pertaining to the submittal of the attached application.

Choose the applicable application type. More than one may apply.

- Administrative Action, Comprehensive Plan Amendment, Development Plan, Rezoning, Variance

Signature of Joseph "Bud" Crisafulli

Date July 18, 2025

State of Florida

County of Brevard

The foregoing instrument was acknowledged before me this 21st day of July, 2025 by Joseph "Bud" Crisafulli, who is personally known to me or has produced F.L. D.L. as identification, and who did or did not take an oath.

Signature of Notary Summer J. Walters

Seal:



OPERATING AGREEMENT
OF

782, LLC

ARTICLE I
OFFICES

Section 1. Principal Office - The principal office of the Company shall be as set forth in its Articles of Organization. The Company may have such additional offices at such other place within or without the State of its organization as the Members may from time to time determine or as the business of the Company may require.

ARTICLE II
MEETINGS

Section 1. Annual Meeting - An annual meeting of Members shall be held within five (5) months after the close of the fiscal year of the Company on such date and at the time and place (either within or without the State of its organization) as shall be fixed by the Members. At the annual meeting the Members shall elect a Manager, Secretary, Treasurer, and other officers and transact such other business as may properly be brought before the meeting.

Section 2. Special Meeting - A special meeting of Members may be called at any time by the Manager, and shall be called by the Manager at the request in writing of a majority of the Members entitled to vote at such meeting. Any such request shall state the purpose or purposes of the proposed meeting. Business transacted at any special meeting of Members shall be confined to the purposes set forth in the notice thereof.

Section 3. Notice of Meetings - Written notice of the time, place and purpose of every meeting of Members (and, if other than an annual meeting, the person or persons at whose discretion the meeting is being called), shall be given by the Manager to each Member of record entitled to Vote at such meeting, not less than ten nor more than fifty days prior to the date set for the meeting. Notice shall be given either personally or by mailing said notice by first class mail to each Member at his address appearing on the record book of the Company or at such other address supplied by him in writing to the Manager of the Company for the purpose of receiving notice.

A written waiver of notice setting forth the purposes of the meeting for which notice is waived, signed by the person or persons entitled to such notice, whether before or after the time of the meeting stated therein, shall be deemed equivalent to the giving of such notice. The attendance by a Member at a meeting either in person or by proxy without protesting the lack of notice thereof shall constitute a waiver of notice of such Member.

All notices given with respect to an original meeting shall extend to any and all adjournments thereof and such business as might have been transacted at the original meeting may be transacted at any adjournment thereof; no notice of any adjourned meeting need be given if an announcement of the time and place of the adjourned meeting is made at the original meeting.

Section 4. Quorum - The holders of a majority in interest of the Members present in person or represented by proxy, shall be requisite and shall constitute a quorum at all meetings of members except as otherwise provided by statute or the Articles of Organization. A Member's "Interest" in the Company shall be in accordance with the ownership percentage set forth in Exhibit A attached hereto. The phrase "a majority in interest of the Members" shall mean Members who, in the aggregate, shall have an Interest in the Company in excess of fifty (50%) percent of the total ownership interest in the Company. If, however, a quorum shall not be present or represented at any meeting of Members, the Members entitled to vote thereat, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified. When a quorum is once present to organize a meeting, such quorum is not deemed broken by the subsequent withdrawal of any Members.

Section 5. Voting - Every Member entitled to vote at any meeting shall be entitled to vote in accordance with his Interest in the Company held by him of record on the date fixed as the record date for said meeting and may so vote in person or by proxy. Any Company action shall be authorized by a majority in interest of the votes cast by the Members entitled to vote thereon except as may otherwise be provided by statute, the Articles of Organization or this Operating Agreement.

Section 6. Proxies - Every proxy must be signed by the Member entitled to vote or by his duly authorized attorney-in-fact and shall be valid only if filed with the Manager of the Company prior to the commencement of voting on the matter in regard to which said proxy is to be voted. No proxy shall be valid after the expiration of eleven months from the date of its execution unless otherwise expressly provided in the proxy. Every proxy shall be revocable at the pleasure of the person executing it except as otherwise provided by statute. Unless the proxy by its terms provides for a specific revocation date and except as otherwise provided by statute, revocation of a proxy shall not be effective unless and until such revocation is executed in writing by the Member who executed such proxy and the revocation is filed with the Manager of the Company prior to the voting of the proxy.

Section 7. Member List - A list of Members as of the record date, certified by the Manager of the Company shall be prepared for every meeting of Members and shall be produced by the Manager thereat.

Section 8. Inspectors at Meetings - In advance of any Members' meeting, the Members may appoint one or more inspectors to act at the meeting or at any adjournment thereof and if not so appointed the person presiding at any such meeting may, and at the request of any Member entitled to vote thereat shall, appoint one or more inspectors. Each inspector, before entering upon the discharge of his duties, shall take and sign an oath faithfully to execute the duties of inspector at such meeting with strict impartiality and according to the best of his ability.

Section 9. Conduct of Meetings - All meetings of Members shall be presided over by the Manager, or if he is not present, by a Member thereby chosen by the Members at the meeting. If the Secretary is not present, the Manager or the person presiding at the meeting shall appoint any person present to act as secretary of the meeting.

ARTICLE III COMMITTEES

The Members, by resolution of a majority in interest of the Members, may designate from among themselves one or more committees, each consisting of three or more Members, and each of which, to the extent provided in such resolution, shall have all the authority of the Members except that no such committee shall have authority as to any of the following matters:

- (a) The filling of vacancies in any committee;
- (b) The fixing of compensation of the Members for serving on any committee;
- (c) The amendment or repeal of this Operating Agreement or the adoption of a new Operating Agreement; and
- (d) The amendment or repeal of any resolution of the Members which by its terms shall not be so amendable or repealable.

The Members may designate one or more Members as alternate members of any such committee who may replace any absent member or members at any meeting of such committee.

Each such committee shall serve at the pleasure of the Members. The Members shall have the power at any time to fill vacancies in, to change the membership of, or to discharge any such committee. Committees shall keep minutes of their proceedings and shall report the same to the Members at the meeting of the Members next succeeding, and any action by the committee shall be subject to revision and alteration by the Members, provided that no rights of a third party shall be affected in any such revision or alteration.

ARTICLE IV OFFICERS

Section 1. Executive Officers - The officers of the Company shall be one or more Managers, Secretary, Treasurer, and such other officers as the Members may determine. Any two or more offices may be held by the same person. As used herein the term "Manager" shall refer to all duly appointed persons to that office.

Section 2. Election - The Manager, and the other officers shall be chosen by the Members and shall hold office for the term for which elected and until their successors have been elected and qualified. The Members may from time to time appoint all such other officers as they determine and such officers shall hold office from the time of their appointment and qualifications until the time at which their successors are appointed and qualified. The Members may fill a vacancy in any office arising from any cause for the unexpired portion of the term.

Section 3. Removal - Any officer may be removed from office by the Members at any time with or without cause.

Section 4. Delegation of Powers - The Members may from time to time delegate the powers or duties of any officer of the Company, in the event of his absence or failure to act otherwise, to any other officer or Member or person whom they may select.

Section 5. Compensation - The compensation of each officer shall be such as the Members may from time to time determine.

Section 6. Manager - The Manager shall be the chief executive officer of the Company, and shall have general charge of the business and affairs of the Company, subject, however, to the right of the Members to confer specified powers on officers and subject generally to the direction of the Members. The Manager shall have all necessary power to carry out the operations, affairs and business of the Company, including, but not limited to, the right to enter into and carry out contracts of all kinds; to employ employees, agents, consultants and advisors on behalf of the Company; to bring and defend actions in law or at equity; to buy, own, manage sell, lease, mortgage, pledge or otherwise acquire or dispose of Company property; and report the details of any such activity to the Members on a bi-monthly basis. In carrying out the powers granted by this section, the Manager may, but is not required to confer with the Members and no action or meeting by the Members shall be a condition for the Manager to perform its management duties.

Unless otherwise ordered by the Members, the Manager, or in the event of his inability to act, an officer designated by the Members, shall have full power and authority on behalf of the Company to attend and to act and to vote at any meeting of security holders of companies in which the Company may hold securities, and at such meetings shall possess and may exercise any and all rights and powers incident to the ownership of such securities, and which, as the owner thereof, the Company might have possessed and exercised, if present. The Members by resolution from time to time may confer like powers upon any other person or persons.

Section 7. Secretary - The Secretary shall keep the minutes of all meetings and record all votes of Members and committees in a book to be kept for that purpose. He shall give or cause to be given any required notice of meetings of Members or any committee, and shall be responsible for preparing or obtaining from a transfer agent appointed by the Members, the list of Members required by Article X hereof. He shall be the custodian of the seal of the Company and shall affix or cause to be affixed the seal to any instrument requiring it and attest the same and exercise the powers and perform the duties incident to the office of Secretary subject to the direction of the Members.

Section 8. Treasurer - Subject to the direction of the Members, the Treasurer shall have charge of the general supervision of the funds and securities of the Company and the books of account of the Company and shall exercise the powers and perform the duties incident to the office of the Treasurer. If required by the Members, he shall give the Company a bond in such sum and with such sureties as may be satisfactory to the Members for the faithful discharge of his duties.

Section 9. Other Officers - All other officers, if any, shall have such authority and shall perform such duties as may be specified from time to time by the Members, or in default thereof, as may be customarily associated with their official titles.

Section 10. Multiple Managers - In the event more than one Manager is properly appointed to act, all acts shall be in accord with Section 605.04073, *Florida Statutes*.

ARTICLE V
RESIGNATIONS

An officer of the Company or any member of any committee of the Members, may resign at any time by giving written notice to the Members, the Manager or the Secretary. Any such resignation shall take effect at the time specified therein or, if the time is not specified therein, upon the receipt thereof, irrespective of whether any such resignations shall have been accepted.

ARTICLE VI
CERTIFICATES REPRESENTING MEMBERSHIP

Section 1. Form of Certificates - Each Member shall be entitled to a certificate or certificates in such form as prescribed by the Members and by any applicable statutes, which Certificate shall certify the interest of the Member in the Company. The Certificates shall be numbered and registered in the order in which they are issued and upon issuance the name in which each Certificate has been issued together with the interest in the Company represented thereby and the date of issuance shall be entered in the Membership book of the Company by the Secretary or by the transfer agent of the Company. Each certificate shall be signed by the Manager and countersigned by the Secretary and shall be sealed with the Company Seal or a facsimile thereof. The signatures of the officers upon a certificate may also be facsimiles if a transfer agent countersigns the certificate or registered by a registrar other than the Company itself or an employee of the Company. In case any officer who has signed or whose facsimile signature has been placed upon a certificate shall have ceased to be such officer before the certificate is issued, such certificate may be issued by the Company with the same effect as if the officer had not ceased to be such at the time of its issue.

Section 2. Record Date for Members - For the purpose of determining the Members entitled to notice of, or to vote at any meeting of Members or any adjournment thereof or to express consent or dissent from any proposal Without a meeting, or for the purpose of determining the Members entitled to receive payment of any dividend or the allotment of any rights, or for the purpose of any other action, the Members may fix, in advance, a date as the record date for any such determination of Members. Such date shall not be more than fifty nor less than ten days before the date of any meeting nor more than fifty days prior to any action taken without a meeting, the payment of any dividend or the allotment of any rights, or any other action. When a determination of Members of record entitled to notice of, or to vote at any meeting of Members has been made as provided in this Section, such determination shall apply to any adjournment thereof, unless the Members fix a new record date under this Section for the adjourned date.

Section 3. Members of Record - The Company shall be entitled to treat the holder of record of any Membership certificate as the holder in fact thereof and, accordingly, shall not be bound to recognize any equitable or other claim to or interest in such membership interest on the part of any other person whether or not it shall have express or other notice thereof, except as otherwise provided by the laws of the State of its organization.

ARTICLE VII
STATUTORY NOTICE

The Members may appoint the Treasurer or any other officer of the Company to cause to be prepared and furnished to members entitled thereto any special financial notice and/or statement which may be required by any applicable statute.

ARTICLE VII
FISCAL YEAR

The Members shall fix the fiscal year of the Company by resolution duly adopted, and, from time to time, by resolution duly adopted the Members may alter such fiscal year.

ARTICLE IX
COMPANY SEAL

The Company seal shall have inscribed thereon the name of the Company, the year and state of its creation and the words "A Limited Liability Company" (or other notation to that effect) and shall be in such form and contain such other words and/or figures as the Members shall determine. The Company seal may be used by printing, engraving, lithographing, stamping or otherwise making, placing or affixing, or causing to be printed, engraved, lithographed, stamped or otherwise made, placed or affixed, upon any paper or document, by any process whatsoever, an impression, facsimile or other reproduction of said Company seal.

ARTICLE X
BOOKS AND RECORDS

There shall be maintained at the principal office of the Company books of account of all the Company's business and transactions. There shall be maintained at the principal office of the company or at the office of the Company's transfer agent a record containing the names and addresses of all Members, the number and class of membership interest held by such and the dates when they respectively became the owners of record thereof.

ARTICLE XI
INDEMNIFICATION OF OFFICERS,
EMPLOYEE AND AGENTS

Any person made or threatened to be made a party to an action or proceeding, whether civil or criminal, by reason of the fact that he, his testator or intestate, then, is, or was a manager, member, employee or agent of the Company, or then serves or has served on behalf of the company in any capacity at the request of the Company, shall be indemnified by the Company against reasonable expenses, judgments, fines and amounts actually and necessarily incurred in connection with the defense of such action or proceeding or in connection with an appeal therein, to the fullest extent permissible by the laws of the State of Florida. Such right of indemnification shall not be deemed exclusive of any other rights to which such person may be entitled.

ARTICLE XII
AMENDMENTS

' EXHIBIT A '

Actions of Members reviewed

The actions of the Members as those actions relate to the management and operation of the Company were reviewed.


A motion was made that the actions of the Members as those actions relate to the management and operation of the Company be approved and ratified in all respects. The motion was seconded and approved.

Election of Managers


It being proper to elect Managers, nominations were called for. The following were nominated and elected to serve as Managers. The following were elected to serve in their respective offices:

Manager Name	Office
JOSEPH B. CRISAFULLI	Manager

With no further business to conduct, upon motion made, properly seconded, and passed, the meeting was adjourned.



JOSEPH B. CRISAFULLI, Secretary for the
meeting APRIL 4 2018

MEMBERS:


JOSEPH B. CRISAFULLI, AS TRUSTEE OF
THE CRISAFULLI FAMILY TRUST DATED
APRIL 12, 2002, AS AMENDED AND RESTATED


ROBERT E. BUFFKIN

MANAGER:


JOSEPH B. CRISAFULLI



School Board of Brevard County School Facility Planning and Concurrency Application (School Impact Analysis)

Instructions: Submit one copy of completed application, location map, and applicable fee for each project with a residential component requiring a review by the School Board of Brevard County to **each affected Local Government**.

The School Board of Brevard County requires this information for student generation to be calculated, school capacity evaluated, and potential mitigation addressed. Local governments require the information to complete their part of the application.

For information regarding this application process, please contact the Planning and Project Management Department of the School Board of Brevard County at 321.633.1000 x463.

Local Government to determine the type of Application:

FEES: See Brevard County Public School Concurrency Review Fee Schedule. Make check payable to School Board of Brevard County

I. Project Information

Project Name: Preserve Point County / Municipality: Brevard County
Parcel ID / Tax Account #. (attach separate sheet for multiple parcels): 2316607; 2316605; 2316617; 2316606
Location / Address of subject property: _____ (Attach location map)
Acreage: 142.13 +/- Type of Request at Local Government Zoning

II. Ownership / Agent Information

Owner/Contract Purchaser Name(s): 782, LLC
Agent / Contact Person: Kimberly B. Rezanka
(Please note that if agent or contact information is completed, the District will forward all information to that person.)
Mailing Address: 6013 Farcenda, PL, STE 101, Melbourne, FL 32940
Telephone: 321-608-0892 Fax: _____

I hereby certify the statements and/or information contained in this application with any attachments submitted herewith are true and correct to the best of my knowledge.

Kimberly B. Rezanka
Owner or Agent Signature

7/22/25
Date

If applicant is not the owner of record, the "Agent for Owner" form (see page 4 of this application form) must be completed and included with this application at time of application submittal. If owner is a company/corporation, please submit documentation that signatory is an authorized officer of the company/corporation.

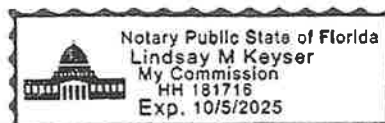
State of Florida, County of Brevard
Sworn and subscribed to before me

This 22nd day of July 2025

Lindsay M Keyser
Notary Public

Commission Expires: 10/05/2025

(Form of Identification)



SCHOOL BOARD USE ONLY
Date / Time Stamp: _____



**School Board of Brevard County
School Facility Planning and Concurrency Application
(School Impact Analysis)**

III. Development Information

Current Land Use Designation	RES1	Proposed Land Use Designation	RES1	
Current Zoning	AU, RR-1	Proposed Zoning	SR	
Project Acreage	142.13			
Total Dwelling Units Proposed	61			
Dwelling Unit Breakdown (Qty)	Single Family or Town Homes: 61	Multi-Family or Apartments:	Condo:	Mobile Home / Manufactured:

Year of Project or Phase Completion: Total Dwelling Units by Type / Year

Year End 20XX					
Unit Type	Year 1	Year 2	Year 3	Year 4	Year 5+
Single Family / Town Homes	3	24	24	10	
Multi-Family / Apartments					
Condominium					
Mobile Home / Manufactured					
Totals by Year	3	24	24	10	

NOTE: This application will not be deemed complete until all required information has been submitted to the School Board of Brevard County. Submittal requirements include completed application, phasing information, review fee(s), agent authorization (if applicable) and location map. Please be advised that additional documentation/information may be requested during the review process.

SCHOOL BOARD USE ONLY
Date / Time Stamp: _____



**School Board of Brevard County
School Facility Planning and Concurrency Application
(School Impact Analysis)**

Local Government Agency

This section is to be completed by the Local Government and submitted to the School Board of Brevard County. The Local Government is responsible for verifying the number of units currently vested under the existing Comprehensive Plan and Zoning or a previously issued School Concurrency Availability Determination Letter.

Local Government Case #: _____

Please check [✓] type of application request (check only one; as defined by Interlocal Agreement):

- | | |
|---|---|
| <input type="checkbox"/> School Capacity Determination (Preliminary Development Requests) | <input type="checkbox"/> Exemption Review |
| <input type="checkbox"/> Capacity Determination Conversion to Concurrency Determination | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Concurrency Determination (Final Development Requests) | |

Preliminary Development Requests (examples: Rezoning and Comp Plan Amendments):

Number of Units by Type	Maximum Permitted by Proposal	Currently Permitted (Vested)	Difference
Single Family / Town Homes			
Multi-Family / Apartments			
Condominium			
Mobile Home / Manufactured			
Totals:			

Note: The Total Difference will determine if this meets the De Minimis Impact per the Interlocal Agreement.

Final Development Requests requesting a Concurrency Determination:

Number of Units by Type	Proposed
Single Family / Town Homes	
Multi-Family / Apartments	
Condominium	
Mobile Home / Manufactured	

Local Government Reviewer's Signature / Title

Date

Other Affected Local Governments:

Comments:

<p>SCHOOL BOARD USE ONLY</p> <p>Date / Time Stamp: _____</p>



School Board of Brevard County
School Facility Planning and Concurrency Application
(School Impact Analysis)

AUTHORIZATION TO ACT AS AGENT

I, Joseph "Bud" Crisafulli (Owner) authorize Kimberly B. Rezanka (Agent)
to act as applicant, representing me in Public Hearings before Brevard County (Local Government)
pertaining to Preliminary and Final Development Requests, and other matters pertaining to
School Concurrency.

[Handwritten Signature]
Owner Signature

State of Florida, County of Brevard
Sworn and subscribed to before me

This 26th day of August, 2025

[Handwritten Signature]

Notary Public
My Commission Expires: 4/7/2026

PERSONALLY KNOWN
(Form of Identification)



SCHOOL BOARD USE ONLY
Date / Time Stamp: _____

School Board of Brevard County

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



October 6, 2025

Desiree Jackson, Planner I
Planning & Development Department
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way Bldg. A-114
Viera, Florida 32940

**RE: Proposed Preserve Point Development
School Impact Analysis – Capacity Determination CD-2025-18**

Dear Ms. Jackson,

We received a completed *School Facility Planning & Concurrency Application* for the referenced development. The subject property is Tax Account 2316605 (Parcel ID: 23-36-24-00-500), Tax Account 2316606 (Parcel ID: 23-36-24-00-501), Tax Account 2316607 (Parcel ID: 23-36-24-00-502) and Tax Account 2316617 (Parcel ID: 23-36-24-00-513) containing approximately 141.13 acres in District 2, Brevard County, Florida. The proposed single-family development includes 61 single-family homes. The School Impact Analysis of this proposed development has been undertaken and the following information is provided for your use.

The calculations used to analyze the prospective student impact are consistent with the methodology outlined in Section 13.2 and Amended Appendix "A"-School District Student Generation Multiplier (approved April 11, 2022) of the *Interlocal Agreement for Public School Facility Planning & School Concurrency (ILA-2014)*. The following capacity analysis is performed using capacities/projected students as shown in years 2025-26 to 2029-30 of the *Brevard County Public Schools Financially Feasible Plan for School Years 2024-25 to 2029-30* which is attached for reference.

Single Family Townhomes		61	
Students Generated	Student Generation Rates	Calculated Students Generated	Rounded Number of Students Generated
Elementary	0.24	14.64	15
Middle	0.07	4.27	4
High	0.12	7.32	7
Total	0.43		26

Planning & Project Management
Facilities Services
Phone: (321) 633-1000, ext. 11418



School Board of Brevard County

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



FISH Capacity (including relocatable classrooms) from the Financially Feasible Plan (FFP) Data and Analysis for School Years 2025-26 to 2029-30

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	751	751	751	751	751
Jefferson	873	873	873	873	873
Merritt Island	1,966	1,966	1,966	1,966	1,966

Projected Student Membership

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	624	607	576	546	488
Jefferson	481	450	437	513	528
Merritt Island	1,328	1,272	1,231	1,149	1,135

Students Generated by Newly Issued SCADL Reservations Since FFP

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	-	-	-	-	-
Jefferson	2	2	2	2	2
Merritt Island	3	3	3	3	3

Cumulative Students Generated by Proposed Development

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	-	1	6	12	15
Jefferson	-	0	2	4	4
Merritt Island	-	0	3	6	7

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

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	624	608	582	558	503
Jefferson	483	452	441	519	534
Merritt Island	1,331	1,275	1,237	1,158	1,145

Projected Available Capacity = FISH Capacity - Total Projected Student Membership

School	2025-26	2026-27	2027-28	2028-29	2029-30
Carroll	127	143	169	193	248
Jefferson	390	421	432	354	339
Merritt Island	635	691	729	808	821

Planning & Project Management
 Facilities Services
 Phone: (321) 633-1000, ext. 11418



School Board of Brevard County

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



At this time, **Lewis Carroll Elementary, Thomas Jefferson Middle School and Merritt Island High School** are projected to have enough capacity for the total of projected and potential students from the Preserve Point development.

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen M. Black".

