

### **Findings of Fact Items H.5. and H.6. from the April 4, 2019, Zoning Meeting**

Isnardi: Item H.5. and H.6. We have several cards for this Item. I'm not sure if we are going to do them together or... Yeah.

Sterk: Item five is a proposal by Joseph Brandon and Nikki Thomas requesting a Small Scale Comprehensive Plan amendment from Res 1:25 to Res 1 on a property that is 3.15 acres in size, located on the southeast corner of County Line Road and Dixie Way. The associated re-zoning request is a proposal by the same applicants, but it is on the entire property which is 19.75 acres in size, located at the southeast corner of County Line Road and Dixie Way.

Lober: I've got some disclosures.