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

Enclosure: *Brevard County Public Schools Financially Feasible Plan for School
Years 2024-25 to 2029-30*

Copy: Susan Hann, P.E., AICP, Assistant Superintendent of Facility Services
File CD-2025-18

David G. Lindemann, AICP
Director of Planning & Project Management, Facilities Services
File CD-2025-18

Planning & Project Management
Facilities Services
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Preserve Point Location Map

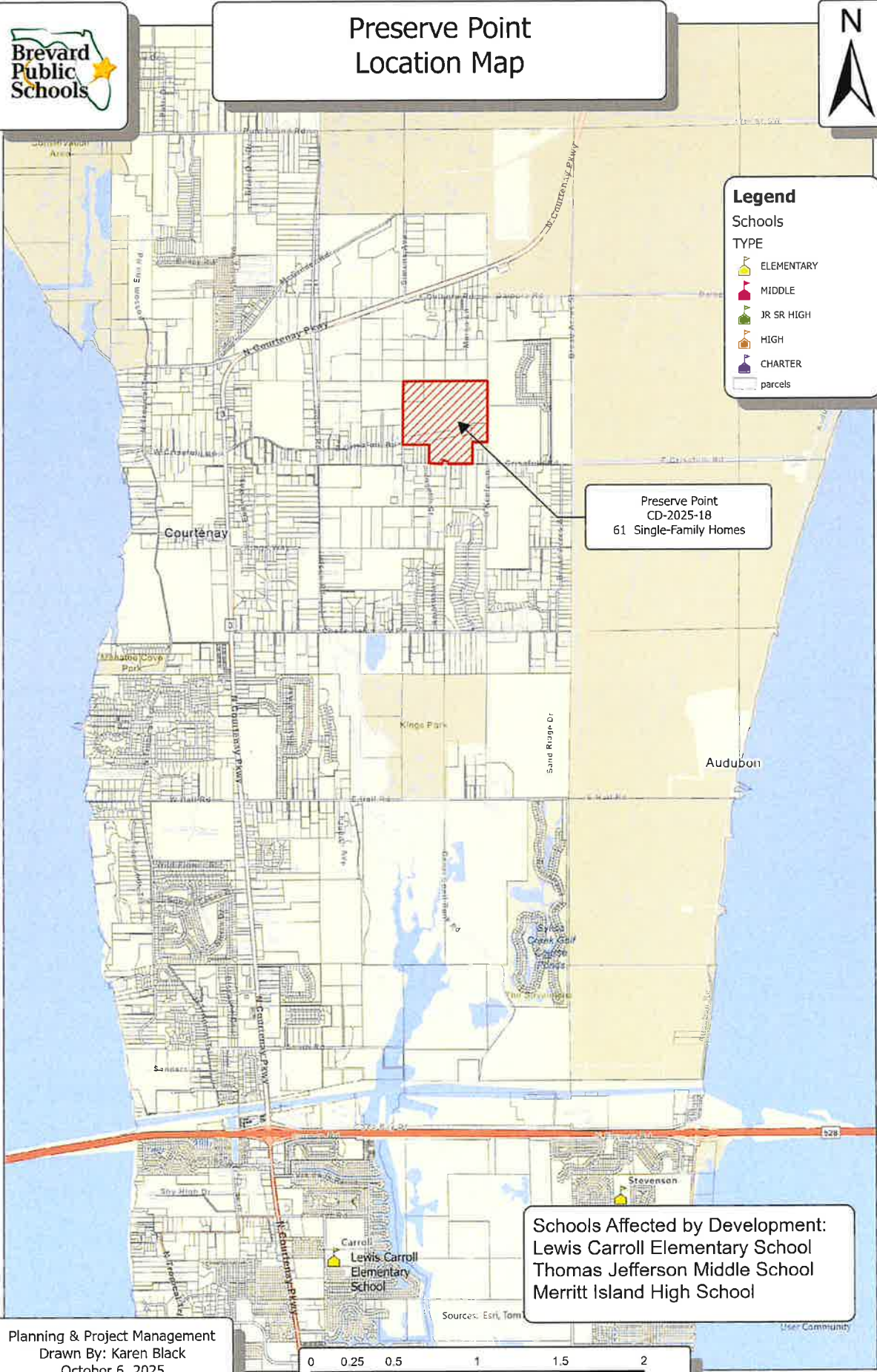


Legend

Schools

TYPE

- ELEMENTARY
- MIDDLE
- JR SR HIGH
- HIGH
- CHARTER
- parcels



Preserve Point
CD-2025-18
61 Single-Family Homes

Schools Affected by Development:
Lewis Carroll Elementary School
Thomas Jefferson Middle School
Merritt Island High School

Planning & Project Management
Drawn By: Karen Black
October 6, 2025





Brevard County Public Schools

Financially Feasible Plan To Maintain Utilization Rates Lower than the 100% Level of Service

Data and Analysis for School Years 2024-25 to 2029-30

School	Type	Grades	Utilization Factor	School Year 2024-25			School Year 2025-26			School Year 2026-27			School Year 2027-28			School Year 2028-29			School Year 2029-30						
				FISH Capacity	10/14/24 Member-ship	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization	Future FISH Capacity	Student Projection	Total Capacity Utilization				
Summary Highest Utilization Elementary Schools: 105% Highest Utilization Middle Schools: 83% Highest Utilization Jr./Sr. High Schools: 81% Highest Utilization High Schools: 95%																				2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Elementary School Concurrency Service Areas																									
Allen	Elementary	PK-6	100%	751	620	63%	751	635	86%	751	660	87%	751	680	91%	751	685	93%	751	710	95%				
Andersen	Elementary	K-6	100%	757	481	64%	757	457	60%	757	459	61%	757	418	55%	757	401	53%	757	480	63%				
Apple	Elementary	K-6	100%	902	586	65%	902	578	64%	902	519	58%	902	518	57%	902	484	54%	902	480	53%				
Atlanta	Elementary	PK-6	100%	739	653	88%	739	632	86%	739	589	81%	739	589	81%	739	580	80%	739	578	78%				
Audubon	Elementary	PK-6	100%	761	415	55%	761	420	56%	761	413	54%	761	413	54%	761	398	52%	761	366	51%				
Cambridge	Elementary	PK-6	100%	787	477	61%	787	491	62%	787	507	64%	787	508	65%	787	556	71%	787	566	72%				
Cape View	Elementary	PK-6	100%	570	273	48%	570	283	49%	570	284	49%	570	278	49%	570	277	49%	570	276	48%				
Carroll	Elementary	K-6	100%	751	636	85%	751	624	83%	751	607	81%	751	576	77%	751	546	73%	751	486	65%				
Challenger 7	Elementary	PK-6	100%	573	431	75%	573	406	71%	573	383	67%	573	360	63%	573	345	60%	573	346	60%				
Columbia	Elementary	PK-6	100%	751	573	76%	751	638	85%	751	682	91%	751	732	97%	751	782	100%	751	836	100%				
Coquina	Elementary	K-6	100%	1,114	485	43%	1,114	536	48%	1,114	474	43%	1,114	474	43%	1,114	468	42%	1,114	509	46%				
Crest	Elementary	PK-6	100%	795	540	68%	795	511	64%	795	469	59%	795	469	59%	795	482	61%	795	488	61%				
Croton	Elementary	PK-6	100%	980	680	69%	980	716	73%	980	789	81%	980	789	81%	980	791	81%	980	809	83%				
Discovery	Elementary	PK-6	100%	968	744	77%	968	751	78%	968	766	79%	968	766	79%	968	729	75%	968	708	73%				
Endeavour	Elementary	PK-6	100%	729	597	82%	729	565	78%	729	563	77%	729	557	76%	729	557	76%	729	554	76%				
Enterprise	Elementary	PK-6	100%	789	466	59%	789	460	58%	789	464	59%	789	464	59%	789	463	59%	789	451	57%				
Fairlane	Elementary	K-6	100%	711	410	58%	711	401	56%	711	349	49%	711	349	49%	711	332	47%	711	309	43%				
Gannett	Elementary	K-6	100%	777	448	58%	777	474	61%	777	480	62%	777	480	62%	777	500	64%	777	517	67%				
Golfview	Elementary	PK-6	100%	629	390	62%	629	399	63%	629	428	68%	629	452	73%	629	464	74%	629	468	75%				
Harbor City	Elementary	PK-6	100%	805	444	55%	805	415	52%	805	408	51%	805	376	47%	805	364	45%	805	351	44%				
Holland	Elementary	PK-6	100%	728	607	83%	728	628	86%	728	598	82%	728	598	82%	728	574	79%	728	562	77%				
Imperial Estates	Elementary	K-6	100%	796	684	86%	796	646	81%	796	611	77%	796	588	74%	796	566	71%	796	544	68%				
Indianian	Elementary	PK-6	100%	830	656	79%	830	674	81%	830	641	77%	830	618	74%	830	594	71%	830	570	68%				
Jupiter	Elementary	PK-6	100%	892	573	64%	892	567	63%	892	548	61%	892	524	59%	892	506	57%	892	487	55%				
Lockmar	Elementary	PK-6	100%	998	910	91%	998	900	90%	998	888	89%	998	888	89%	998	888	89%	998	888	89%				
Longleaf	Elementary	PK-6	100%	998	910	91%	998	900	90%	998	888	89%	998	888	89%	998	888	89%	998	888	89%				
Manatee	Elementary	K-6	100%	838	687	82%	838	705	84%	838	726	87%	838	745	89%	838	765	91%	838	777	93%				
McAuliffe	Elementary	PK-6	100%	1,004	778	77%	1,004	764	76%	1,004	712	71%	1,004	704	70%	1,004	704	70%	1,004	708	71%				
Meadowlane Intermediate	Elementary	3-6	100%	824	604	73%	824	553	67%	824	566	69%	824	566	69%	824	588	73%	824	591	72%				
Meadowlane Primary	Elementary	K-6	100%	707	382	54%	707	384	54%	707	367	52%	707	367	52%	707	329	47%	707	319	45%				
Milb	Elementary	PK-6	100%	725	395	54%	725	420	58%	725	443	61%	725	443	61%	725	460	63%	725	468	65%				
Mims	Elementary	PK-6	100%	968	473	49%	968	472	49%	968	480	50%	968	480	50%	968	482	50%	968	485	51%				
Oak Park	Elementary	PK-6	100%	654	489	75%	654	488	75%	654	448	69%	654	448	69%	654	418	64%	654	395	60%				
Ocean Breeze	Elementary	PK-6	100%	983	583	59%	983	585	60%	983	605	62%	983	605	62%	983	581	60%	983	587	60%				
Palm Bay Elem	Elementary	PK-6	100%	613	501	82%	613	519	85%	613	537	88%	613	541	89%	613	541	89%	613	520	86%				
Pinewood	Elementary	PK-6	100%	852	628	74%	852	662	78%	852	679	80%	852	682	81%	852	697	82%	852	700	83%				
Port Malabar	Elementary	PK-6	100%	932	690	74%	932	675	72%	932	662	71%	932	662	71%	932	637	68%	932	630	68%				
Quest	Elementary	PK-6	100%	777	721	93%	777	705	91%	777	683	88%	777	683	88%	777	658	85%	777	633	82%				
Rivera	Elementary	PK-6	100%	599	275	46%	599	285	48%	599	284	48%	599	284	48%	599	305	51%	599	314	52%				
Roosevelt	Elementary	K-6	100%	785	483	62%	785	495	63%	785	501	64%	785	501	64%	785	476	61%	785	457	58%				
Sabal	Elementary	PK-6	100%	998	622	62%	998	634	64%	998	622	62%	998	622	62%	998	600	60%	998	573	57%				
Saturn	Elementary	PK-6	100%	461	308	67%	461	308	67%	461	313	68%	461	310	67%	461	305	66%	461	301	65%				
Sea Park	Elementary	PK-6	100%	609	484	81%	609	511	84%	609	522	86%	609	522	86%	609	522	86%	609	532	87%				
Sherwood	Elementary	PK-6	100%	1,001	907	91%	1,001	904	90%	1,001	883	88%	1,001	883	88%	1,001	858	86%	1,001	833	83%				
Sunrise	Elementary	PK-6	100%	755	585	77%	755	574	76%	755	555	74%	755	532	70%	755	530	70%	755	536	71%				
Sumter	Elementary	K-6	100%	541	404	75%	541	412	76%	541	392	72%	541	392	72%	541	381	72%	541	390	72%				
Surfside	Elementary	K-6	100%	910	589	65%	910	550	60%	910	532	58%	910	532	58%	910	498	55%	910	490	54%				
Tropical	Elementary	K-6	100%	874	598	68%	874	669	77%	874	768	88%	874	866	97%	874	1,006	115%	874	1,072	123%				
Turner	Elementary	PK-6	100%	811	528	65%	811	548	68%	811	612	75%	811	612	75%	811	648	80%	811	685	85%				
University Park	Elementary	PK-6	100%	1,030	885	86%	1,030	900	88%	1,030	897	87%	1,030	897	87%	1,030	1,001	97%	1,030	1,002	97%				
Vera Elem	Elementary	K-6	100%	941	984	105%	941	1,041	111%	941	1,117	119%	941	1,227	130%	941	1,326	141%	941	1,425	152%				
Westside	Elementary	PK-6	100%	715	436	61%	715	395	55%	715	387	54%	715	371	52%	715	353	49%	715	329	46%				
Williams	Elementary	PK-6	100%	42,106	30,023	71%	42,348	30,425	72%	42,546	30,893	73%	42,876	31,251	74%	43,338	31,428	75%	43,690	31,653	76%				
Elementary Totals																									

School	Type	Grades	Utilization Factor	School Year 2024-25		School Year 2025-26		School Year 2026-27		School Year 2027-28		School Year 2028-29		School Year 2029-30	
				FISH Capacity	10/14/24 Member-ship	Future FISH Capacity	Student Projection	Total Capacity	Utilization	Future FISH Capacity	Student Projection	Total Capacity	Utilization	Future FISH Capacity	Student Projection

Middle School Concurrency Service Areas

Central	Middle	7-8	90%	1,514	1,058	70%	1,063	70%	1,514	1,048	69%	1,514	1,101	73%	1,514	1,161	77%	1,514	1,158	76%	
DuLaurie	Middle	7-8	90%	860	548	57%	860	440	46%	860	446	46%	860	446	46%	860	430	45%	860	411	43%
Hoover	Middle	7-8	90%	680	473	70%	680	485	56%	680	451	56%	680	480	71%	680	490	72%	680	486	71%
Jackson	Middle	7-8	90%	873	479	55%	873	481	55%	873	450	52%	873	437	50%	873	513	59%	873	528	60%
Johnson	Middle	7-8	90%	1,084	577	54%	1,084	602	57%	1,084	633	59%	1,084	662	64%	1,084	718	67%	1,084	686	65%
Kennedy	Middle	7-8	90%	869	449	52%	869	355	41%	869	327	38%	869	389	42%	869	388	42%	869	348	40%
Madison	Middle	7-8	90%	781	448	57%	781	431	55%	781	412	53%	781	463	59%	781	482	62%	781	436	56%
McNair	Middle	7-8	90%	616	262	43%	616	259	42%	616	258	42%	616	282	46%	616	324	53%	616	322	52%
Southwest	Middle	7-8	90%	1,281	1,001	78%	1,281	1,046	82%	1,281	1,073	84%	1,281	1,122	86%	1,281	1,403	91%	1,281	1,448	94%
Stone	Middle	7-8	90%	1,078	556	52%	1,078	523	49%	1,078	584	54%	1,078	612	57%	1,078	651	61%	1,078	786	73%
Viera Middle	Middle	7-8	90%	896	742	83%	896	954	100%	896	955	94%	896	925	97%	896	903	90%	896	895	94%
Middle Totals				11,270	7,096		11,329	7,084		11,329	7,052		11,329	7,460		11,487	7,877		11,507	7,928	

Junior / Senior High School Concurrency Service Areas

Cocon	Jr / Sr High	PK, 7-12	90%	2,085	1,435	69%	2,085	1,371	66%	2,085	1,320	63%	2,085	1,270	61%	2,085	1,306	63%	2,085	1,317	63%
Cocon Beach	Jr / Sr High	7-12	90%	1,464	982	67%	1,464	982	67%	1,464	966	66%	1,464	912	62%	1,464	894	61%	1,464	859	59%
Space Coast	Jr / Sr High	7-12	90%	1,852	1,505	81%	1,852	1,500	81%	1,852	1,482	80%	1,852	1,470	80%	1,852	1,433	77%	1,852	1,382	75%
Jr / Sr High Totals				5,401	3,989		5,401	3,853		5,401	3,768		5,401	3,658		5,401	3,633		5,401	3,558	

Senior High School Concurrency Service Areas

Astronaut	High	9-12	95%	1,451	1,054	73%	1,451	1,047	72%	1,451	1,034	71%	1,451	984	68%	1,451	953	66%	1,451	970	67%
Bayside	High	9-12	95%	2,358	2,126	90%	2,358	2,173	92%	2,358	2,304	98%	2,358	2,429	100%	2,358	2,554	100%	2,358	2,784	100%
Eou Galile	High	PK, 9-12	95%	2,211	1,400	63%	2,211	1,416	64%	2,211	1,429	65%	2,211	1,446	65%	2,211	1,530	69%	2,211	1,588	72%
Heritage	High	9-12	95%	2,314	1,992	86%	2,314	1,969	85%	2,314	1,978	86%	2,314	1,922	83%	2,314	1,923	83%	2,314	1,988	85%
Melbourne	High	9-12	95%	2,370	2,210	93%	2,370	2,202	93%	2,370	2,198	93%	2,370	2,214	93%	2,370	2,218	94%	2,370	2,305	97%
Merritt Island	High	PK, 9-12	95%	1,966	1,328	68%	1,966	1,328	68%	1,966	1,272	65%	1,966	1,231	63%	1,966	1,148	58%	1,966	1,135	58%
Palm Bay	High	PK, 9-12	95%	2,642	1,366	52%	2,642	1,328	50%	2,642	1,307	49%	2,642	1,325	50%	2,642	1,410	53%	2,642	1,435	54%
Rockledge	High	9-12	95%	1,836	1,577	86%	1,836	1,579	86%	1,836	1,592	87%	1,836	1,555	85%	1,836	1,526	83%	1,836	1,460	80%
Shalotte	High	PK, 9-12	95%	1,551	1,436	93%	1,551	1,373	89%	1,551	1,317	85%	1,551	1,232	79%	1,551	1,213	78%	1,551	1,178	76%
Titusville	High	9-12	95%	1,801	1,277	71%	1,801	1,260	70%	1,801	1,208	67%	1,801	1,160	64%	1,801	1,141	63%	1,801	1,104	61%
Viera	High	PK, 9-12	95%	2,461	2,333	95%	2,461	2,379	97%	2,461	2,375	97%	2,461	2,422	98%	2,461	2,421	98%	2,461	2,454	99%
High Totals				22,961	18,216		22,961	18,052		22,961	18,014		22,961	17,918		23,032	18,038		23,389	18,467	

Schools of Choice (Not Concurrency Service Areas)

Freedom 7	Elementary	K-6	100%	475	409	86%	475	414	87%	475	414	87%	475	414	87%	475	414	87%	475	414	87%
Stevenson	Elementary	K-6	100%	569	481	85%	569	485	85%	569	485	85%	569	486	85%	569	486	85%	569	486	85%
South Lake	Elementary	K-6	100%	639	489	77%	639	498	78%	639	498	78%	639	498	78%	639	498	78%	639	498	78%
West Melbourne	Elementary	K-6	100%	654	605	93%	654	625	96%	654	625	96%	654	625	96%	654	625	96%	654	625	96%
Edgewood	Jr / Sr High	7-12	90%	1,077	940	87%	1,077	945	88%	1,077	945	88%	1,077	945	88%	1,077	945	88%	1,077	945	88%
West Shore	Jr / Sr High	7-12	90%	1,264	947	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%	1,264	945	75%
Schools of Choice				4,678	3,850		4,764	3,911		4,764	3,911		4,764	3,911		4,764	3,911		4,764	3,911	
Brevard Totals				85,416	63,174		85,823	63,325		87,021	63,328		87,422	64,198		88,165	64,987		88,771	65,517	

Notes

- FISH Capacity is the sum of the factored permanent capacity and the factored relocatable capacity. Permanent and relocatable capacities for 2024-25 are reported from the FISH database as of November 13, 2024.
 - Student Membership is reported from the Fall Final Membership Count (10/14/2024).
 - Davis Demographics Schools Enrollment Forecasting Extension for AIGIS estimates future student populations by analyzing the following data:
 - Development Projections from Brevard County Local Government Jurisdictions
 - Brevard County School Concurrency Student Generation Multipliers (SGM)
 - Student Mobility Rates / Cohort Survival Rates
 - Brevard County Birth rates by zip code
 - Davis Demographics estimates are then adjusted using the following factors:
 - PK (Pre-Kindergarten) and AH (daycare for students with infants) enrollment number are assumed to be constant
 - Current From/To attendance patterns are assumed to remain constant.
 - Nonrecoded student addresses are assumed to continue in their attendance schools.
 - Charter School Growth.
 - If student projections are accurate, the school board could add additional classroom capacity, implement attendance boundary changes, or add relocatable classrooms. A south area elementary school is planned for the future growth, but the exact timing hasn't been established.
 - If only relocatable classrooms are used for the next 5 years, the following changes would be needed to accommodate projected growth. These schools are being analyzed for the best options to accommodate additional students.
 - Primary relocatable classrooms (Grades K-3) = 18 student stations.
 - Intermediate (Grades 4-8) relocatable classrooms = 22 student stations.
 - Sunnise (2), and Westside (3) Elementary Schools.
 - Sunnise (2), and Westside (3) Elementary Schools.
 - Sunnise (2), and Westside (3) Elementary Schools.
 - Sunnise (2), and Westside (3) Elementary Schools.
- For school year 2025-26, a total of 13 intermediate classrooms are projected for Jupiter (2), Riviera (2), Sunnise (2), and Westside (3) Elementary Schools.
- For school year 2026-27, a total of 15 intermediate classrooms are projected for Jupiter (2), Riviera (3), Sunnise (3), Sunnise (4), Turner (1) and Westside (5) Elementary Schools and 3 High School relocatable classrooms are proposed for Bayside High School.
- For school year 2027-28, a total of 29 intermediate classrooms are projected for Columbia (2), Jupiter (2), Riviera (4), Sunnise (5), Turner (5), and Westside (5) Elementary Schools, Southwest Middle School (6) and 6 High School relocatable classrooms are proposed for Bayside High School.
- For school year 2028-29, a total of 17 intermediate classrooms are projected for Columbia (2), Jupiter (2), Sunnise (5), Turner (3), and Westside (4) Elementary Schools, Southwest Middle School (1) and 9 High School relocatable classrooms are proposed for Bayside.
9. A classroom addition is planned to open at West Melbourne School of Science for 2025-26. The factored capacity is adjusted for the proposed 106 student stations.

Prepared by: Kimberly Bonder Rezanka
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6013 Farcenda Pl #101
Melbourne, FL 32940

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this __ day of _____, 2025 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and 782, LLC, a Florida Limited Liability Company (hereinafter referred to as "Developer/Owner").

RECITALS

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

WHEREAS, Developer/Owner has requested the SR zoning classification, and pursuant to the Brevard County Code, Section 62-1157; and

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

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

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.
3. The density of the Property shall be limited to one (1) unit per acre, to provide consistency between the SR suburban residential zoning classification, which encompasses lands

devoted to single-family residential development of relatively spacious land character, and the FLU of RES1.

4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.

5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.

6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on _____. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.

8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7, above.

9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

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

ATTEST:

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

Rachel M. Sadoff, Clerk of Court
(SEAL)

Rob Feltner, Chairman
As approved by the Board on _____

WITNESSES:

782, LLC
5255 N. Courtenay PKWY
Merritt Island, FL 32953

(Witness Name typed or printed)

(Title)

(Witness Name typed or printed)

(Name typed, printed or stamped)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence, this ____ day of ____, 2025, by _____, for 782, LLC, who is personally known to me/presented ____ as identification.

My commission expires: _____

Notary Public

SEAL

Commission No.:

(Name typed, printed or stamped)

EXHIBIT "A"

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 23 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER AND RUN N00°13'54"E, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 624.93 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N00°13'54"E, ALONG SAID WEST LINE, A DISTANCE OF 2024.29 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE N89°44'13"E, ALONG THE NORTH LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 2684.10 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST ONE-QUARTER; THENCE S00°14'35"W, ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER, A DISTANCE OF 1935.24 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°46'26"W, ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 475.18 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089; THENCE S00°14'35"W, ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089, A DISTANCE OF 693.57 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 10318, PAGE 1089 AND A POINT ON THE NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD, ACCORDING TO THE EAST CRISAFULLI ROAD MAINTENANCE MAP AS RECORDED IN ROAD PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N89°35'42"W, ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 766.84 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°33'19"E A DISTANCE OF 65.42 FEET TO THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE N75°12'51"W A DISTANCE OF 159.11 FEET TO THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE S23°50'29"W A DISTANCE OF 115.32 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 8295, PAGE 1058; THENCE CONTINUE S23°50'29"W A DISTANCE OF 3.32 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF EAST CRISAFULLI ROAD; THENCE S89°58'33"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 404.99 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N00°13'57"E, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730, A DISTANCE OF 587.97 FEET TO

THE NORTHEAST CORNER OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730; THENCE S89°58'16"W, ALONG THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 7594, PAGE 730 AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 6582, PAGE 2835, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10104, PAGE 1031, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 10115, PAGE 1888, AND ALONG THE NORTH LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 9139, PAGE 1750, (ALL BEING RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA), A DISTANCE OF 835.35 FEET TO THE POINT OF BEGINNING. CONTAINING 142.13 ACRES, MORE OR LESS.



Dana Blickley, CFA, Brevard County Property Appraiser

Titusville • Viera • Melbourne • Palm Bay

(321) 264-6700

www.BCPAO.us

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REAL PROPERTY DETAILS
Account 2316605 - Roll Year 2024

Owners 782 LLC
Mailing Address 5525 COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address NONE
Parcel ID 23-36-24-00-500
Taxing District 2200 - UNINCORP DISTRICT 2
Exemptions NONE
Property Use 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
Total Acres 76.66
Site Code 0001 - NO OTHER CODE APPL.
Plat Book/Page 0000/0000
Subdivision --
Land Description SW 1/4 AS DES IN ORB 2344 PG 2621



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$417,950	\$417,950	\$417,950
Agricultural Land Value	\$7,600	\$6,470	\$6,470
Assessed Value Non-School	\$7,600	\$6,470	\$6,470
Assessed Value School	\$7,600	\$6,470	\$6,470
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$7,600	\$6,470	\$6,470
Taxable Value School	\$7,600	\$6,470	\$6,470

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found



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REAL PROPERTY DETAILS
Account 2316606 - Roll Year 2024

Owners 782 LLC
Mailing Address 5525 COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address NONE
Parcel ID 23-36-24-00-501
Taxing District 2200 - UNINCORP DISTRICT 2
Exemptions NONE
Property Use 6120 - GRAZING LAND - SOIL CAPABILITY CLASS II - WITH BUI
Total Acres 11.11
Site Code 0001 - NO OTHER CODE APPL.
Plat Book/Page 0000/0000
Subdivision --
Land Description PART OF SW 1/4 AS DES IN ORB 2344 PG 2621



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$52,540	\$52,580	\$52,620
Agricultural Land Value	\$1,470	\$1,250	\$1,250
Assessed Value Non-School	\$4,570	\$4,300	\$4,030
Assessed Value School	\$4,570	\$4,390	\$4,430
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,570	\$4,300	\$4,030
Taxable Value School	\$4,570	\$4,390	\$4,430

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$22,200	PT	1203/0201

No Data Found

ADDITIONAL EXTRA FEATURES

Description	Units
Outbuilding	660
Patio - Concrete	640



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REAL PROPERTY DETAILS
Account 2316607 - Roll Year 2024

Owners	782 LLC
Mailing Address	5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address	NONE
Parcel ID	23-36-24-00-502
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
Total Acres	36.86
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF SW 1/4 AS DES IN ORB 2344 PG 2621, & NW 1/4 OF NW 1/4 OF SW 1/4 PAR 503



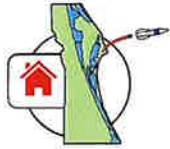
VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$204,230	\$204,230	\$204,230
Agricultural Land Value	\$4,920	\$4,460	\$4,460
Assessed Value Non-School	\$4,920	\$4,460	\$4,460
Assessed Value School	\$4,920	\$4,460	\$4,460
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,920	\$4,460	\$4,460
Taxable Value School	\$4,920	\$4,460	\$4,460

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found



Dana Blickley, CFA, Brevard County Property Appraiser

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REAL PROPERTY DETAILS
Account 2316617 - Roll Year 2024

Owners	782 LLC
Mailing Address	5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
Site Address	NONE
Parcel ID	23-36-24-00-513
Taxing District	2200 - UNINCORP DISTRICT 2
Exemptions	NONE
Property Use	6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
Total Acres	7.13
Site Code	0001 - NO OTHER CODE APPL.
Plat Book/Page	0000/0000
Subdivision	--
Land Description	PART OF SE 1/4 OF SW 1/4 AS DESC IN ORB 2345 PG 1489 EXC ORB 8639 PG 1696, ALSO EXC PART OF SE 1/4 OF SW 1/4 BOUNDED ON S BY CRISAFULLI RD, ON E BY 1/2 SECTION LINE & ON N & W BY ORB 8639 PG 1696



VALUE SUMMARY

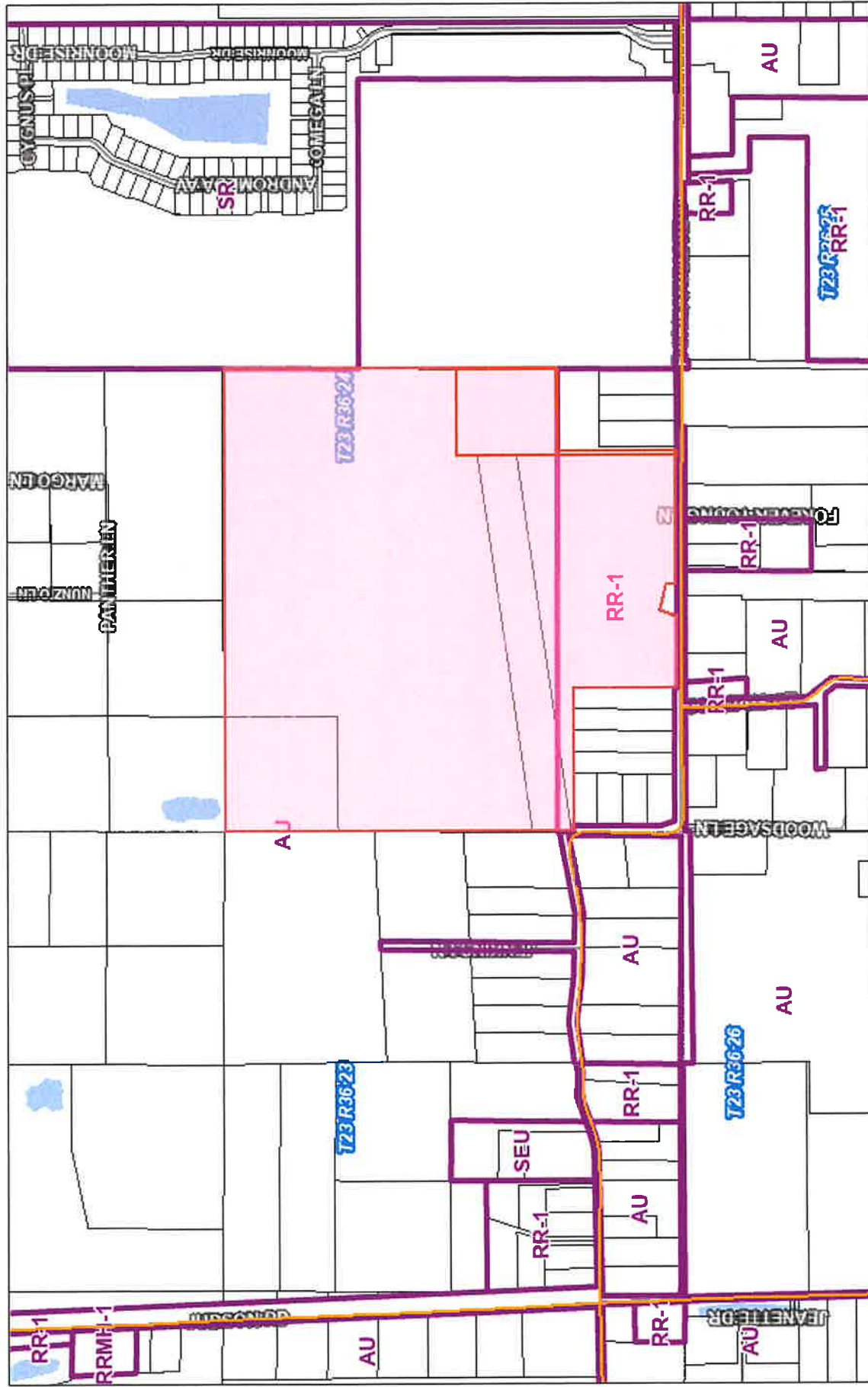
Category	2024	2023	2022
Market Value	\$142,600	\$142,600	\$142,600
Agricultural Land Value	\$920	\$770	\$0
Assessed Value Non-School	\$920	\$770	\$142,600
Assessed Value School	\$920	\$770	\$142,600
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$920	\$770	\$142,600
Taxable Value School	\$920	\$770	\$142,600

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
01/02/1981	\$175,000	WD	2345/1489

No Data Found

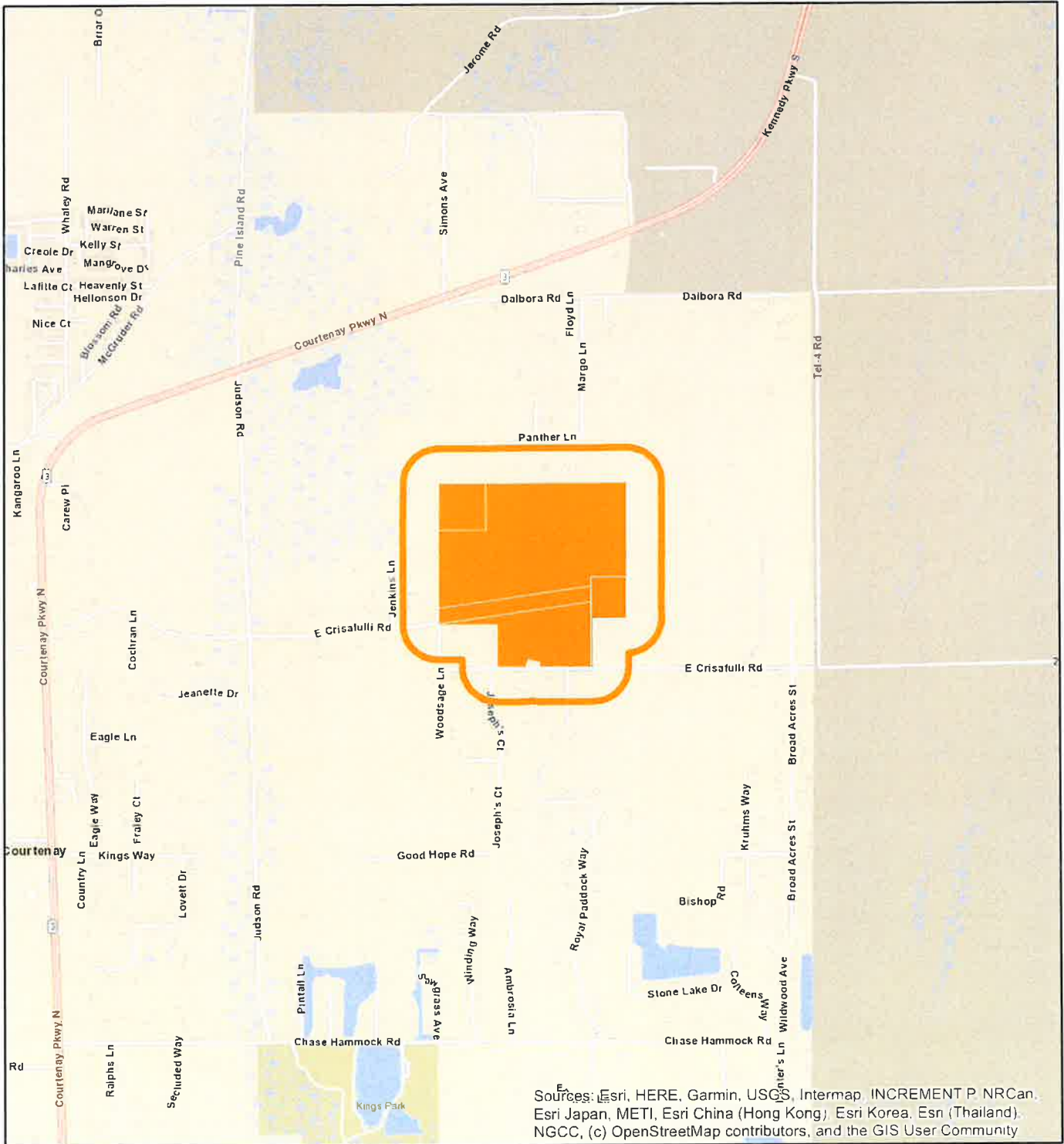
Tax Account 2316605, 2316617, 2316606, 2316607



Search Results: Parcel (Tax Account) Roadway
 Override 1
 County ROW (Under Maintenance Bond)
 County
 County ROW/Non-Maintained
 Zoning
 Street Label
 Section

LOCATION MAP

782 LLC
25Z00039





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

Buffer Distance: 500 feet

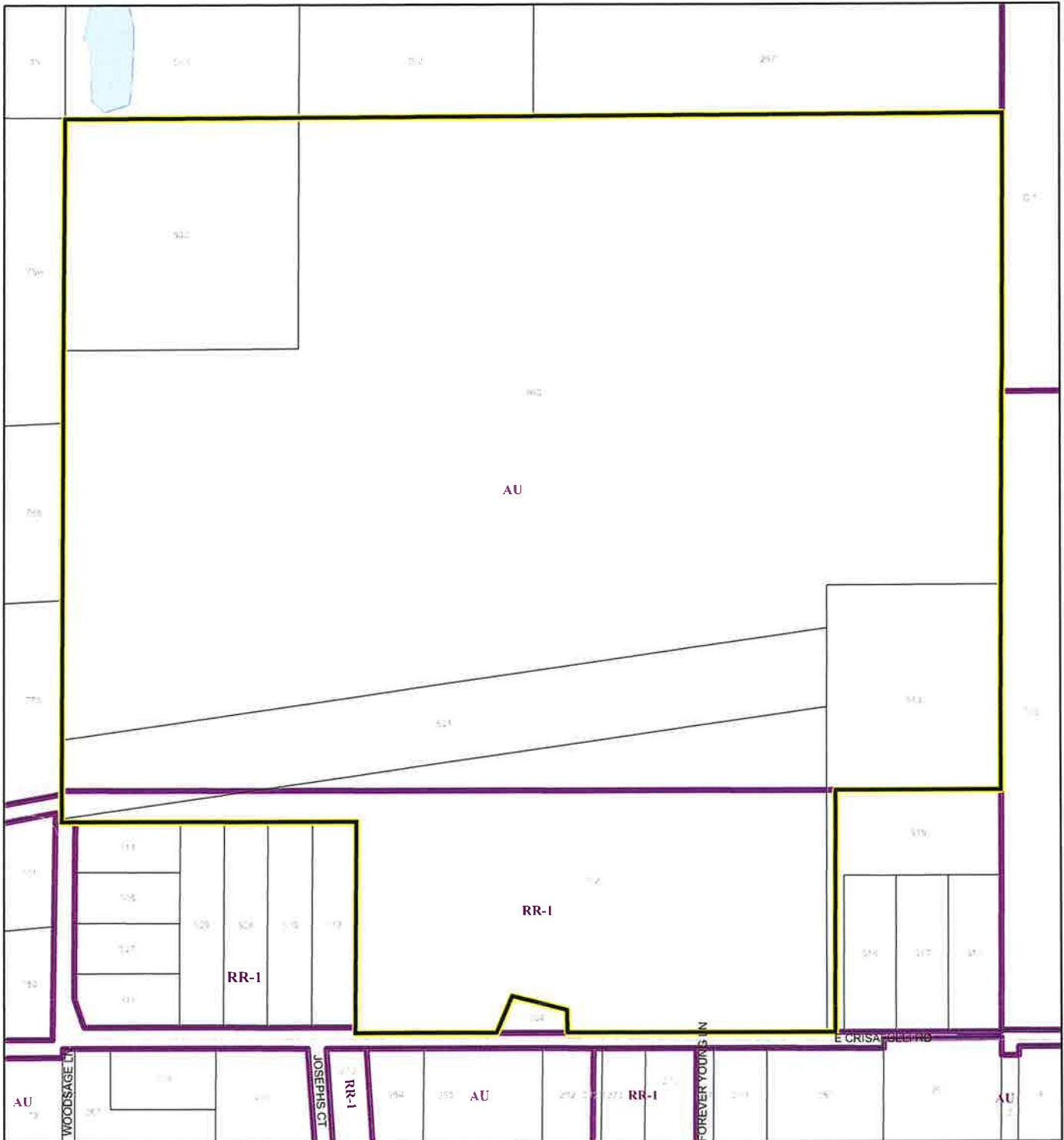
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025

-  Buffer
-  Subject Property

ZONING MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

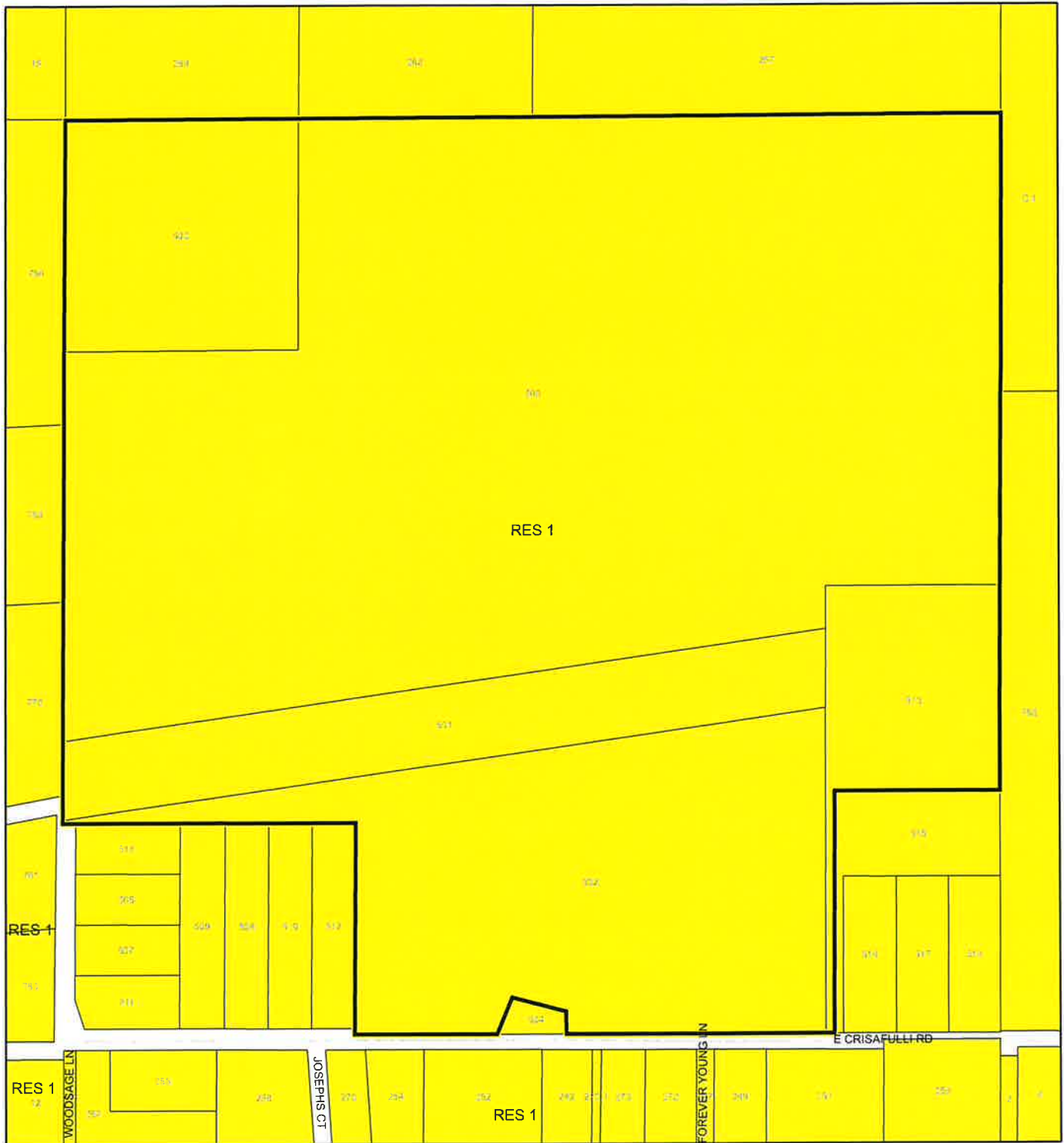
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025



- Subject Property
- Parcels
- Zoning

FUTURE LAND USE MAP

782 LLC
25Z00039



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: 10/13/2025

R-70

AERIAL MAP

782 LLC
25Z00039





1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2025

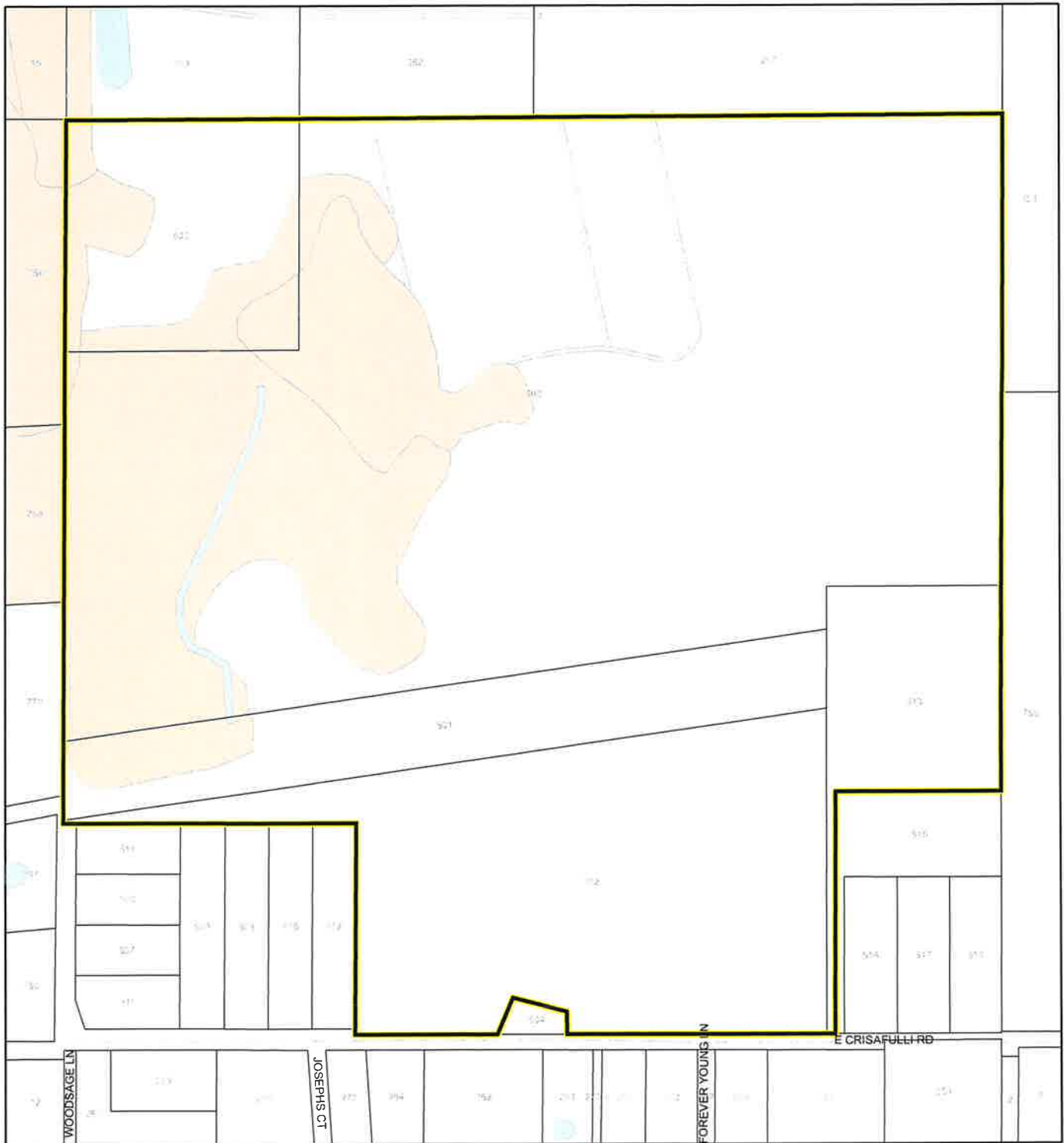
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025

-  Subject Property
-  Parcels

NWI WETLANDS MAP

782 LLC
25Z00039



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: 10/13/2025

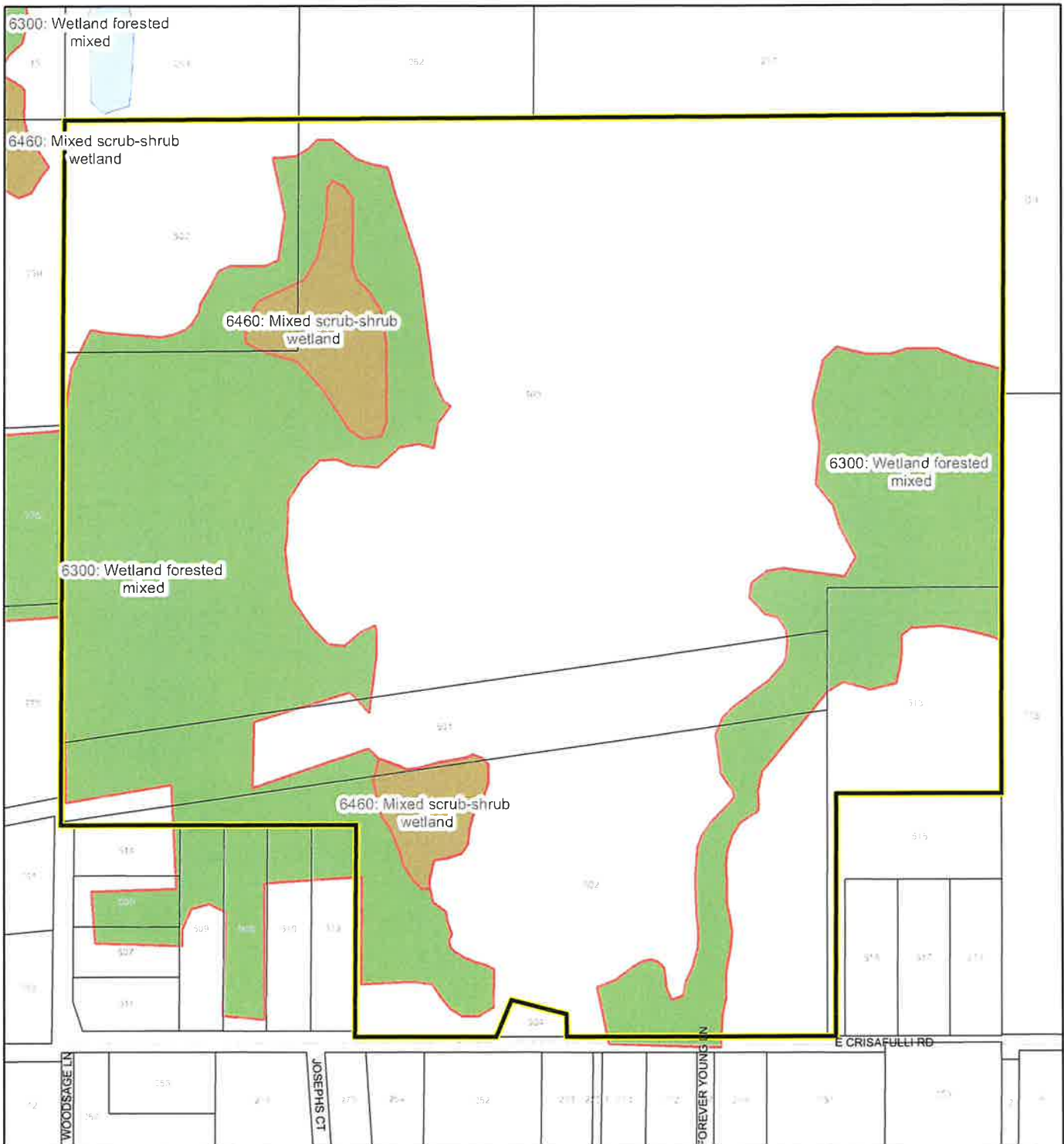
National Wetlands Inventory (NWI)

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

R-72

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

782 LLC
25Z00039



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: 10/13/2025

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

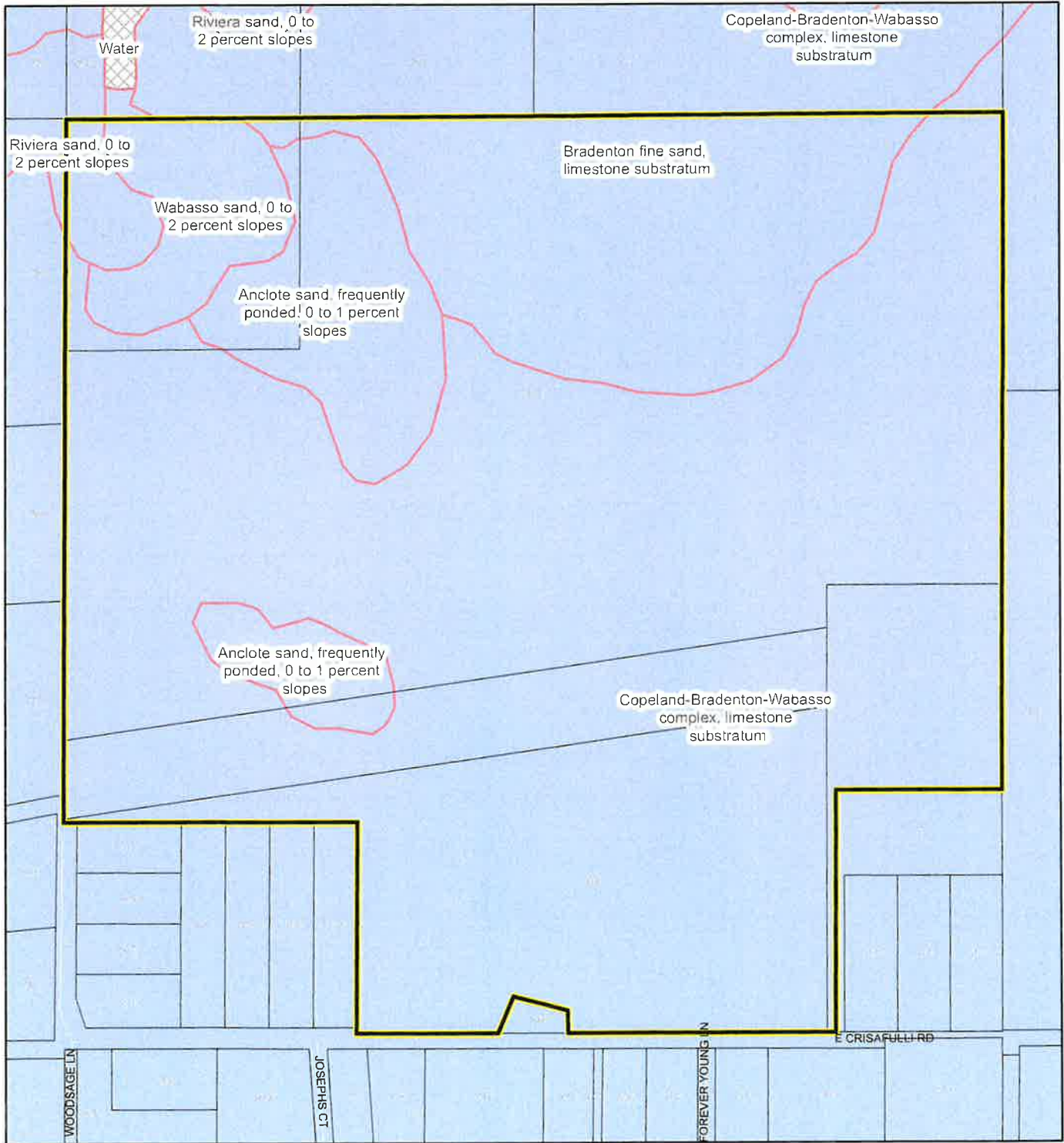
Subject Property

Parcels

R-73

USDA SCSSS SOILS MAP

782 LLC
25Z00039



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: 10/13/2025

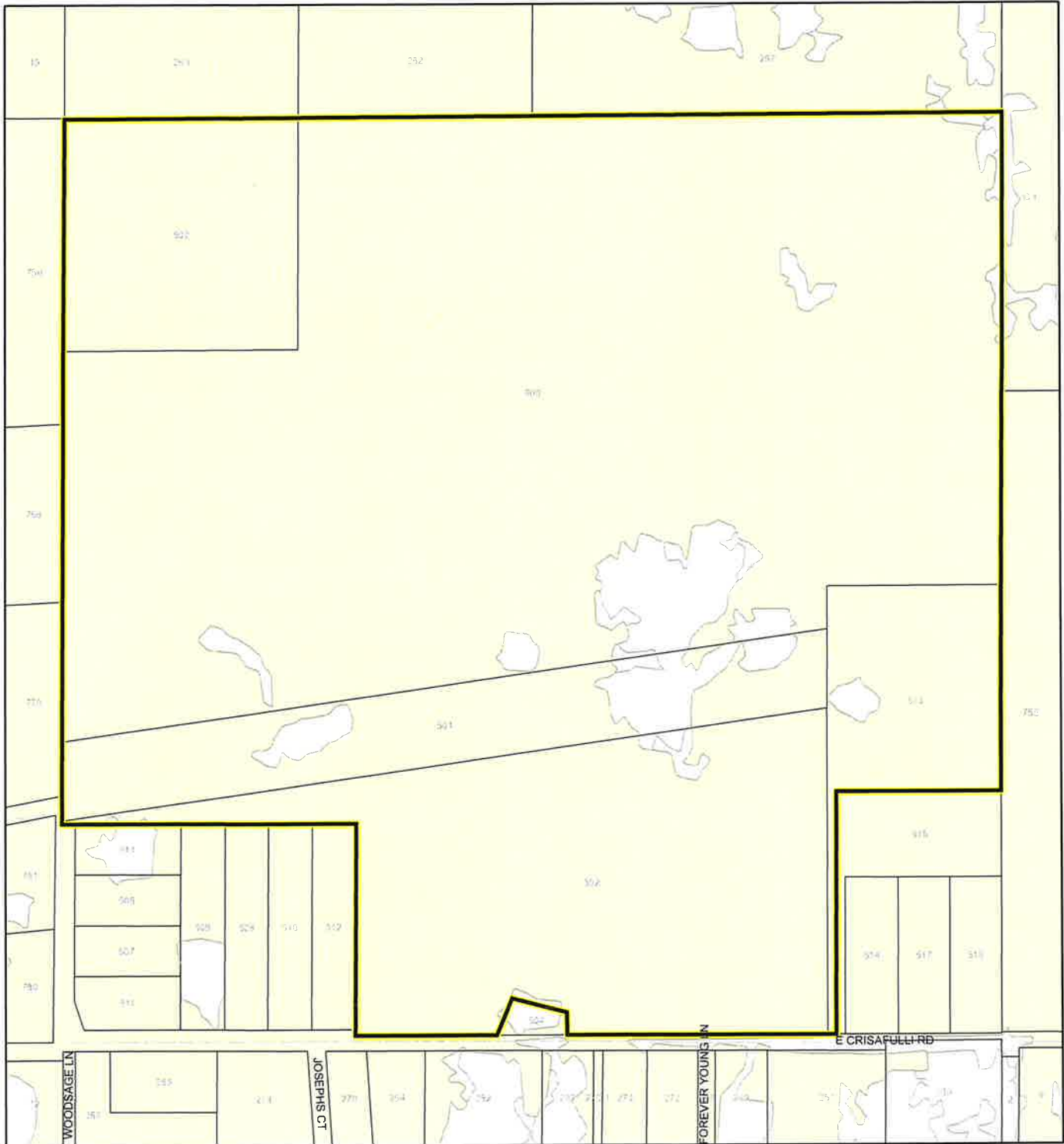
USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

782 LLC
25Z00039



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: 10/13/2025

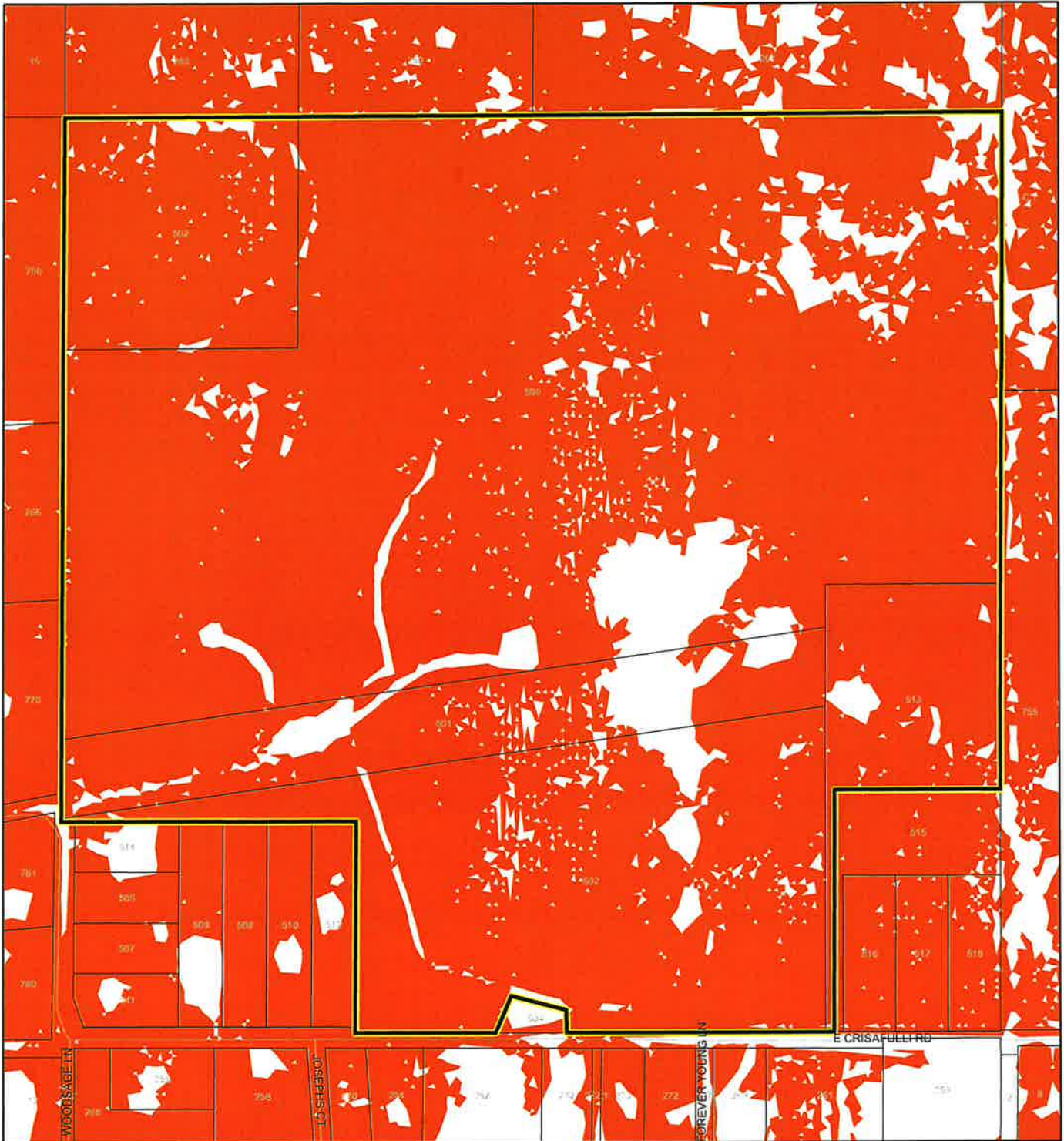
FEMA Flood Zones

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

R-75

COASTAL HIGH HAZARD AREA MAP

782 LLC
25Z00039



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: 10/13/2025

 Subject Property

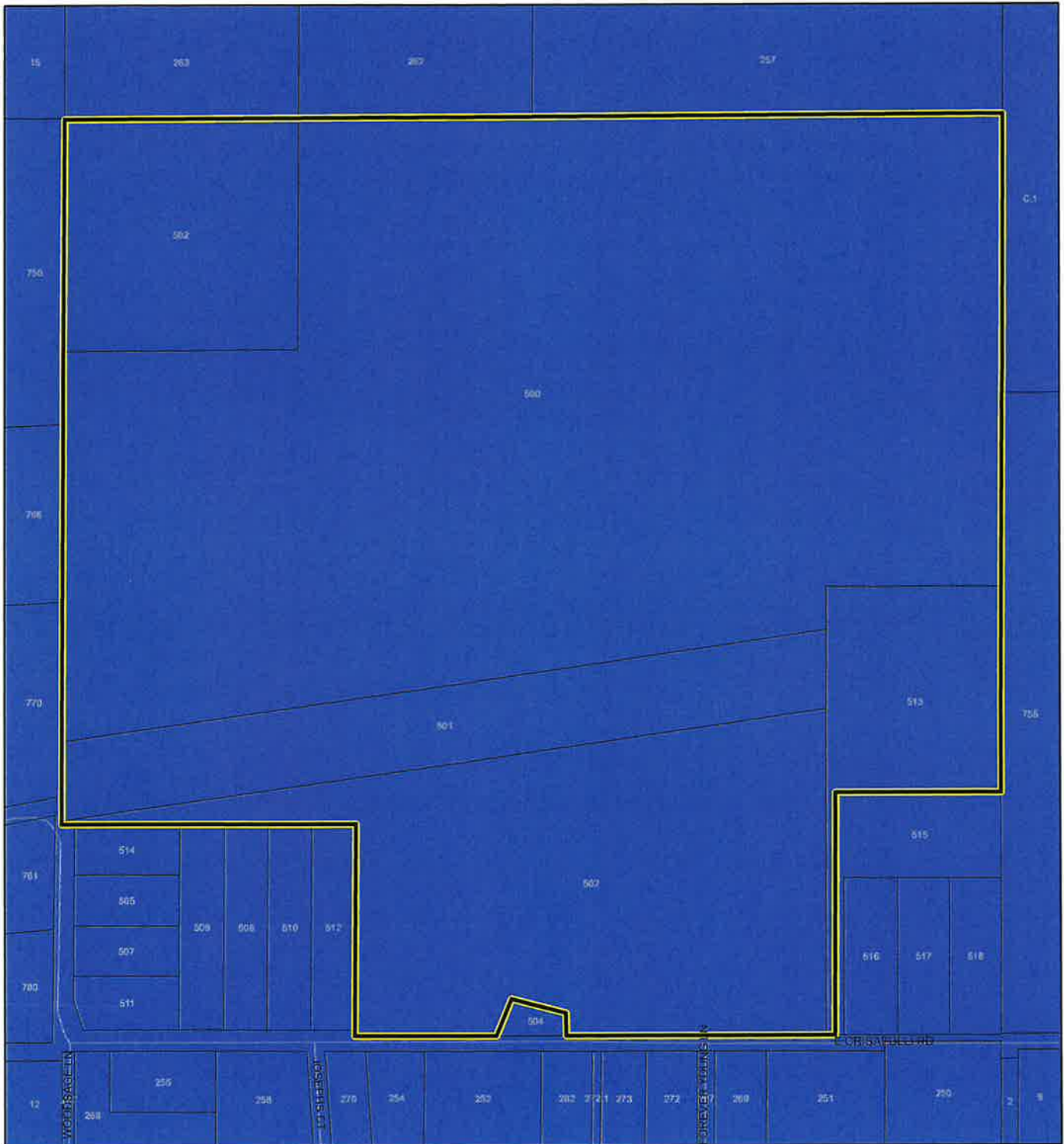
 Parcels

Coastal High Hazard Area

 SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

782 LLC
25Z00039



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: 10/13/2025

— Subject Property

▭ Parcels

Septic Overlay

▭ 40 Meters

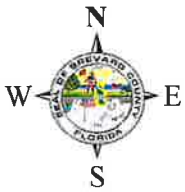
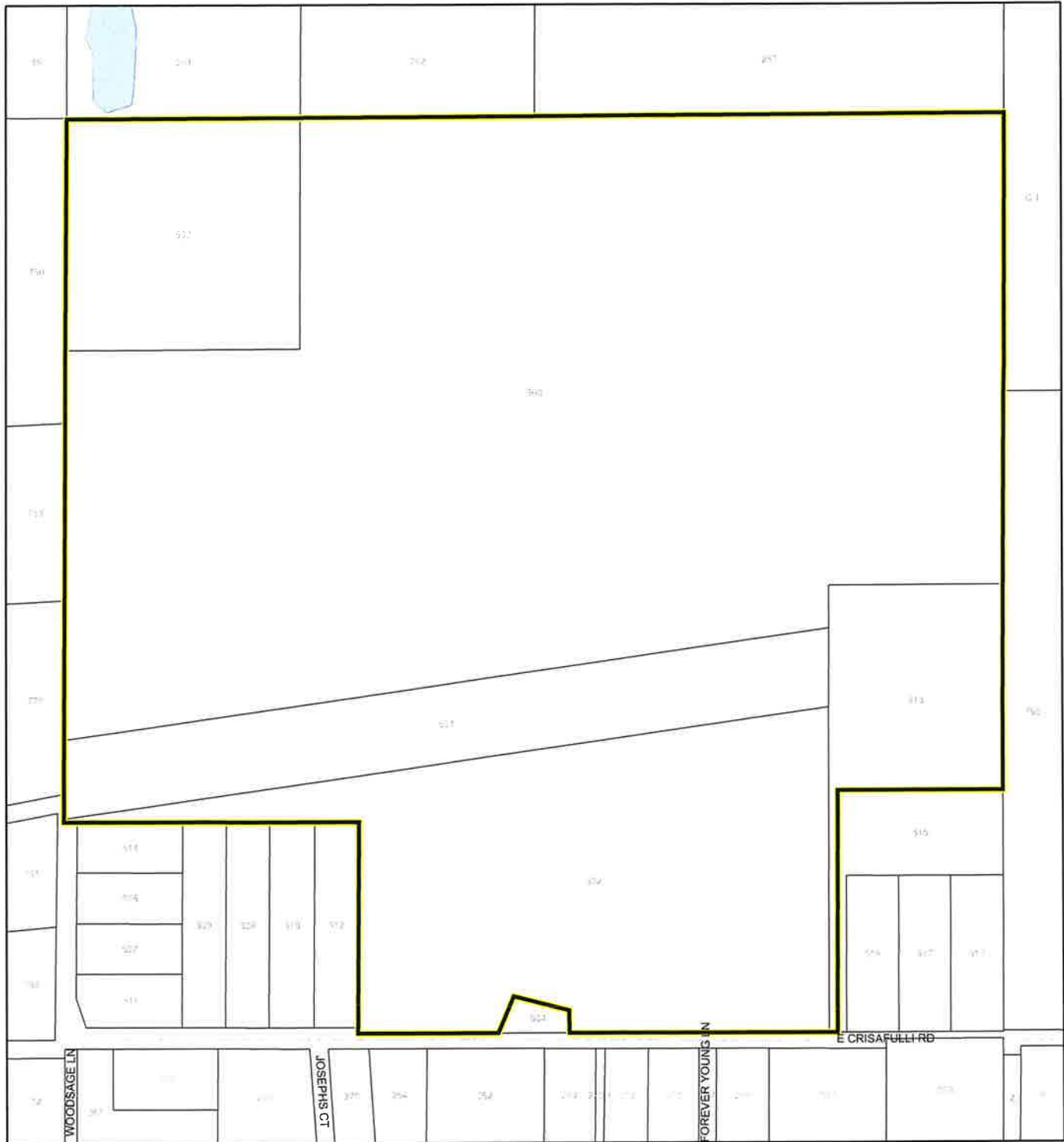
▭ 60 Meters

▭ All Distances

R-77

EAGLE NESTS MAP

782 LLC
25Z00039



1:4,800 or 1 inch = 400 feet

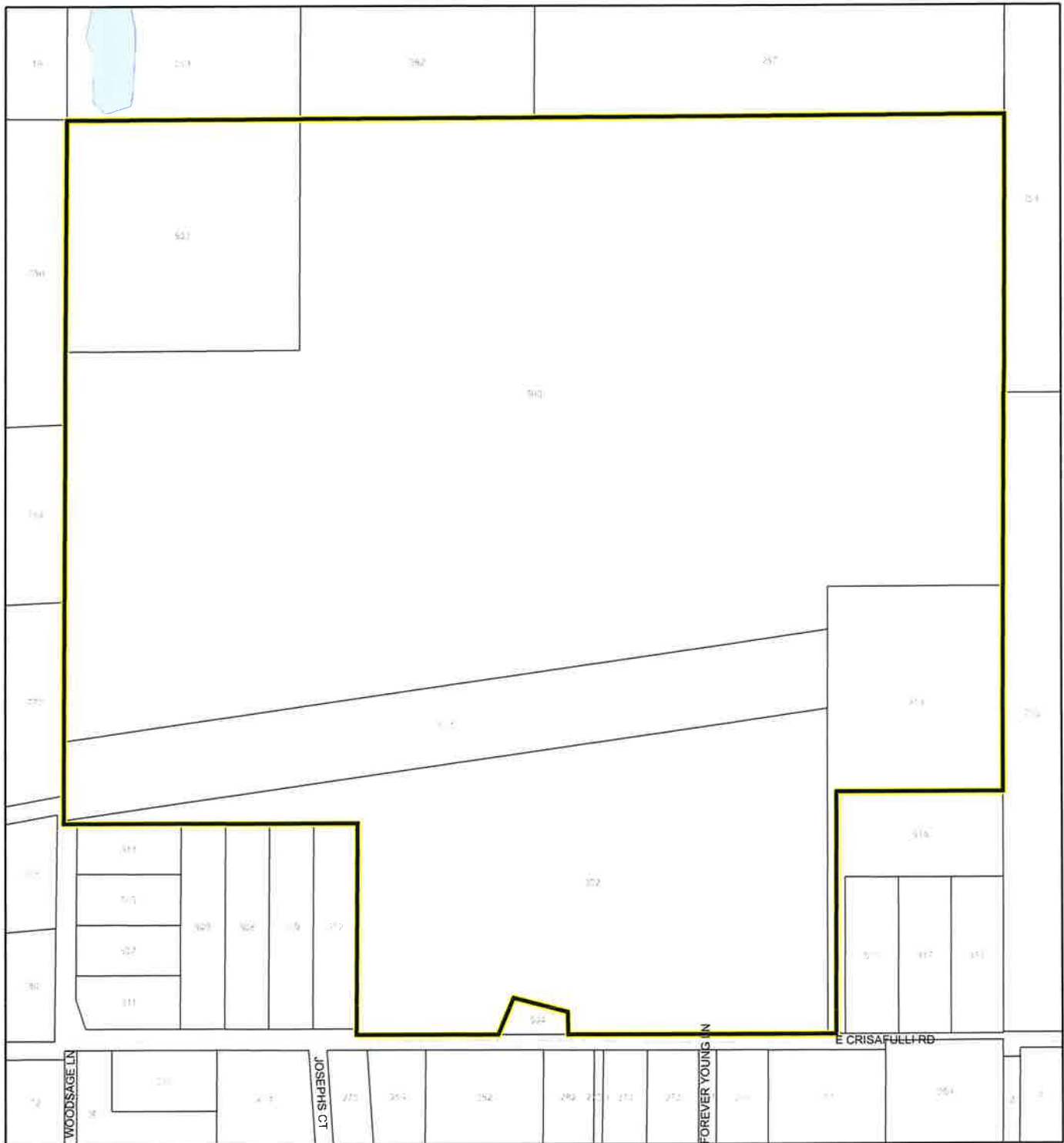
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025

-  Subject Property
-  Parcels
-  Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP




782 LLC
25Z00039



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: 10/13/2025

-  Subject Property
-  Parcels
-  Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

782 LLC
25Z00039



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: 10/13/2025

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

R-80

MERRITT ISLAND

Owner's Name: STRADA DEVELOPMENT LLC

Hearing Date: 1/12/26

25200039

THIS AFFIDAVIT IS TO BE SUBMITTED BEFORE THE PUBLIC HEARING

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BREVARD

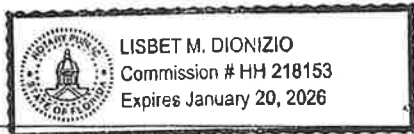
Before me, this undersigned authority, personally appeared, Amanda Kirkendall,
to me well known and known to me to be the person described in and who executed the foregoing affidavit after
being first duly sworn, says:

1. That the affiant posted the notice provided by the Brevard County Planning & Development Department, which contains the time(s) and date(s) of the Public Hearing(s) involved.
2. Said posted notice contains the name of the applicant, the total acreage of the property in question, the existing land use classification, special use classification, or conditional use designation, and the requested amendment to the official zoning maps. Said notice also contains the time and place of the public hearing on the consideration of said application by the Board of County Commissioners of Brevard County, if applicable.
3. The said notice has been posted in a conspicuous place on the subject property not more than twenty-five (25) days, nor less than fifteen (15) days prior to the first public hearing before the applicable board (as indicated on notice). If the property abuts a public road right-of-way, the notice has been posted within ten (10) feet of the road right-of-way in such a manner as to be visible from the road right-of-way.
4. The affiant understands that this affidavit is intended to be submitted as a requirement for a public hearing, and as such, will be officially filed with the Government of Brevard County, Florida.

C. Muder

Signature

Sworn and Subscribed before me, this 31st day of December 2025.



(Print, Type, or Stamp Commissioned Name of Notary Public)

Lisbet M. Dionizio
Notary Public, State of Florida

Personally known OR Produced Identification

Type of I.D. Produced: _____

MERRITT ISLAND

Owner's Name: STRADIA DEVELOPMENT LLC

Hearing Date: 1/12/26

25200039
THIS AFFIDAVIT IS TO BE SUBMITTED BEFORE THE PUBLIC HEARING

AFFIDAVIT

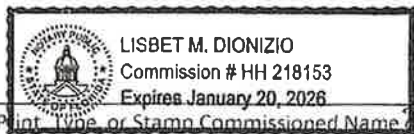
STATE OF FLORIDA
COUNTY OF BREVARD

Before me, this undersigned authority, personally appeared, Amanda Kirkendall,
to me well known and known to me to be the person described in and who executed the foregoing affidavit after
being first duly sworn, says:

1. That the affiant posted the notice provided by the Brevard County Planning & Development Department, which contains the time(s) and date(s) of the Public Hearing(s) involved.
2. Said posted notice contains the name of the applicant, the total acreage of the property in question, the existing land use classification, special use classification, or conditional use designation, and the requested amendment to the official zoning maps. Said notice also contains the time and place of the public hearing on the consideration of said application by the Board of County Commissioners of Brevard County, if applicable.
3. The said notice has been posted in a conspicuous place on the subject property not more than twenty-five (25) days, nor less than fifteen (15) days prior to the first public hearing before the applicable board (as indicated on notice). If the property abuts a public road right-of-way, the notice has been posted within ten (10) feet of the road right-of-way in such a manner as to be visible from the road right-of-way.
4. The affiant understands that this affidavit is intended to be submitted as a requirement for a public hearing, and as such, will be officially filed with the Government of Brevard County, Florida.

A. Whelan
Signature

Sworn and Subscribed before me, this 31st day of December 2025.



(Print, Type, or Stamp Commissioned Name of Notary Public)

Lisbet M. Dionizio
Notary Public, State of Florida

Personally known OR Produced Identification

Type of I.D. Produced: _____

AERIAL MAP

782 LLC
25Z00039



WOODSIDE LN

E. CALIFORNIA RD



1:4,800 or 1 inch = 400 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 herein.

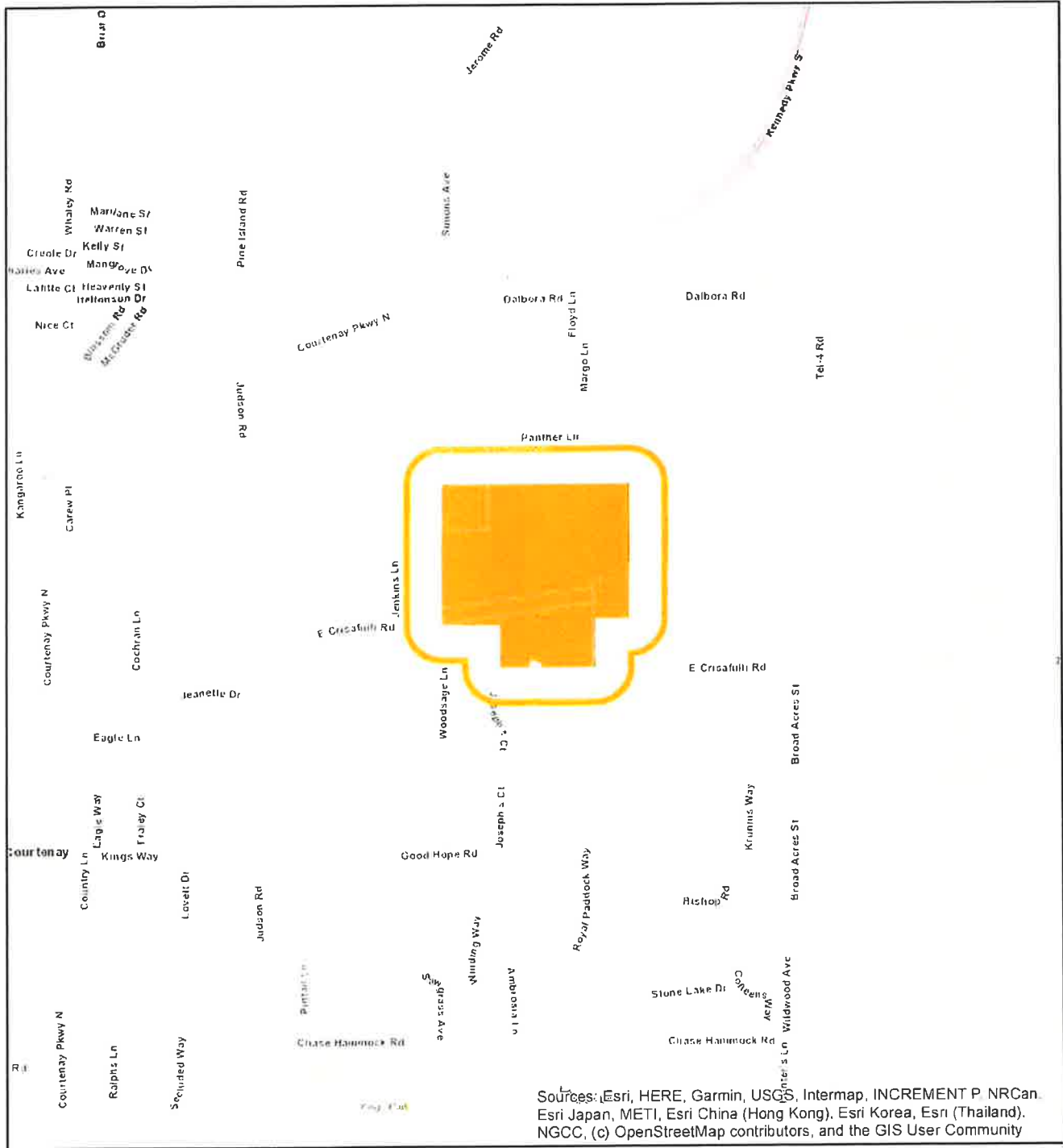
Produced by BoCC - GIS Date: 10/13/2025

— Subject Property

□ Parcels

LOCATION MAP

782 LLC
25Z00039



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

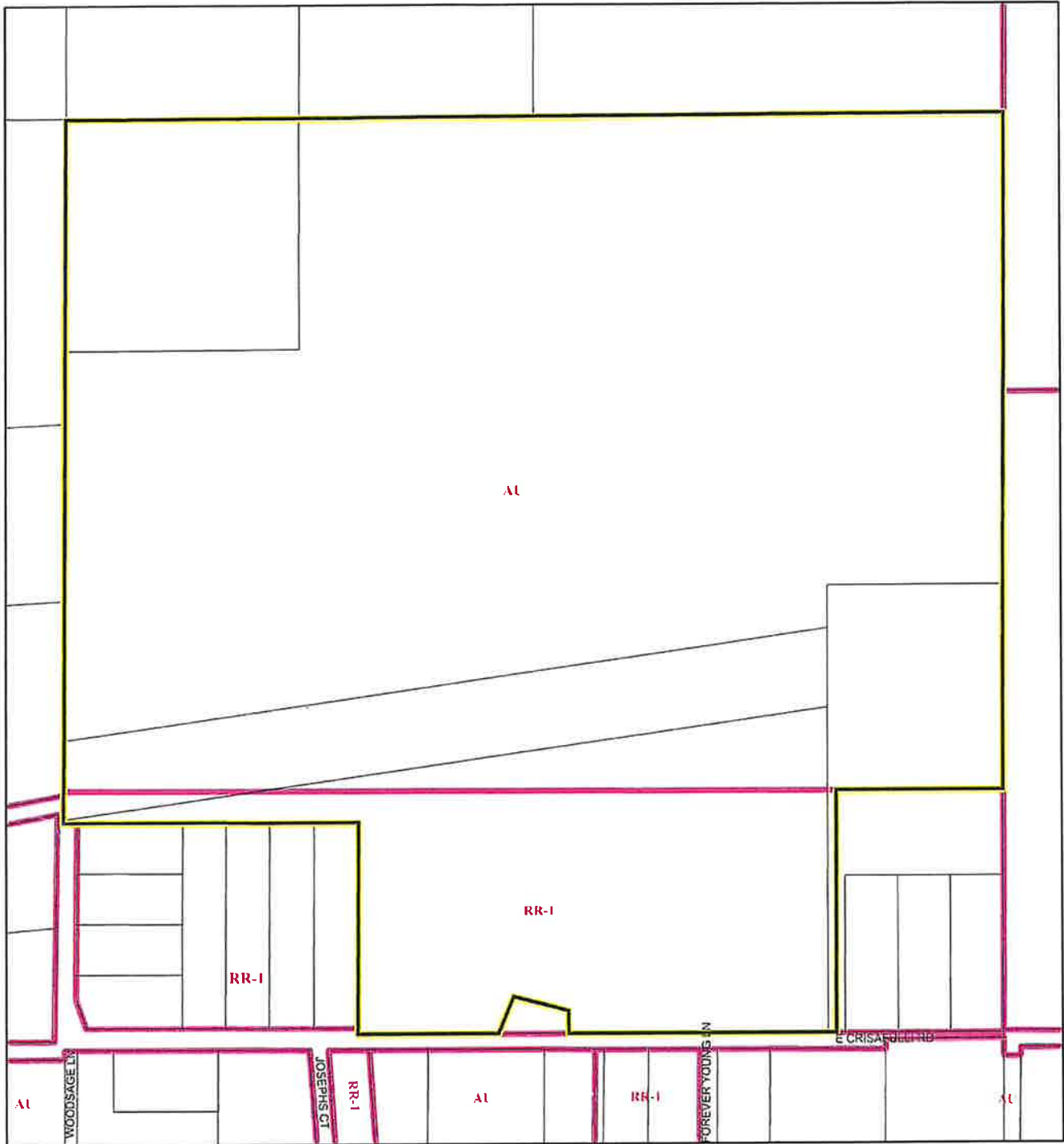
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/13/2025

-  Buffer
-  Subject Property

AGRI AND MAP

782 LLC
25Z00039

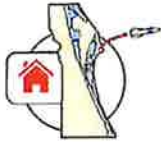


1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 10/13/2025

- Subject Property
- Parcels
- Zoning



Dana Blickley, CFA, Brevard County Property Appraiser
 Titusville • Viera • Melbourne • Palm Bay

(321) 264-6700
 www.BCPAO.us
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REAL PROPERTY DETAILS
 Account 2316605 - Roll Year 2024

Owners 782 LLC
 Mailing Address 5525 COURTENAY PKWY MERRITT ISLAND FL 32953
 Site Address NONE
 Parcel ID 23-36-24-00-500
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
 Total Acres 76.66
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Subdivision --
 Land Description SW 1/4 AS DES IN ORB 2344 PG 2621



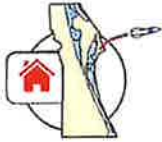
VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$417,950	\$417,950	\$417,950
Agricultural Land Value	\$7,600	\$6,470	\$6,470
Assessed Value Non-School	\$7,600	\$6,470	\$6,470
Assessed Value School	\$7,600	\$6,470	\$6,470
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$7,600	\$6,470	\$6,470
Taxable Value School	\$7,600	\$6,470	\$6,470

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found

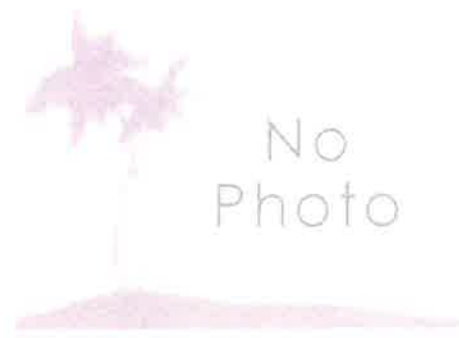


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REAL PROPERTY DETAILS
 Account 2316606 - Roll Year 2024

Owners 782 LLC
 Mailing Address 5525 COURTENAY PKWY MERRITT ISLAND FL 32953
 Site Address NONE
 Parcel ID 23-36-24-00-501
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 6120 - GRAZING LAND - SOIL CAPABILITY CLASS II - WITH BUI
 Total Acres 11.11
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Subdivision --
 Land Description PART OF SW 1/4 AS DES IN ORB 2344 PG 2621



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$52,540	\$52,580	\$52,620
Agricultural Land Value	\$1,470	\$1,250	\$1,250
Assessed Value Non-School	\$4,570	\$4,300	\$4,030
Assessed Value School	\$4,570	\$4,390	\$4,430
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,570	\$4,300	\$4,030
Taxable Value School	\$4,570	\$4,390	\$4,430

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$22,200	PT	1203/0201

No Data Found

ADDITIONAL EXTRA FEATURES

Description	Units
Outbuilding	660
Patio - Concrete	640



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REAL PROPERTY DETAILS
 Account 2316607 - Roll Year 2024

Owners 782 LLC
 Mailing Address 5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
 Site Address NONE
 Parcel ID 23-36-24-00-502
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
 Total Acres 36.86
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Subdivision --
 Land Description PART OF SW 1/4 AS DES IN ORB 2344 PG 2621, & NW 1/4 OF NW 1/4 OF SW 1/4 PAR 503



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$204,230	\$204,230	\$204,230
Agricultural Land Value	\$4,920	\$4,460	\$4,460
Assessed Value Non-School	\$4,920	\$4,460	\$4,460
Assessed Value School	\$4,920	\$4,460	\$4,460
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$4,920	\$4,460	\$4,460
Taxable Value School	\$4,920	\$4,460	\$4,460

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
12/31/1981	\$625,000	WD	2344/2621
10/01/1971	\$120,300	PT	1203/0200

No Data Found



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REAL PROPERTY DETAILS
 Account 2316617 - Roll Year 2024

Owners 782 LLC
 Mailing Address 5525 N COURTENAY PKWY MERRITT ISLAND FL 32953
 Site Address NONE
 Parcel ID 23-36-24-00-513
 Taxing District 2200 - UNINCORP DISTRICT 2
 Exemptions NONE
 Property Use 6100 - GRAZING LAND - SOIL CAPABILITY CLASS II - VACANT
 Total Acres 7.13
 Site Code 0001 - NO OTHER CODE APPL.
 Plat Book/Page 0000/0000
 Subdivision --
 Land Description PART OF SE 1/4 OF SW 1/4 AS DESC IN ORB 2345 PG 1489 EXC ORB 8639 PG 1696, ALSO EXC PART OF SE 1/4 OF SW 1/4 BOUNDED ON S BY CRISAFULLI RD, ON E BY 1/2 SECTION LINE & ON N & W BY ORB 8639 PG 1696



VALUE SUMMARY

Category	2024	2023	2022
Market Value	\$142,600	\$142,600	\$142,600
Agricultural Land Value	\$920	\$770	\$0
Assessed Value Non-School	\$920	\$770	\$142,600
Assessed Value School	\$920	\$770	\$142,600
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$920	\$770	\$142,600
Taxable Value School	\$920	\$770	\$142,600

SALES / TRANSFERS

Date	Price	Type	Instrument
04/12/2018	\$700,000	WD	8145/0903
01/02/1981	\$175,000	WD	2345/1489

No Data Found

REZONING NOTICE

25Z00039

The North Merritt Island Dependent Special District Board will hold a public hearing at 6:00 P.M. on JANUARY 08, 2026, at the Merritt Island Service Complex, 2575 North Courtenay Parkway, Second Floor, North Merritt Island, FL, to consider the below proposal.

The Planning & Zoning Board will hold a public hearing at 3:00 P.M. on JANUARY 12, 2026, at the Government Center, 2725 Judge Fran Jamieson Way, Viera, to consider the proposed zoning action on this property as indicated below:

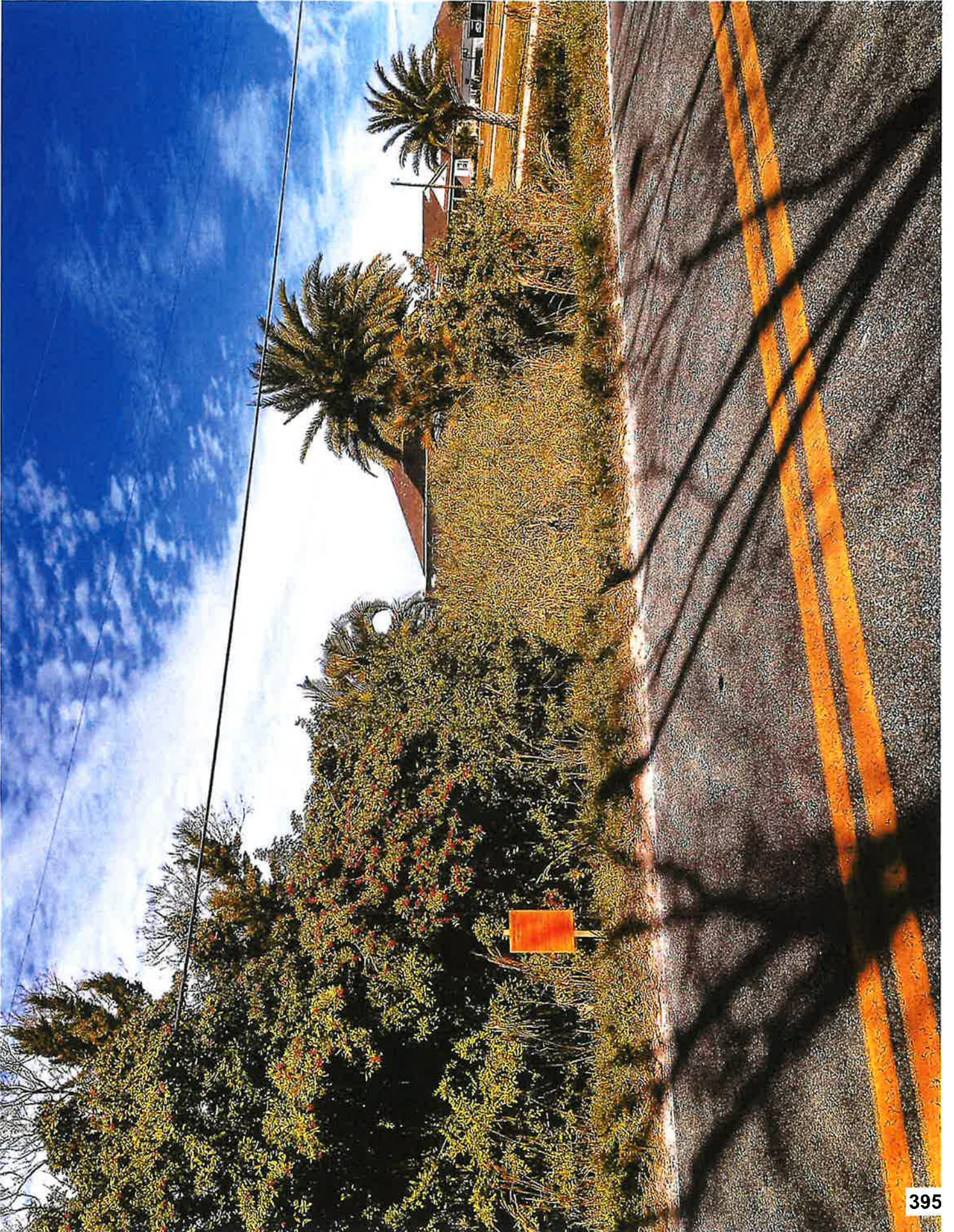
Owner: Sirada Development, LLC (Kim Rezanka)

Present Zoning: AU & RR-1 Acreage: 142.13

Requested Action(s): SR (Suburban Residential) with a SDF

The recommendations from the aforementioned public hearings will be presented to the County Commission at 5:00 P.M. on FEBRUARY 05, 2026, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera. Interested parties are invited to appear and be heard. Written comments filed with the Brevard County Zoning Official, Brevard County Government Center, 2725 Judge Fran Jamieson Way, A114, Viera, FL 32940, will be considered.

Removal of this sign prior to FEBRUARY 05, 2026, is illegal and subject to prosecution.



REZONING NOTICE

25Z00039

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The Planning & Zoning Board will hold a public hearing at 3:00 P.M. on JANUARY 12, 2026, at the Government Center, 2725 Judge Fran Jamieson Way, Viera, to consider the proposed zoning action on this property as indicated below:

Owner: Strada Development, LLC (Kim Rezanka)

Present Zoning: AU & RR-1 Acreage: 142.13

Requested Action(s): SR (Suburban Residential) with a BDP

The recommendations from the aforementioned public hearings will be presented to the County Commission at 5:00 P.M. on FEBRUARY 05, 2026, at the Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera. Interested parties are invited to appear and be heard. Written comments filed with the Brevard County Zoning Official, Brevard County Government Center, 2725 Judge Fran Jamieson Way, A114, Viera, FL 32940, will be considered.

Removal of this sign prior to FEBRUARY 05, 2026 is illegal and subject to prosecution.



R-93

North Merritt Island Dependent Special District Board

The North Merritt Island Dependent Special District Board met on Thursday, January 08, 2026, at 6:00 p.m., at the Merritt Island Service Complex, 2575 N. Courtenay Pkwy., Second Floor, Merritt Island, Florida.

The meeting was called to order at 6:00 p.m.

Board members present were Mary Hillberg, Chris Cook, Jim Carbonneau, Gina Lindhorst, and John Speck.

Staff members present were Trina Gilliam, Planning and Zoning Manager; Derrick Hughey, Planner; and Jordan Sagosz, Operations Support Specialist.

EXCERPT OF COMPLETE MINUTES

Item H.1. Strada Development, LLC (Kim Rezanka) requests a zoning classification change from AU and RR-1 to SR with a BDP. (25Z00039) (Tax Accounts 2316605, 2316606, 2316607, 2316617) (District 2)

Derrick Hughey read the application into the record.

Kim Rezanka spoke to the application. Maronda Homes is the related entity to Strada Development. The proposed plan is for 61 homes on 142 acres, with an average density of 1 unit per 2.33 acres. The concept plan has not been reviewed by staff. We have a BDP that's for 1 unit per acre, we willing to change that to 61 units because that's all they can really build and that's all they want to build. They will be 1/2 acre and they're not going to be using the open space subdivision. The property is very difficult to development. It's been agricultural land for a long time and there are many wetlands. That is why it's in this configuration. They must work around the wetlands, and they can only impact 1.8 percent of the wetlands. It's a difficult design. There have been questions as to why we can't come in before the 90.....turn. Those are wetlands there and a canal or ditch. We had a community meeting on December 15th, with approximately 25 people in attendance. They had concerns about the road, with the traffic, stormwater and the flooding. We have our engineer here to discuss that. This is the proposal, the SR zoning requires 1/2 acre, the BDP will limit it to 61 units. This is not going to impact the neighbors. We have been asked to work with the county regarding the canal maintenance and Judson Road. There is no bond maintenance for this road. So, if there are problems with this road that's up to the County Commissioners to take care of.

Katie Peck stated Maronda is in 6 different areas of Florida. She said they are envisioning larger lot sizes, 1/2 acre lots complying with the minimum square footage of the lots under the requested zoning being proposed. Price point wise they are proposing the same as Island Forest, starting around high 5's and up into the 7's and 8's.

John Speck asked who is responsible for the flooding engineering.

Ms. Peck stated it would be their engineer.

Hassan Kamal spoke about the concept plan. Going to be developing about 50 to 55 acres. Will be preserving almost 60 percent of the property. 85 to 90 acres will remain in it's natural condition.

Jim Carbonneau asked how many acres are being developed.

Mr. Kamal responded between 50 and 55 acres. We don't have an exact number yet. Between 85 and 90 acres will remain natural. Lots will be served by the City of Cocoa water facility. Will have an

onsite lift station that will connect to the Brevard County force main that runs along Crisafulli Road. The 61 lots are all a minimum of 1/2 acre in size, sized based on the zoning requirements for the lot size on both frontage and depth. We are conceptualizing a master stormwater system that will provide for all the stormwater treatment onsite, so we don't discharge anymore water from the property than what's currently going. Will comply with North Merritt Island Drainage study as well as the new state criteria that went into effect at the end of December. Will be reviewed and approved by both Brevard County and the Water Management District. The system will consist of a series of pipes and stormwater ponds that will take care of the water and make sure that there's not adverse impacts to downstream or upstream of the facilities. The wetland impacts on the site are very minimal. We're limited to no more than 1.8 percent of the total property as far as total wetland impacts, which comes out to less than 2.5 acres. The current plan reflects that number. The perimeter buffers are as large as possible.

Gina Lindhorst asked what do you consider undeveloped land? What does that look like?

Mr. Kamal responded you can see on the map; there's 2 shades of green, the darker would be the jurisdictional wetlands, the lighter are upland buffers that will remain in place. Those are the areas we won't have lots or stormwater ponds, or roadways. It will remain in its' current condition.

Ms. Lindhorst stated she's wondering if you're considering grass and maintained foliage undeveloped.

Mr. Kamal responded if it's in any of the green color it will be undeveloped. Completely undeveloped. When going through the Water Management process there will be requirements for maintaining upland buffers and wetlands. They'll be placed in conservation easements that will address exactly what you can and can't do within those areas. Those will be recorded easements; they'll be in the declarations and homeowner's documents.

Mary Hillberg asked what percentage of the properties are green.

Mr. Kamal responded around 60 percent of the property will be undeveloped.

Mr. Speck asked about the conceptual stormwater criteria design.

Mr. Kamal responded this area of Merritt Island has a master drainage study that's in place and a master model for the drainage basins. We must take this project and how we're developing it and insert it into that model and run it through, basically show that the impacts from the flow from this project don't impact any upstream or downstream from the facilities. That's in addition to meeting our own water quality onsite. We must evaluate region wide.

Mr. Speck asked about the lift station and if it's part of this concept.

Mr. Kamal responded we haven't done the full design of the lift station. We know we need one, there's not gravity sewer out there. There's a force main along Crisafulli Rd. We've done some preliminary coordination with Brevard County to understand what that force main is and what the pressures are, so we'll have our own onsite lift station and our own onsite gravity sewer system that will collect domestic waste from the 61 homes, goes to the lift station and gets pumped out to the force main on Crisafulli.

Mr. Speck stated that he noticed that the Natural Resource Department said it should be 5 acres per dwelling, how do you get around that.

Mr. Kamal responded you're allowed to impact up to 1.8 percent of the total project area. That's what we're limited to.

Mr. Speck stated it specifically says development shall be limited to not more than 1 dwelling per 5 acres.

Ms. Rezanka responded if you want to build in the wetlands you can only put 1 house per 5 acres. We're not building in the wetlands.

Mr. Speck stated that whole property is almost.....

Ms. Rezanka continued we're only building in the uplands. Currently the zoning is 1 unit per 2.5 acres in the AU. We're asking for SR, Suburban Residential, zoning which is 1/2 acre, so we're asking for a zoning change to SR. But we're going to keep within the future land use of 1 unit to the acre, in fact way less with 1 unit per every 2.33 acres if this is approved.

Ms. Hillberg inquired why do you ask for that then if you're not going to be using it.

Ms. Rezanka responded because we can't put houses in the wetlands. The County doesn't allow it. So, to get use of this property we must have 1/2 acre lots or less, like Island Forest Preserve has 1/4 acre lots. Because they did an open space subdivision plan even though they have SR zoning as well.

Mr. Speck stated so they're .5 acres.

Ms. Hillberg inquired if they tried the open space program.

Ms. Rezanka responded we could, but then we'd have smaller lots. And we still can't build in the wetlands by the County code.

Mr. Carbonneau stated in the packet the map indicates coastal high hazard flood area. That's only for a category 1. And, 2 pages back is the upland forest area. Is that what we're seeing here?

Ms. Rezanka responded that is a wetlands map which is different than the forested map. There should be a wetlands map in that package as well.

Mr. Speck stated you're squeezing in the development inside of this area without touching the wetlands.

Ms. Rezanka responded we're touching approximately 2 acres of the wetlands.

Mr. Carbonneau inquired how are you going to address all that flooding on the orange map. All that wetness in your plan.

Mr. Kamal responded our structures will be set well above that. When we do the engineering we have to evaluate the site elevations, the site will be filled above the flood hazard.

Mr. Carbonneau continued with you are going to fill at least 61 acres, to raise it above.

Mr. Kamal replied correct.

Ms. Hillberg asked how high are your elevations?

Mr. Kamal we don't know that yet. We'll have to do the engineering and once we run the model we'll be able to set the elevation. From experience it's going to be at least 2 or 3 feet, maybe a little bit more in places. It will vary through the site. Depending on where the homes sit.

Ms. Hillberg stated that would be a foot above the crown of the road.

Mr. Kamal responded yes. We must set the road elevation to make sure it meets the county criteria, which is the 25-year flood, then the houses will sit above that.

Mr. Carbonneau inquired regarding impacting the area, how are you going to help the area with this project.

Mr. Kamal bringing high quality development into the area it increases the tax base, a lot of different arguments you can make. But I'm not sure the engineer is the best one to make those arguments for you.

Ms. Rezanka spoke (unintelligible)

Mr. Kamal continued our charge is to make sure we don't have any negative impacts. Which means we're going to make sure that the water's treated, there's no more discharge going to the offsite areas, and that there's no adverse impacts.

Ms. Rezanka stated she wanted to expand on something that Hassan said. Page 8 of the staff report, under future land use administrative policies 7, in the 3rd paragraph it talks about the North Merritt Island Compensatory Storage issue. This came into being in 2018. There's a special ordinance in the county just for North Merritt Island that states there will be no adverse flooding impacts on properties resulting from the proposed development. The county has this whole modeling program, and all the engineers data must go into this. That's how the county has tried to make sure that you don't have the flooding that happened during tropical storm Faye. It is much more intense than any other place in the county because Merritt Island has special issues with the elevations.

Chris Cook inquired about a letter that had been submitted by an owner to the Brevard County Commissioners requesting that his property be exempt from this special impact. Was it approved?

Ms. Hillberg responded she believes it was approved.

Mr. Cook inquired on the rationale for it.

Ms. Rezanka stated the small area study was presented and they recognized it, but never formally adopted it.

Mr. Cook asked about the school board concurrency and the fact that it calls the project Preserve Point and if that's the name of the proposed development. We already have a Preserve Point on North Merritt Island.

Ms. Rezanka responded it's a holding name.

Mr. Cook inquired if the engineer has access to the level of service for that section of Courtenay. The maximum allowable vehicles are now sitting at 49 percent. Which is a level of service "D", meaning traffic is beginning to be unstable. Are there any roads in Brevard County that are a level "E"?

Trina Gilliam responded we do have roads that are classified level of service "E" and level of service "D". as you can see this roadway is no where near running close to being over capacity. It's operating currently at 46.92 percent. This development is going to utilize 1.63 percent, which will anticipate the corridor operating at 48.56 percent.

Mr. Cook replied he thought that would put it at a "D".

Ms. Gilliam responded it doesn't change the level of service.

Mr. Cook stated he knows that's just the number of cars per hour going down there, I think it's a bad metric because it doesn't take into account that that is the only real avenue we have in North Merritt Island and we have drawbridges on both sides that have to be raised and lowered, they have to be maintained, and they break. I wish the county could come up with something. Babcock Street down in Melbourne finally got a level "E" and that's the only reason they got it fixed, because the county pushed a ton of money at it.

Mr. Carbonneau stated he lives on W. Crisafulli Rd. and have visited this property 3 times. Saturday I had to pull over to view this property, going the speed limit, I had to pull over 4 times to let people go by. Sunday morning was quiet. Tuesday afternoon about 2 I had to do it 6 times. So, the traffic on that road is terrible.

Mr. Speck asked if this study evaluated that Island Forest is not finished and the development above it is at 60 percent, there's probably another 40 homes that are yet to be finished on that road.

Ms. Gilliam responded with the preliminary concurrency it's based upon what the percentage of the roadway is at right now, the capacity, based upon the space coast TPO. It doesn't consider homes that are still under construction, it's what they captured for their trip count at that current time, not projected.

Mr. Speck inquired where the projected comes in.

Ms. Gilliam responded we don't do projected. We just do a snap.

Ms. Lindhorst stated that's not a good metric.

Mr. Speck inquired if anyone in the county has driven that road lately, to enjoy the potholes. There is volume of service, but where is quality of the road being evaluated? That road is awful and should have been redone years ago.

Ms. Hillberg inquired on the quality of roads and where it's estimated and kept track of.

Ms. Gilliam responded she can talk to public works about the potholes and see if they have a project list.

Mr. Speck stated the metric is way off. It's just a snapshot. 61 homes plus the additional almost 40 that are being finished, that's 100 that are going to be added to that. It will just go until it collapses.

Mr. Hughey reminded everyone that this just preliminary. When they go through the subdivision process traffic engineers look at the project and if there is an issue with the level of service at that time it will be addressed, before anything could be developed.

PUBLIC COMMENT

Terry White stated he's been a Merritt Island resident since 1965. He has knowledge of this property because he was authorized to eliminate the nuisance hogs. There is only one drawbridge to get off Merritt Island. There's nothing restricting the water coming off the property now. They're going to develop it and may still have the same amount of water coming off it, coming out to E. Crisafulli and the surrounding areas. Some of the area is wooded, it has oak trees, pine trees, and some of it is pasture. Currently mowed only for the cattle. The traffic levels and surveys are for state road 3, not E. Crisafulli. I can believe 50 percent for state road 3, not E. Crisafulli. Recent traffic survey was only for counting cars for putting in speed humps.

Mr. Speck asked if the maximum acceptable volume that they predicted, 48.56 percent, was really for route 3?

Mr. White responded route 3, yes, for the 4-lane highway, not the 2 lane.

Mr. Hughey stated the Space Coast TPO, who does the traffic counts, provided counts for state road 3, they don't have counts for Crisafulli Road.

William Bell stated he's lived on Crisafulli Road for about 4 years. The flooding on E. Crisafulli is unbelievable. In November that road was under a foot of water, and you couldn't go down it. You didn't know if you were going into a canal or not. They eventually closed the road. If you needed an emergency vehicle there was no way an ambulance was going to go down there. It was impossible. There were several families that went under water, they lost everything in their house. The road is nonexistent. The construction vehicles going down that road, the road is falling apart. There are cement trucks, concrete trucks, the road east bound is gone. The traffic is crazy.

Joe Martin there was a big survey on how to control the water. Water was supposed to go down the west side of Broad Acres and then the east side through a drainage pipe to a ditch on this property. The roads are collapsing, the grades are wrong. The engineering reviews the county had indicated it will cost \$12 million and it's only going to help 5 to 6 inches of flooding and it's not worth it. With the 6-hour rain we had, 6" of rain would have saved 6 houses, if we'd have had a pump there, but the water's going down to the end and that's where it's collecting. Doesn't matter how deep you dig the ditches water runs where it wants to run, and that's where the grade is. As we walked all the way down, going north to that big ditch where all that water was supposed go that big 4' pipe, that water was gushing into our ditch from the NASA side. The Pine Island pumps were pumping through Blue Origin over to their drainages over to the NASA ditch also. It was well overloaded, and it will come

back and that's what flooded Broad Acres. I've been there since 2010, and I've seen it getting closer and closer to my property. I'm a little bit higher. When you come down to the stop sign and see all the kids getting on their bus and that bus turning, that bus must stop at the entrance to that development because all those cars coming out, they don't stop at the stop sign, they cut the bus off. You must wait for all that traffic after the bus. It's a traffic jam there. Then at lunch time is UPS, FedEx, 3 mail trucks, trash trucks, grass cutting guys, so there's only one lane that goes up and down there now with all this stuff, and now we have little kids in the neighborhood that play in their driveways and these cars come flying down, there's a traffic and safety problem happening. The county has worked on it and investigated it. Their response was you're on your own. There was a way to get the water off, but it's not there. I had a beautiful yard a couple years ago, now with so much rainwater, so much manure, so much septic I have nothing but a beautiful set of weeds. The quality of life is gone. All I see is more headaches. The road needs to be bigger.

Mr. Speck asked about the buses and if people are following the law.

Mr. Martin stated the bus must go into someone's driveway, back up onto Broad Acres and people try to beat the bus.

Mr. Speck asked if there have been any incidents with the children because of the bus situation.

Mr. Martin responded no, not that I'm aware of, but there's a lot of people that don't see them. There's no crossing signs or children playing signs anywhere in the area.

Chris Wishmayer commented on the "S" turn and the bus. His kids' bus stop was at that turn. It was a sketchy situation with cars coming through, especially since the other neighborhood has been built. We moved the bus stop to our driveway, right before the "S" turn. They used to have to walk down from our driveway to the "S" turn and it was too shady to let them do that. Since the speed humps were put in, at the beginning of E. Crisafulli, if you slow down for them generally people make up time elsewhere. There are a couple high-end cars I've heard and watched almost go into the ditch from the "S" turn. It is a shady situation. Bringing more cars into that situation with the kids out there, I don't have a gate to the road, I have dogs, the baby. I didn't envision that road becoming what it is now. With the flooding our house was one of the ones where the entire yard.... we have a retention pond on our property, but it became the street, it was over the street. And, every day around 5:00 there's traffic before the drawbridge.

John Noonan stated he's lived out there since 1986. In 1990.... we got a good idea about ground water, storm water. Understanding the terrain, the geography of North Merritt Island I understood what was going on. I was an engineer at the space center and got involved in agriculture as a side hobby, I had a great plan. Island Forest Preserve decides to build this development, it was all cattle land, compensatory storage area was we seen it. Most of those fields get water. Our properties were built up to the codes back in 1980. My home was 30+ inches above the crown of the road. Now I don't know exactly where I'm at, but I can tell you that the amount of water that's coming down from Island Forest Preserve is unprecedented. As an engineer I am very disappointed in Brevard County, to allow what is happening to my property. The water was so bad that it was strong enough to move a power pole. In 2020 when I came to a special district meeting I told them you don't have homes here and you already have this problem, and I have 1/3 of my agriculture property under water. I've lost \$800, \$900 trees. After all the flooding, no support from the county, the county ignores you. I wrote letters, I'm going to Haridopolos next. I've had it, I'm done, my business is done. I've had to rally 300 people

together. I've done my research. I contacted Richard Kerns, the engineer that wrote the report, he didn't have a clue about Broad Acres flooding. The water is going over the sand ridge. The sand ridge is about 4', Island Forest Preserve is about 5', and the end of the cul-de-sac is a little bit lower. The amount of water that's coming down from that area and Blue Origin who lifted their whole complex, their ditches and everything is lifted. So, all that water is coming down through the sloughs to the middle of Merritt Island. They say we live in a bowl; I don't live in a bowl. Whoever designed this and whoever agreed upon this needs to have their engineering license removed. They messed up, they knew about it. We went to John Denninghoff, 12 of my neighbors. Shelly..... water was right up to her door. Powerlines were down. I had to risk my life because of this situation. And this was before the development with the houses. Why are we not addressing the violations? What is our recourse? What is our remedy? One guy lost 200 trees, I've lost thousands of pine trees and some palms. Who's going to compensate me for all the hundreds of thousands of dollars I've lost? I built a barn and the slab is cracked because of the design and poor neighborly understanding of our situation. I've tried for 2 years to get power for my agricultural property. We're footing the bill; we're paying the taxes, and they pay nothing. How are they getting exempt? We have some serious problems.

Dan Stallbaum said his property backs up to the property being developed. He wanted to get an approved slab permitted for a storage area on his property, was told he could not bring in 1" of fill, he didn't need fill because the slab was already there; he couldn't put in a concrete slab because it was filling the area and will affect the water. He worked with zoning to get that done and he mitigated 6.5 acres of it to make it a preserve so he could use 1.5 acres of the 8 acres and gave that away so it would stay there and be available. Was told no fill allowed north of Crisafulli Road. And now we're going to rezone it for 61 homes. And I can't get a 20x30 shop built on my property. Seems a little strange.

Pam Steele stated she was at the wrong meeting; she's opposed to a development that the same company is trying to do at the end of her new neighborhood. She lived on Crisafulli Road for 21 years. She was tired of the drive up and down Crisafulli Road. It was a crazy road. She watched people die on that road. People fly up and down that road. They flip into the ditch. There's no light at the end of the road, so getting across is crazy. They're eventually going to have to put a light at the end of Crisafulli Road, people are not going to abide by it. Regarding the flooding on Broad Acres Street, we brought approximately 32" of fill because we had to be above the crown of the road, because it was muck, the land is low. About 20 years ago we had the 100-year storms I was one of only 3 homes on the entire street that did not flood. I had a moat around me. I was stuck in my house for 5 days. I could not get out because every house on the road, but 3, had water touching it. There was no other way out on that road, one way in and one way out. There is no alternate evacuation route. I had experience out there 21 years ago, I've seen the pictures and videos, I've driven out there to see my old house and I am so grateful I don't own it anymore because it has flooded. The amount of water in the past 3 years is crazy. The county needs to address the flooding issues and the traffic issues. There's not a good master plan. The tax dollars are going to Viera. The water is redistributed when you take away permeable surfaces. Until there is a real plan in place for the traffic, for the road development, and the funding goes with it for the flooding, it's just not the right time on Merritt Island. I went through the Citizens Academy last year, I knew about the flooding on Merritt Island, and I asked the manager of that department, he talked about the 100-year flood plain and he admitted we have a 25-year flood problem. It's what the model should be based on, but it's not. The model is outdated. We decide on whether we're going to by flood insurance based on the county. I moved into my new development and it's in a flood zone, so I bought flood insurance. Then I received a letter saying I'm not in a flood zone, so I dropped it. Now to buy flood insurance in the last 3 years, since my house

has flooded.....it's over 3 grand, on top of my regular insurance. The county needs to step up and have an integrated plan.

Mr. Cook stated he tried to find out how many 100-year floods we've had in Brevard County and the data is not recorded. I found out there were 8 100-year floods in the state of Florida last year. In 2025 we had the 1,000-year flood and in 2022 we had a 500-year flood in Brevard County. Insurance companies are no longer using the 100-year flood.

Amy Muir stated she lives right next to the project. My biggest concern is flooding. On top of traffic and everything else. We already have flooding issues, before 61 homes being built in here. She brought pictures to share, taken not after a hurricane but after a day and a half of rain. This was flooding in October/November 2025. The road was closed for about a week. I homeschool my kids and we couldn't leave. To put more homes with raised elevation where is that water going to go. We have a serious issue.

End Public Comment

Mr. Kamal stated this project will be subject to the strictest governmental criteria for any of the development around it in this area. There are new rules that have been passed in the past 2 years that haven't been applied to any of the other recent development in this area. New rules passed by the state, water management district that took effect in December. If these rules had been in effect years and years ago I think a lot of these problems wouldn't be as severe as they are now. As time has gone on the rules have been stricter and new development is required to manage the water much better than in the past. These subdivisions have very strict criteria, where if you had larger individual lots that weren't part of a master system, there were really no rules governing them. The fact that we're preserving 60 percent of the property in its natural condition, that alone is going to absorb a lot of the storm water onsite. The preserved wetlands act to treat and attenuate any flow that comes through there. A huge benefit, much better than if we filled that. I'm very confident that the stormwater facilities for this site are not going to make anything worse. We can't fix all the problems in that area, but the criteria that's in place now is not going to make it worse.

Mr. Carbonneau stated he heard a couple things that don't make sense. The flooding will not impact the neighbors, was one thing. They're connecting and putting in a sewer, but there will be an onsite gravity sewer collection system. How does that work if it's below grade already. Where is that sewer collection system going to go.

Mr. Kamal responded there's a series of gravity pipes that will be installed in the roadway, lines going to each house, it will drain to an onsite lift station that will pump that sewage to the county force main, and that gets sent out to the wastewater treatment plant for treatment. No septic tanks.

Mr. Carbonneau asked if it was the system on N. Courtenay and if it would have capacity to the force main and the capacity to process it.

Mr. Kamal responded yes, and when we go through the development process we're required to go through concurrency process, which we submit our estimated flow to the county, they verify that the plant and facilities have capacity to handle the additional development.

Mr. Carbonneau stated the majority of the property around this development is AU, one of the reasons a lot of these people have purchased their properties over the years, because of the

ambiance and use of the AU zoning classification. Changing this to a subdivision is detrimental to the overall intent of the North Merritt Island area. We have a preliminary site visit, if this application is approved I'd like to see them come back and show us a final layout of the area, including egresses.

Ms. Hillberg stated we don't address development....

Mr. Speck commented we don't do site engineering.

Mr. Carbonneau asked about the traffic flow.

Ms. Hillberg stated traffic issues are different than the site plan.

Ms. Gilliam added if they would like to bring it back to you it would be voluntary. It's not mandatory.

Mr. Cook stated this is a rural character and half acre lots are not rural in nature; you need 1 acre at least to pursue rural hobbies and the like on it. I would be more comfortable if the lots were minimum 1 acre, maybe with RR-1. 1 acre lots were the intent of the small area study. The mitigation and clustering were done afterward to violate the intent of the law, in my opinion. I would be more comfortable with 1 unit per acre. I'm not comfortable with binding development plans. I've been down that road. They're binding until they are not. I'd feel better with RR-1, or SR-2 would be even better. It's irresponsible for the county to approve any more developments until they get the road fixed and fix the flooding that's already there. When they did the development out by us they made the developer put up a bond to repair the road after they were done, from all the damage that was done from the trucks and construction vehicles. I think that would be something to consider. And, we're in an evacuation zone. We must get everyone off this island and increasing the density on a narrow, limited access road is just not smart. There should be an additional full traffic study done on E. Crisafulli for the entire length of the road. Fill and build are going out of favor. Because it disturbs the surface water flow, and it also disturbs the subsurface water flow. We should really discourage fill and build. Especially in areas where we know we have problems. The state is trying to take control away from local and move it up to Tallahassee. We need to pay attention.

Mr. Speck stated on page 16, one of the criteria I'm reading is the applicant's request is not anticipated to significantly diminish the enjoyment or safety or quality of life; and it appears the safety and quality of life will be affected by this development. The bus safety and the kids are a concern that should be addressed before anything more is built on this road. There is only one way in and one way out. This is a disaster waiting to happen. Adding 61 more homes there will make it worse.

Ms. Lindhorst suggested zoning of SEU or RR-1.

Mr. Hughey explained the difference of SEU and RR-1. Both are 1 acre zoning, with the difference being the size of the residence. RR-1 is minimum 1,200 sq. ft. floor area, SEU requires 2,000 sq ft floor area.

Mr. Cook stated he was making a suggestion. I don't like to just say no without alternatives.

Motion by Jim Carbonneau, seconded by Gina Lindhorst to recommend denial of the request, with the suggestion of rezoning to SEU or RR-1. The motion passed unanimously.

The meeting adjourned at 7:52 p.m.

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.3. Strada Development, LLC. (Kim Rezanka) requests a zoning classification change from AU and RR-1 to SR with a BDP. (25Z00039) (Tax Accounts 2316605, 2316606, 2316607, 2316617) (District 2)

Trina Gilliam read the item into the record.

Ana Saunders stated her office is representing this application so she will not be voting on it. However, she thinks it's a good project.

Ms. Gilliam commented that the item went before the North Merritt Island Special District Board, and they recommended denial. They also recommended a zoning of SEU or RR1.

Kim Rezanka spoke to the application. The request is for property on North Merritt Island off E Crisafulli Rd. It's 142 acres. It's zoned agricultural and RR1. The purpose of this is to do a subdivision of 61 homes. Our BDP says that we will limit it to one unit per acre. We are now willing to limit it to 61 homes, which is less than can be developed per the staff report. Staff report says 70 could be developed. With that, I'd ask you consider that we would only be using 61 homes. With me today is a representative of Maronda, Katie Peck. She is the director of land acquisitions. Maronda Home is under contract, Strada Development is a related entity. It's already been purchased. So, they're hopeful that this rezoning goes forward so they can move forward. Also with me is Hassan Kamal with BSE now LJA. He is the engineer of record, and he can explain some of the issues that have arisen. We had a neighborhood meeting on December 15th. We had approximately 25 people from the neighborhood show up and their concerns were maintenance of the road, the conditions of the road, traffic, storm water, flooding, which you have heard most of the times. They also suggested that perhaps we could connect to Dalbora Road, but there's no public road or private access road that we could reach. It's all private property. We did attend the North Merritt Island Board, and those same issues were raised. The North Merritt Island Board failed to recognize that this property can't be developed because of the number of wetlands on the property. Their suggestion was, "Oh, just put one acre lots over the entire property." Well, we're saving quite a bit of wetlands. As Mr. Hasan Kamal will tell you we are building only in the uplands in the middle of the property of about 60 acres, I think is the number he used. So, we can't do one unit per acre because we have to cluster, and that cluster allows us to preserve wetlands. Also, since we're only doing 61 units we're doing less than what the staff report says we can do of 70. The staff report also comments that most of the area here is AU. That may be true but if you look at where our property is, which on page one of what I handed you is

the blue portion of that is the top portion of this 142 acres and it's next to SR. Which is what we're seeking, suburban residential, half acre lots. We're willing to commit to half acre lots. The SR to the east is Island Forest Preserve which you're going to hear a lot of complaints about today. Maronda has purchased lots in that, but Maronda was not the developer of that property. They are now developing homes in those individual lots. SR was done by Island Forest Preserve at SR, but they used the open space subdivision concept which allowed them to use quarter acres. We are committed to not doing that, doing half acre lots. So, we'll be a transition from the quarter acre lots to the half-acre lots to the larger lots. But there is quite a bit of RR1. That SR is over 100 acres. So, there is a variety. Also to the north is PIP which is unusual as well in this area. Flooding and storm water is a huge issue. You'll likely hear complaints that the canals aren't draining properly, and we understand that. We've committed to doing what we can to help with the canal drainage. Mr. Kamal will talk about that as well. Section 62-3724 on page three section 4, this is the portion of the code that was adopted I think in 2019 due to issues that came about in North Merritt Island. This requires a special modeling program for anything developed north of Paul Road. It's only been used by one other subdivision to my knowledge, Pine Grove subdivision to the north that's being developed by Titan. So, it is a special criteria that is to ensure that, as page two of this project says, there will be no net change in the rate of volume of flood water discharge from pre-development flood plains. That is a site plan issue. Nothing in the code says you don't approve new zoning because of existing flooding problems. We just can't contribute to them with this development, and they won't. The other issue that was raised is the condition of this road. It is a squirrely road. It's got two 90 degree turns. You'll hear about accidents that have happened. It seems like people do not listen to the laws and in fact there are speed humps on the road and people say there are too many trips on this road, too many cars on this road. But to put speed humps on the road, which was just done recently, there had to be less than 1500 vehicles per day. So, this, although it is an unusual road, it's not got too many trips on it, and this won't generate too many trips. Page six is the FDOT generation manual of what you can have your average daily trips. And if you look at the third column, a two-lane road, level D, which this would be under the county standards, in theory, they could have 14,000 trips on that road. It doesn't make sense to have 14,000, but this road is not at capacity. If there are issues with people not abiding by the speed limit or things like that as page five, which this was pulled from Brevard County, they should contact the sheriff's office. And I understand that doesn't always work, but the speed humps are there to hopefully help, but there is limited traffic on East Crisafulli Road. Also, issues were raised about the drawbridge and how that contributes to people getting in and off the island. The drawbridge is not open during peak hours, which generally is when people complain about traffic. So, on page seven and eight, I just pulled this from the cruising authority. It was a marina website, and it talks about the hours of operation that the Christa McAuliffe drawbridge is closed between 6:15 and 8:15 and 3:10 p.m. and 6 p.m. I understand these are issues that have been raised for anything that's been developed in North Merritt Island and these aren't issues that can be solved with this development and won't be increased by this development. With that, we're requesting rezoning from RR1 and AU to SR with a BDP limiting this development to 61 units. With that I'd like to introduce Katie Peek to tell you a little bit about Maronda, what they plan to do, their price point, things like that, and then Mr. Kamal will talk about the concept plan that's been developed. It hasn't been reviewed by staff, but it's a concept plan to show the one-half acres and the access and things like that.

Katie Peck stated she is the director of land acquisitions for Maronda Homes and is here to present the project with Kim on be our behalf. We're currently building in Island Forest Preserve and have had great success out there and we had the opportunity to purchase this property and with that we've taken a lot of good care and review of coming up with a with a concept plan that works really well on half acre lots in the upland areas of the site knowing that they are that the property is primarily

wetlands. So there's a lot of preservation that's going to be occurring and obviously as we go through the construction planning, the engineering, we'll make sure that we follow the model that is being required up in the area and there's a concept of the monument entry that we're looking to do and we'll be looking to build the same product that we're currently building in Island Forest Preserve.

Hasan Kamal stated he is with BSE Consultants and is the civil engineer for the project. Just a brief overview of the project in a little more engineering detail. The site's 142 acres on the north side of East Crisafulli Road. Of the 142 acres, the development footprint based upon the concept plan that we provided you copies of, and you see on that map is going to be approximately 50 to 55 acres, which means about 85 to 90 acres of the property or about 60% is going to be preserved either as existing wetland preservation areas or upland buffers that are associated with that. So, relatively small, less than 40% of the property is slated for development. The current plans anticipate a total of 61 lots. All will be a minimum of a half-acre size, consistent with the requested zoning classification. The lots will be served by the city of Cocoa for portable water, and we'll have an on-site sanitary sewer lift station which will collect the domestic waste and pump to the existing force main on Crisafulli Road. There will be no septic tanks associated with the project. Drainage for the site will be provided by a series of pipes, inlets, and the storm water ponds that you see. The plan is preliminary in nature, but we are aware of the very strict storm water criteria that's applicable to this area. We've already had some preliminary meetings with county staff and their consultants regarding the detailed model and have started working that and as we go through the process when we go post zoning into the land development portion we'll continue working with staff, and the requirements are that any of these projects that are within that, we have to do a basin wide model and confirm that there's no adverse impacts from our project. On addition to the state criteria that we must meet, we also must meet some very strict project specific criteria from Brevard County. The proposed wetland impacts to the site are minimal. We're subject to the limitation of 1.8% of wetland impacts, which is approximately 2 and 1/2 acres. The concept plan that you see in front of you is consistent with that limitation. We're going to be under that and that'll also be resolved both with Brevard County's Office of Natural Resources as well as with the local or state agencies. Ms. Rezanka talked about some of the audience comments which are generally dealt with during a detailed engineering and site plan approval through the county and I'll be available to answer any specific questions about the concept plan.

Henry Minneboo asked staff if we left it AG, which it is now, what would their single-family residents entitlement be? Under normal conditions what would they be allowed to do under AG.

Ms. Gilliam responded under AG in that RR1 that they currently have they can have 70 units total right now. I believe it's something like 40 units in the AU and I believe 20 something in the RR1. But that does not account for wetlands.

Mr. Minneboo inquired if on East Crisafulli, have you done any analysis of the road configuration. The width, a lot of people are going to tell you it's substandard. Some areas it's 17 some it's 18 and every now and then you might see 20.

Mr. Kamal responded we haven't done any structural analysis. We've done surveys. We know the road widths in front of the project. We're aware of the speed limit. We know that a project of this size that we're proposing would add, based upon the IT trip generation around 600 trips per day or 60 trips per hour on the peak hour. But we have not done a structural analysis of the roadway.

Mr. Minneboo stated you've got two accesses to this property. You've got one that's further to the north and it's in the first 90-degree bend. You have access to this piece of property. Have you looked at that to do any geometric, the alignments or anything?

Mr. Kamal stated that the challenge with any access besides what we've shown, is that would involve significant wetland impacts which would push us over the 1.8% limitation.

Mr. Minneboo commented so it's beneficial to you more so than the people that may live up there.

Mr. Kamal stated I know we've looked at the north one. We don't have any ownership to the north. But I know going to either the east or the west or even shifting the driveway or the entrance location further west on Crisafulli would involve additional wetland impacts.

Mr. Minneboo Inquired in your technical analysis that you are going to do; wouldn't it be worthwhile to look at that and see if it falls within the scope of this project?

Mr. Kamal responded we can certainly make some estimates with the wetland impacts. We'd obviously have to work with the state as well as Brevard County to see what those total wetland impacts would be.

Mr. Minneboo stated some of the things that I see is Crisafulli, some improvements have got to be made and we're right on the threshold right now and technically you're the last guys in. So, this is always when the last guy gets to not really reap from the benefits but make the necessary improvements from what everybody else has done, the subdivision way to the east too. They didn't have to do anything. Nobody's had to do anything to Crisafulli, and I am just extremely reluctant to allow anybody else in there without some improvements being made. And it's easy for me to say, but it's all prescriptive rights. Nobody's going to raise their hand and say, "Hey, you come get my 10 acres or five, or five feet." That's a situation now. Did you all look, to the north is Dal Bora and on paper it looks to be so simplified to have access to the North Park and eliminate some of the impact that's going to be added to East Crisafulli. Did you all even think about that.

Mr. Kamal responded I know they don't own the property to the north. The other problem to my understanding is the roads to the north are not public right of ways. They're private lanes. So, we haven't evaluated what those improvements would need to be to bring those up to acceptable public right of away standards. But I don't think they're public roads right now.

Mr. Minneboo stated I think you've heard it from probably 500 people before you got here, but you haven't heard it from us, there's a lot of water up there. Are there possibilities that you guys can expand your retention areas to accommodate some of the East Crisafulli water?

Mr. Kamal responded there is a possibility. We obviously must study that very detailed model and work with county staff on that. Even before doing the engineering, we've got a pretty good understanding of where the water is coming from, and the volumes associated with it and how to deal with that. So, if there's opportunity there, working with county staff to slow that water down or accommodate some of it, and still meet the criteria and we're capable of doing that, we'll certainly evaluate that and see if we can work it into the system.

Robert Wise stated we're hearing that you met the 1.8% requirement for preserving wetlands. Maybe I'm not understanding, but I'm looking at one of the maps. This is FLUCCS wetlands, and this shows

nearly half the property covered by wetlands. I'm wondering, is this irrelevant? Am I looking at the wrong thing or if not, how do you handle this?

Mr. Kamal responded we're limited to impacting no more than 1.8% of the total property. We have 142 acres. So, we're maxed out at around, I'm giving you rough numbers, 2.5 acres. The client has hired an environmental company to go out there and field flag the wetlands. They're in the process of meeting with the state agencies to verify those lines. And those are very close to what you're seeing on the plan right now. That's all going to be done through the permitting process, both with Brevard County and the water management district. And Brevard County's criteria are the one that's 1.8%. The water management district doesn't have that criteria. They have different criteria for what's allowable, but that's really going to be governed by Brevard County. That's something that happens through the detailed subdivision approval process. But to give you an idea, on the maps that we provided, the heavy green coloring is the preliminary wetland lines, and the lighter green coloring is the upland buffers that would be preserved around the wetlands. And everything inside it, the red shading and hatching, those are areas that would describe the areas that are going to be impacted. And that's what's less than the 1.8%.

Ruth Amato inquired do we know approximately how many acres there are in wetlands on that property?

Mr. Kamal responded it's probably close to the 85 to 90 acres and we haven't done a formal delineation yet, but we're preserving almost all the wetlands. Well, let me take that back. It's going to be a little bit less than that because some of what you see in the light green are uplands that are going to be preserved associated with that. So, I would probably say somewhere between 70 to 80 acres of existing wetlands are on the property.

Ms. Amato responded so about half then.

Mr. Kamal replied in round numbers, that's accurate.

Mr. Hopengarten commented you said you're putting one unit per acre on the entire site.

Ms. Rezanka responded we're going to put one unit per 2.33 acres because we're limiting ourselves now to 61 units even though we could put 70 by the existing zoning.

Mr. Hopengarten stated the flag lot, lot 2316617 is designated to have quarter acre lots. To the east of it.

Ms. Rezanka responded that was Island Forest Preserve that was developed by Chad Janoni. It's all being rezoned. Those four parcels have all been combined for this rezoning.

Mr. Hopengarten stated so, you're not going to keep that one quarter acre designation.

Ms. Rezanka stated I don't see that on my map.

Mr. Hopengarten responded it is shown on the appraisal district website.

Ms. Rezanka asked if it's 515. She then stated that's not part of this, if that's the flag lot.

Mr. Hopengarten responded no, 6617.

Ms. Rezanka stated that is part of this zoning application. So, yes, that will be pulled into that.

Mr. Hopengarten ask if that will change what the original designation was.

Ms. Rezanka responded yes. This is in your package, the map package. Mr. Wise, all the white on this is uplands so that's where the development will be. The white is where the uplands will be.

Ms. Amato asked staff for clarification. If about half of it, 70 acres is in wetlands would that make it unbuildable for one home per five acres if 70 acres is in wetlands? I asked him how much was in wetlands he said roughly about 70 acres wetlands. Doesn't that mean it would be one home per five acres in wetlands?

Ms. Gilliam responded yes in wetlands it would be one home per five acres, but they're not constructing in the wetlands so they can impact 1.8% of their total 142 acres, of the wetlands.

Ms. Amato stated the question was asked if currently how it sits how much could be developed out and if half of it's in wetlands and it takes one home per 5 acres instead of one home per 2.5 acres wouldn't that be considerably less than 70.

Ms. Gilliam replied as Mr. Hassan already stated that they can only impact about two acres of the wetlands.

Jane Hart responded under our code they can impact 1.8% of the total area of the acreage of the parcel.

Ms. Amato stated I understand that. If it weren't developed into a subdivision, I was trying to come up with the number of homes that would be sitting on that property.

Jerrad Atkins commented let me see if I understand this. So, it's AG now so that's one home on 2.5 acres but if half of it is wetlands, then that's one on five. So that's not 70. It's half of 70 plus.

Mr. Minneboo stated semantically that sounds good, but it doesn't relate that way. It's somewhat of the opposite. They're going to be on smaller lots.

Mr. Atkins responded sure, but in a hypothetical sense, when you ask how many homes could be built on the property the way it's zoned now, two and a half, you can't just blanket it with two and a half because part of it is wetlands. So, some of those would have to be on five. Is that right? Am I doing that math correctly?

Ms. Gilliam responded because this is a subdivision and not just an individual lot, they'd have to do a subdivision. That part of the code, from my understanding, wouldn't apply. They couldn't do one unit per five acres. They would have to do the 1.8%.

Ms. Hart replied that's correct. The 1.8% is basically one unit per five acres. It's just been calculated out. Usually, it's for smaller lots that come in that are under five acres and that were established post 1988. So, if they don't have five acres, they could impact 1.8% of the property's wetlands. For parcels that are greater than five acres, they could do the 1.8%. But for subdivisions, we just use the 1.8%.

Mr. Atkins inquired if 70, the way that it's zoned now, AG, you could put 70 homes with the wetlands that are there. So, what is that number? Do we have that number?

Ms. Hart asked in a hypothetical are you saying the 70 acres as one parcel itself?

Mr. Atkins replied no, the way that it's zoned with AG, it's really the same question Henry asked, is the way it's zoned now, how many buildable lots?

Ms. Gilliam responded the way that it's zoned now with that just the AU portion, not the RR1 portion, the AU portion would be 47 lots. That's not counting the wetlands. With the wetlands, they still would only be able to impact the 1.8% of the total acreage of the property in wetlands.

Alex Esseesse commented ultimately what needs to happen is a wetland study needs to be finalized so that we can calculate out what the actual acreage of wetlands are on the property as a whole and then deduct that based on the 1.8%. So maximum is 70 units total right now in the best pristine condition but with wetlands it'll obviously drop down.

Ms. Rezanka stated I just want to clarify the zoning is RR1 and AU and with strict zoning the max could see 70. The wetlands, the access, the road, what must be improved, those are all site plan platting issues that are not before you yet. You can ask for conditions to be added to a BDP such as the 61 units. But the SR, the half-acre lots is what we're trying to do. And if it comes up that the wetlands are greater than that and we can only do less than 61, then we must do less than 61. But wetlands is a separate criteria from zoning.

PUBLIC COMMENT

Terry White stated he lives just south of this proposed development. My neighbors, if they're going to come up will talk about the traffic issues, but East Crisafulli cannot handle the current traffic issues, the condition of the road, etc. And we've been asking for a traffic survey of the road that would spell out that it has a lot more cars than what they're saying is on there. The last little bit of study they did was in reference to the speed humps and they only monitored down where they wanted to put the speed humps, and a lot of people turn north or south prior to the speed humps. The developments that have been built in the past 25 years in this area have raised the groundwater levels. The retention ponds hold water, but they increase the water level of the surrounding area at the groundwater levels. My land stays wet longer after storms than it did when I first purchased the area. Officials say it is because I live in a bowl, but it was not always a bowl until the development of the past few years has made the water levels in my area rise. I was not required to have flood insurance on the property in 1993 when I purchased it. And bottom line is my land isn't sinking. The water around there is coming up and impacting my land. In 1968, Congress created a flood plain management plan. And I'm interested, does this project comply with the federal plan? Does Brevard County's water management comply with the federal plan and does North Merritt Island comply with the federal plan? I want to know, are the developers aware that the current pumps on Pine Island Road and Hall Road that handle the storm water like the recent storm we had in October, have they figured out that that's handling the water up here? Because it's not. And it's even worse when Blue Origin turns on their pumps.

Robert Adams stated he's lived here for 40 years. I know that the road is substandard. I also know that it was put together for orange trucks and buses with workers on it. And the groves were pumped

all the time. My house is 2 feet above the crown of the road. And I had water this past time, 6 inches from being in my house for the first time in 40 years. That's after the little subdivision up the way. And now you want to put another one in. And as far as anything new, I don't know what else could be new. We don't understand why they don't listen to us when we tell them that. Does anybody here know whether or not all the figuring you've been doing, did the 17 inches of rain get that memo that you we're going to have too much water up there the last time in October? And how many of you walked this preserve area that you want to be in after that rain or during that rain and tell me how much of that was still above the water? Those are things that you need to think of when you're cranking houses out here. I can't jack my house up. I also heard the last time that when they look around for building homes out here, when I built my home 40 years ago, I had to build 2,000 square feet on my acre, or I couldn't build. Last time I heard it was 1250. So, everything changes except for the surrounding area. We don't have anything, and we don't know who else to speak to and they use goofball studies for cars, and it doesn't do us any good. So that's what most of these folks here are fussing about and we just don't. ... Are the teeth of this group any good when you go to the commissioners, or do they blow you off like they blow us off? I can think that's our question.

Mary Watkins stated she is a native Floridian. I have worked for the county in building development. I have worked for St. John's River Water Management District and flood control data collection. Both of those were over 10 years' worth of employment. And I'm aware of a lot of the situations. Water takes the path of least resistance. Yes, you've heard about flooding. I'm going to ask the engineer directly, how many times have you been to North Merritt Island after the rains? Any amount of rain, 5 inches, 15 inches, 17 inches, I don't care. I've lived out there since 1985. I have seen the water get progressively worse. Anytime you dig through a hard pan, which was done in Island Preserve to build their little lake, you're pushing the water somewhere else. That will happen. That is a known fact. I question you cubicle engineers, and I call you cubical engineers because you sit in front of a computer and model. Come out after the rains and look at it. That's all I have to say about that. Now, regarding traffic, I have had to sell my Mini Cooper because I can't get it over the speed bumps. I have a neighbor that sold a Maserati because he couldn't get it over the speed bumps. Nobody asked us out on Broadacre Street if we wanted those speed bumps. So, I think we need to look at everybody that has been there for some time and consider that. And my next question also is, how much dirt are you going to bring in to bring the level of this property up to at least 2 feet above the center line of which road?

Mr. Wadsworth stated getting back to the subdivision, the flooding, the traffic, etc., etc., is pretty much everyone's concerns. Correct. I would highly recommend everyone here that wants to speak go to the county commissioners meeting. We are just an advisory board and what's in front of us right now is just zoning. You know, they haven't even gone through permitting or even started the process. And once that happens, they're going to be held to a very high standard. And the man that was doing the speaking right here has been here longer than probably all of us put together. So, and he knows Merritt Island. He lives there. I still will bring people up, but we're aware of this. Everyone on the board knows everyone's issues. Go to the county commissioners meeting because we are just an advisory board. And the only thing we have is we need to determine whether we want to rezone this and then they're going to be going through hoops to make this happen. Kim, if you could come back to the mic, please. You still haven't delineated a wetland upland. Is that correct?

Ms. Rezanka responded it has not been approved by St. Johns or the county to my knowledge.

Mr. Wadsworth stated when that gets either expanded or shrunk, that's going to determine units.

Robert Wise stated I'd like to know, we read in the notes that the transportation corridor will not be affected adversely by this traffic. I'd like to know when the last study was done of traffic in that corridor, the study that you're basing your recommendation on.

Ms. Gilliam responded there is no available data for East Crisafulli. The preliminary traffic concurrency was done for the segment of North Courtenay. That is the closest traffic concurrency points that we can get. So, I'm not able to answer the question about the traffic on East Crisafulli.

Mr. Wise asked when the study of North Courtenay was done.

Ms. Gilliam responded the last traffic count would be 2024 for North Courtenay.

Mr. Minneboo asked when you're doing your analysis on the drainage, can we try to consider a broader or a larger retention area that can handle the water from both the portion on East Crisafulli as well as the subdivision. Can we incorporate those two distributions?

Mr. Kamal responded your suggestion would be when we're doing the subdivision design analysis and the storm water design to look at the drainage that's coming from the portion of Crisafulli Road adjacent to the property and see if we can incorporate that. That's something we can certainly do and see what the impacts are. That's a feasible process to go through.

Mr. Minneboo asked Kim, you understand that, because if this board does any approving, I'd like to put that into the BDP. I don't want that to get away because I think it's extremely critical. Kim on this I read your DDP, and I went through it, and I want to do an NTE. You're an attorney, do you know what an NTE is not, to exceed. I knew you'd be happy about it. I'd hate to see that area if it's approved to exceed 60 units.

Mr. Kamal asked are you okay with 61?

Mr. Minneboo stated I know, you guys are going to get in there and you're going to do the counts and there's going to be 68.

Ms. Rezanka responded we've agreed to limit it to 61 in the BDP. Maronda will have to answer as to 60.

Mr. Minneboo stated if that's in there, I'd like you to put it in the BDP.

Ms. Rezanka responded yes sir.

Mr. Minneboo stated there's no reason you guys can't collect some data for the county to do the ADTs on the road.

Mr. Kamal stated what likely is going to happen or what does happen with each of these subdivisions is that when we go through the land development process, staff will require a traffic impact study which will include the traffic volumes on Crisafulli. We'll obviously hire a traffic consultant to do that and make the evaluation as well as traffic volumes and trip distribution for Crisafulli.

Mr. Minneboo stated he was just trying to beat the staff to it, that's all. I know the staff's going to do it. Do you have any indication what the finished floor elevation's going to be on the houses?

Mr. Kamal responded we haven't obviously set any, but I would expect that that site will probably take at least three feet of fill for the finished floor and maybe a little bit more in certain places.

Mr. Minneboo inquired above the crown of East Crisafulli.

Mr. Kamal responded I haven't done that analysis compared to the crown. I'm talking about above existing grade, but if I look at that as elevation, I could do the comparison, but I don't have that information right off the top of my head.

Mr. Minneboo stated I think that's extremely critical. What the newer houses are doing, I think is imperative to what Maronda would like to do in there as well.

Mr. Kamal commented agreed.

Erika Orriss stated she had a question for staff. I know you said under pristine conditions we'd get 70 units in there. And I'm still stuck on how many units would fit. For me to make a recommendation feels like we need to know what's more realistic.

Ms. Gilliam responded it's still the same answer. Without knowing the total amount of wetlands on the property, we cannot determine how many houses they could fit on there.

Mr. Esseesse added I believe Mr. Minneboo referenced it, but you could set that as the cap. 61 maximum subject to the wetlands. I think that's implied already because they must go through the subdivision plan and meet all the county codes and regulations. So again, until we can identify what acreage is the wetlands, that will dictate how many units can be developed.

Ms. Orriss responded so, you're saying as part of the binding development plan, we would say subject to what's buildable, right? Subject to our rules and regulations regarding flood plains.

Mr. Esseesse stated if that's the pleasure of the board. Yes, ma'am.

Mr. Hopengarten stated it's difficult for us to make a decision on this when you don't have all your information together. We don't know the wetlands. We don't know what the traffic analysis is. Usually when people come before us, we have more information to make an intelligent decision. On this one, I don't think so. I think we're guessing. And it's always, well, we'll look into this, we'll look into that. Just give us the zoning first and then we'll proceed. I don't know. I would rather have more information.

Mr. Kamal responded specific to the wetland question, maybe we didn't accurately convey the status, the lines that you see here are preliminary and basis. It's been a substantial amount of fieldwork that's done that. What hasn't been done is that we haven't taken the agencies out and this is just the way the process works. Once an environmental consultant delineates it then they go out with the agencies that confirm that and that's just the nature of this business, that just happens at a later process. We're not guessing where the wetland lines are. We got a very good idea, and they may change a little bit when we go out with the agencies. So, we're very comfortable that at the end of the day, it's going to look very similar to what we've conceptualized on the plan. The traffic, I don't disagree that there hasn't been a traffic study done, but we also know that we've got 61 units. When a traffic study is done, there's established trip generation rates that all the traffic consultants use that assign a number of trips per unit, and that's generally between 9 and 10 trips per unit. So, we're looking at about 600

trips per day out of that subdivision. We haven't gone downstream and seen if there's any impacts to intersections, but we know the traffic volumes are coming out. So, we do have some of that information and like we mentioned and committed to earlier those traffic studies are for a project of this scope and are generally done at the land development process.

Mr. Hopengarten stated that's true. Go back to the wetlands. What maps or data are you using for the situation there currently?

Mr. Kamal responded they go out on the site, and they walk the wetlands.

Mr. Hopengarten asked if that had been done.

Mr. Kamal responded yes. That's what those lines are from. They look at the vegetative indicators, water levels and so on.

Mr. Hopengarten stated my question is you're not just using the maps from the county.

Mr. Kamal responded no. These are all based upon ground truthing. Walking the site, spending days out there evaluating vegetation, water levels, soils, so on. It's a pretty detailed process. It's not just done based on aerial photography.

Mr. Hopengarten stated I understand that. I just wanted to know what you were using because the maps from the county are from the 70s.

Mr. Kamal responded no, we're not using those maps. It's based upon actual condition as of the current conditions.

Mr. Minneboo stated what he's telling you is the truth, because I looked at the study, he didn't arbitrarily do that. Hasan's extremely capable and that wasn't his data, but it was professionally done.

Mr. Hopengarten stated I just wanted to make sure that you did the boots on the ground rather than take the existing data that was available through the county.

William Bell stated he is curious about this fill section they keep talking about. They're going to bring the level up 3 to 4 feet. Back here a year or so ago, when I wanted to put a shed on my property, I was told I couldn't change the elevation. I couldn't do nothing. I couldn't bring no dirt in. I couldn't take no dirt out. How do they plan on bringing this level up?

Mr. Wadsworth responded that's all going to be with design, with the engineer, with storm water retention, etc.

Mr. Bell continued with can I leave these pictures here with the devastation? That was just to comment on the fill section. I just wanted to show them pictures of the devastation of forest preserve that was supposedly not going to impact any flooding on the road and probably 80% of the water on that road's coming from there.

Chris Cook stated he is representing the North Merritt Island Homeowners Association. They sent me down here. We're over 450 homeowners north of the Barge Canal and they reviewed this application and recommended denial on it for many of the reasons you're looking at, the flooding, the roads. The

road is completely overflowed, they couldn't get access, one lady was stranded in her home for 3 or 4 days, she couldn't get out. We're looking at last year, the state of Florida had over eight 100-year floods. In the past year in Brevard County 5 and I think we've had a one in a thousand year and one in a 500-year flood. And not only is this in a flood zone, but we must also evacuate. It's in the surge zone. You don't talk about the surge when a surge comes. It's messed up. So, adding increased density to this area just doesn't make sense. What wasn't talked about yet was the rural character of the neighborhood. Half-acre lots are not rural in character. I think what might be a good solution here is to make them put in 1-acre lots, have it the SEU zoning on it. The wetlands will take care of itself. There'll be about roughly half of what they want to put in, the 61. But I think it'll increase the land values. It'll increase the impacts on the road and the flood in the whole area. And it's just something to think about.

END PUBLIC COMMENT

Mr. Minneboo asked Ms. Rezanka if she got everything he had suggested.

Ms. Rezanka stated I do. And as I started off this presentation earlier saying we would limit to 61. If you're dead set on 60, I need a response from Maronda.

Mr. Minneboo stated let's don't debate over one lot.

Ms. Rezanka responded okay. Before we go to preliminary plat, a traffic study will be done on this road. We will do whatever the county says has to be done to upgrade it. If some of this was caused by Island Forest Preserve, the developer, that should be considered as well. Mr. Janone did put in water, sewer, and reclaim, and he did go back and fix it. I've heard from the residents he didn't do a very good job, but again, that was done. The county may require a performance bond. We don't know yet, but they don't want to harm anyone. They want to look at the water, which Mr. Minneboo we'll put that in the BDP. Again, the reason they're seeking SR is because of the wetlands. Preservation of wetlands and clustering is in the comp plan and in the land development regulations. That's to keep the wetlands to do their jobs. So that is why they want to build just in the uplands and only impact 1.8%. The conditions of this property don't allow 1 acre lots. Otherwise, we'd ask for R1. They've done the engineering. This used to be AG lands. It's not AG lands anymore. It's got wetlands that weren't there before because of the agriculture and the ditches and things like that. So, this property has changed its use. It's no longer AG. The conditions have changed where it's no longer usable for AG and they want to put in subdivisions, single family homes, one half acre lots which are compatible with the area. Single family to single family quarter acres to the east, one half acres here, and then one acre in other sizes. There is nothing in the comp plan or the administrative policies that says anything about you must show what your wetlands are when you're asking for a rezoning. You just have to show the changing conditions of the lot. Your staff report shows that we're meeting the administrative policies. It even talks, administrative policy 7, on page eight of the staff report about the compensatory storage, the code I showed you in that packet. This is a very strict standard. Hassan has said that he will look at trying to take other water in and he already knows about the canals. He knows what's going on up there. I'm sure he's going to look at the pumps. He's going to look at what Island Forest Preserve did. If water is now coming to this property from Island Forest Preserve, he's still going to have to take it into his calculations. This is all done at the preliminary plat stage. The staff reviews it, and this is just zoning if it's compatible with the area and it makes sense. If we could do 70, we're asking 61. Going to limit it to 61, just have smaller lots and preserve a ton of property around the home. So, there will be buffers as well. With that, we'd ask that you approve the rezoning from

RR1 and AU to SR with a BDP. The BDP will include the limitation of 61 lots, and the other, looking at the whole entire basin.

Mr. Hopengarten inquired you know the study that the county did on the flooding in the area that was presented to the homeowners association?

Ms. Rezanka asked are we talking about the study of Fay from 2008?

Mr. Hopengarten responded no, the one they did a new engineering program. It was two years ago.

Ms. Rezanka stated that's the modeling program. That was approved two years ago.

Mr. Hopengarten responded okay. How will that affect this property?

Ms. Rezanka That's what resulted in that code section on page two of the packet I gave you. So, they must use this two-terabyte modeling program, put all their data into it and see if it has no adverse impacts. Pine Grove subdivision to the north had to use that as well. It's the only other one that's done it. It's very difficult. In fact, Pine Grove had to hire the consultant that made the program to make it work right.

Mr. Hopengarten inquired if it was a past failure.

Ms. Rezanka responded no. It's basically, it is, pretty much it's like you have no impacts, none.

Mr. Hopengarten responded okay. So, with your increase in the elevation on this property of 3 to 4 feet.....

Ms. Rezanka continued it's going to be in the uplands to where the houses are going to be developed and then the engineers do their magic.

Mr. Hopengarten responded so, you're going to build a hill in North Merritt Island. That would be nice. Except for all the neighbors that are going to get all the runoff.

Ms. Rezanka replied well, that's why they must compensate for that and use that modeling program. They can't. They're not allowed to impact others and they're going to have all the wetlands.

Mr. Bartcher commented this went before the North Merritt Island Board, and they recommended denying it unanimously. I read through all their minutes, and I tend to agree with them and one of the reasons for that is we're going to use a BDP to establish a consistency between the land use and the zoning. This process has been used several times in the past and the county commission decided we don't want to do that. We want our zoning and our land use to be consistent. Period. They even passed regulation that says we can't do that. And then of course the state comes in and says we're going to abolish your home rule, so whatever you want to do you can't do. Some other counties created a lawsuit against Senate Bill 180. Our county decided not to do that. We're just going to talk to our representatives and see if we can convince them that it's a bad idea rather than going to court to do it. I still would prefer to follow what the county commission did and not use a BDP to establish consistency.

Ms. Rezanka responded that's completely incorrect.

Mr. Bartcher continued I love BDPs, but this is not the proper use of a BDP. For those two reasons, I'm just not in favor of approving this. I'd recommend a denial.

Ms. Rezanka commented I do understand there is some disagreement with use of BDPs. This is not in the comprehensive plan. This is in section 621255B. It's been in the code for a very long time. It's been used for 25 years since I've done land use. I know staff doesn't like it. It's hard to track. I know people don't like it because it can be changed, but it's like zoning is changed because conditions change. What Mr. Bartcher is referring to in the comprehensive plan, the EAR that was sent up to the state was so you couldn't do it in reverse. You couldn't do a BDP to make a future land use consistent with the zoning. Here we're making the zoning consistent with future land use. I only know that because of the Dunkin Donuts. That's why they did that. When I came and got an amendment to the zoning, we did a reverse BDP because it was asked by Brian Lober, commissioner at the time. So, we made the future land use consistent with the zoning because they needed a drive thru. So, it was reverse, and we've never been allowed to do it again. And that's what's in the comp plan. And I think Trina will back me up on that. That is what the prohibition on BDPs is in the comp plan that was set to the state that has been rejected by the state.

Mr. Bartcher stated that was not his understanding. It's my understanding is that the BDP has been used to establish the consistency between the two between land use and zoning. That was the purpose. I don't understand when you say reverse BDP. I'm not clear on what it is you're trying to tell me.

Ms. Rezanka stated what we're doing is making the zoning consistent with the future land use. Our future land use is RES 1. With the Dunkin Donuts project, we used a BDP to make the future land use consistent with the zoning. That's what I meant by reverse BDP. It's the only time it's ever been done.

Mr. Bartcher asked why did you do that? Because you can't attach a BDP to a land use request. You can only do it for a zoning request.

Ms. Rezanka responded I understand. And that's what's now in the comp plan that says you can't do it. But Brian Lober when he was a commissioner made us do it. I didn't think it could be done either. No one liked it. We did it. We recorded in the public records.

Billy Prasad commented I think both sides are right. I think there's just some misunderstanding. Ms. Rezanka is correct. The current code section 62 1255. I think it's B2 allows for this type of BDP to cure the inconsistency between the comprehensive plan and the zoning classification. So, this would allow effectively as you can see here clustering to exceed the RES 1. That's not that unusual. Even if we were to change it that could be done. It's usually done through a PUD today. With that said that it is allowed today, and we were on a path to potentially change this. There was a comp plan amendment and then there would have been land development regulations that followed that and ultimately it would have been up to the board whether to change this code section, but it was potentially on a path for this section of code to be amended and SB 180 however prevents that, not only the code, but it prevented the EAR amendment that this board had previously reviewed from going forward. So as of today, the underpinning to that the comprehensive plan was never amended because of SB 180.

Mr. Bartcher responded I understand it hasn't been in effect because of that SB 180. My take on it is it's the right thing to do and to hell with SB 180.

Mr. Atkins stated he used to live right around the corner. Not as close as Henry lives to this but used to go shooting down Crisafulli Road every weekend. Used to hang out down there. I lived there for maybe five years. And during that five years, we had many family members in the area whose homes flooded, these homes have been there since the 50s and 60s. They never flooded until everybody built houses higher than theirs around them, putting them in a bowl as somebody mentioned. So, the question was also asked if we have any teeth as this board, which we advise the commission, as you all know. But we don't make the final decision. They don't have to listen to anything we say. We are just simply the first gatekeeper before you go in front of them. Whether you're for or against. I think that anybody can create studies to show anything they want, and reality is going to show what it shows. And it has shown that this type of development especially in the low-lying area which that is that it floods people out. It runs water onto other people. And I'm going to vote against this for that reason, among others, not to mention the road. People walk their pets up and down that road. There's no sidewalk. Quadrupling the traffic, doubling the traffic, whatever this may do. I don't know what those numbers would do, but it's an old grove road and nothing's been done to improve it or raise it. And I do know people personally that were trapped in Island Forest Preserve. I know people that were trapped in their homes for 3 or 4 days because the road was 18 inches underwater. I've been back there. I have a cattle lease back there and it's wet. I can't even drive my four-wheel drive lifted by 6 inches, F350 into that pasture because it's in a bowl. So, I would just make a motion to deny it.

Mr. Wise stated I think we ought to remember that this area has been through two small unit studies that both recommended that housing density be decreased in the zoning of the area. And because of that and because it's 85-90% in flood zone AE and it's almost entirely in the high hazard coastal flood zone. It just doesn't seem right to me to increase the density even with all the nice improvements that they're doing in their design.

Mr. Brothers stated the problem I'm having, is are we increasing the density? We don't know that. This is very important for what we do. We don't know how many houses you are able to put on and in the current state. Because something's going to be done with this land. This is an old orange grove that it looks like citrus greening or something got it. And it's not an orange grove anymore. It's just empty land. Someone owns this. They have the right to do things with it. They're going to do things with it. But no this is a little tiny road. No infrastructure has been done. Everyone's flooding. I live in an old neighborhood and no development has gone on around me because we're all built out. But every year that water gets a little higher because it rains more. Theoretically all these developments must keep their water on their site. Some engineers do that better than others. But something is going to be done and I'm just having trouble because I'm missing a very pertinent piece of information. And generally, staff is very good. They'll come out and they'll say, "Oh yeah, they were going to be able to put this many and now they want to do this many." But today they're like, "I don't know. They might have been able to do this and now they want to do that." This is my only problem. I feel for you folks. I moved into a built-out neighborhood. My neighborhood I moved into is from the 70s and everything was done around it and like I said, the water keeps getting a little higher every year. We're having more and more storms every year. So, I'm having a hard time deciding here. The infrastructure, your houses being flooded, that's infrastructure. You need better drainage in your neighborhood. You need better roads in your neighborhood. That's not us. Mr. Chairman made a point that that is not us. We're here to try to look at what's going on and what people are doing with their land and to try to fit everything together and make a great community. We're not here about drainage. That's someone else's department. They're supposed to do their job, and we're supposed to do ours. I would really like that piece of information though.

Ms. Rezanka responded Mr. Brothers, I think it's clear in the staff report and everything you've heard today that the zoning allows 70 units. The wetlands is a different issue. The wetlands is a site plan issue.

Mr. Brothers stated so you're saying that 70 and you want to do 61. That's a very important piece of information that if we don't change the zoning that you can go in there and put 70 houses there.

Ms. Rezanka responded in theory. Yes, the wetlands would come in but those are sight plan issues.

Mr. Atkins stated that's not true though, right? Because this is what we asked, and we don't have the equation. So, in theory if there were no wetlands 70 houses.

Ms. Rezanka responded wetlands is not a zoning criteria.

Mr. Atkins stated I understand that, but it was asked in a hypothetical manner, it does matter when you go to build a house, and zoning giving someone the legal ability to do so that's where it starts and then what? You give them the zoning and then you get past that and then we've got any number of studies or things that can happen and then it's another hurdle and another hurdle. I think it's important to look at all these potential issues before we just change the zoning.

Motion to recommend denial of Item H.3. by Jerrad Atkins, seconded by Eric Michajlowicz. Motion passed with a vote of 9:4 (Ana Saunders abstained)

Meeting adjourned at 6:28 p.m.

From: [Sara Belichki](#)
To: [AdministrativeServices](#)
Subject: Public Comment on NMI Agenda 1-08-2026 H.1
Date: Thursday, January 8, 2026 10:49:57 AM

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

To whom it may concern,

My name is Sara Belichki and I live on Broad Acres Street. I would like to publicly comment on Strada Development, LLC (Kim Rezanka) request to have a zoning classification change from AU and RR-1 to SR with a BDP. This rezoning directly impacts myself and many of my neighbors living on Broad Acres and East Crisafulli Street. The addition of more residential homes to this property is not feasible due to the lack of infrastructure that this area currently has. East Crisafulli is a single lane street with no shoulder that cannot accommodate the additional traffic. East Crisafulli is also the only way in and out to many peoples' homes here. We have no alternative routes to get to Courtenay Parkway. The recent development of the Island Forest Preserve neighborhood has already caused a lot of damage to East Crisafulli road littering the road with potholes and shoddy patch work. The bad state of this road is destroying residents' vehicles faster and this problem will only get worse with further construction and people moving in. The additional traffic also brings safety concerns as first responder vehicles will take longer to reach residents at the end of Crisafulli such as myself. Simply put, East Crisafulli Street cannot take in additional residents with this zoning change without negatively impacting current residents.

Furthermore, the property that is currently zoned agricultural helps the flooding issues that North Merritt Island has to deal with. Developing this land with concrete and roads will only worsen flooding issues for current residents. We recently had flooding in late October 2025 that affected many of my neighbors' homes and flooded major portions of East Crisafulli. This issue needs to be resolved before we can even think about adding more homes to this area. If flooding worsens, impacts to the personal safety and well being of my neighbors will continue as once again, first responders cannot reach us due to our only road into the neighborhood becoming badly flooded.

I am strongly against this rezoning request and know that many in my community feel the same way. I implore the advisory board to please listen to our community.

Thank you.

Regards,
Sara Belichki
727-254-2094

Sec. 62-3724. Development regulations.

- (1) There shall be no net change in the rate and volume of floodwater discharged from the pre-development 100-year, 25-year, ten-year, or mean annual riverine floodplain.
- (a) Within the 100-year riverine floodplain (that is the area that is below the 100-year flood elevation but above the 25-year flood elevation).
- (i) Residential density shall be limited to no more than two dwelling units per acre.
 - (ii) Commercial, institutional, and industrial land uses shall be limited to a filled footprint of no more than 15,000 square feet per acre, except for redevelopment as specified in subsection 62-3724(1)(f).
 - (iii) Density may be transferred from areas within the 25-year to 100-year riverine floodplain to areas above the riverine 100-year floodplain at a density consistent with the service sector.
 - (iv) Any expansion of commercial and industrial structure footprint, including parking areas, within the 100-year to 25-year riverine floodplain greater than 25 percent of the earliest permitted development footprint size shall be reviewed by the natural resources management department for compliance.
 - (v) Development shall not adversely impact the drainage of adjoining properties. There shall be no net loss of flood storage capacity of the 100-year riverine floodplain, except that undeveloped parcels created prior to February 17, 2011, may fill up to ½ acre for development without providing compensatory storage. For other parcels, compensatory storage shall be required for all fill within the floodplain. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
 - (vi) Development of a lot or parcel within the 100-year to 25-year riverine floodplain shall provide a contiguous area that includes the primary structure and perimeter buffer, accessory structures, on-site sewage disposal system and buffer, potable on-site well and buffer, and access to the primary and accessory structures. These areas shall be elevated to or above the 100-year base flood elevation (BFE). All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins). All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.
 - (vii) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
- (b) Within the 25-year floodplain (that is the area that is at or below the 25-year flood elevation but above the ten-year flood elevation).

system and buffer, access to the primary and accessory structure. These areas shall be elevated to or above the 100-year base flood elevation. All site plans, subdivision plats, building permits, and other active development orders shall also meet floodplain protection criteria in chapter 62, article X, division 5; standards for flood hazard reduction criteria in chapter 62, article XI, division 3; and stormwater criteria in chapter 62, division 6.

- (c) Access to single-family residential structures on lots adjoining a government maintained road that is not elevated to or above the 100-year BFE and not scheduled to be upgraded within five years from the time of residential permit submittal, may be developed at the elevation of the abutting government maintained roadway. This exception shall not apply to construction in FEMA Regulatory Floodways.
 - (d) Compensatory storage shall be required for fill in excess of that which will provide an upland buildable area within the floodplain greater than one-third acre in size regardless of the date the lot was created. Compensatory storage for lots within a platted subdivision created after the effective date of this ordinance shall be provided. Compensatory storage calculations for proposed development shall be submitted and approved by engineering staff prior to final approval of any new lot creation, site plan or subdivision application. All site plans, subdivision plats, building permits, and other active development orders shall meet the criteria in chapter 62, division 6, stormwater criteria specific to CLOMR requirements, and increase(s) in flood elevations must be investigated by detailed hydraulic modeling in volume-sensitive floodplains (e.g. lakes, closed basins).
- (4) Development, land alteration, or grading on North Merritt Island in the area from Hall Road, north to State Road 405, excluding federally owned lands, hereinafter referred to as "area," are subject to the following requirements:
- (a) Compensatory storage; and
 - (b) Written certification from the engineer of record that there will be no adverse flooding impacts upon properties within the area resulting from the proposed development. Written certification shall be required prior to issuance of a land alteration permit, building permit, site plan, preliminary plat approval, or any other authorization for grading or drainage modifications. The engineer of record shall certify that the proposed development will not increase flood stages, and will not increase the duration of the peak flood stages within the area. Such certification shall be accompanied by a report supporting the certification. This report shall include full engineering data and analysis, in compliance with good engineering practices, and any and all applicable standards, criteria, and regulatory requirements, including the hydraulic and hydrologic modelling and analysis demonstrating that there is no impact; and
 - (c) Sealed pre-existing topographic survey or engineered site plan delineating floodplain limits on the property, if any, with base flood elevation using best available flood elevation data. Delineation of floodplains shall use best available pre-alteration ground elevation data.
 - (d) A waiver from the compensatory storage requirement may be granted by the county manager or designee where the engineer of record certifies that the proposed design does not increase peak flood stage or duration, based on a stormwater model accepted by the board of county commissioners. Any such stormwater model shall be based on best available data addressing, at minimum; water storage, water volume, groundwater elevations, peak stages, and peak rates for the area.
 - (e) Compensatory storage for fill in the area shall be required for single family parcels created prior to the effective date of the ordinance from which this section is derived. However, written certification in subsection (4)(b) shall not be required. If compensatory storage is not available as a result of insufficient depth to groundwater, a compensatory storage waiver must be obtained from the county manager or designee by property owner or designee. The amount of fill for which a waiver may be granted shall be limited to the volume necessary to construct no more than the minimum floor area designated by the applicable zoning classification, plus on-site disposal system and necessary ingress

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and egress. Compensatory storage waivers shall not be granted for accessory structures requiring fill in the floodplain.

- (f) Properties, including portion thereof, demonstrating discharge of site runoff directly to the Indian River Lagoon, through sheet flow, channels, and/or stormwater systems, without reliance on other conveyances and/or stormwater systems serving other properties, and without impeding flows from other properties to the Indian River Lagoon, are exempt from the compensatory storage requirement.
- (g) An as-built survey shall be submitted to the county within 60 days of project completion.
- (h) Any engineered compensatory storage approved by the county shall be maintained by the owner in perpetuity. Any modifications to the system require approval under this section.
- (i) Land alteration and grading in the area are prohibited unless reviewed and approved under this subsection and subsection 62-4421(a)(5).

(Code 1979, § 14-84.3; Ord. No. 02-08, § 4, 2-26-02; Ord. No. 04-07, § 1, 2-24-04; Ord. No. 09-03, § 1(Attch. C), 1-13-09; Ord. No. 2014-14, § 1, 5-1-14; Ord. No. 2015-27, § 3, 9-3-15; Ord. No. 2019-26, § 2, 12-5-19; Ord. No. 2023-014, § 1, 7-11-23)

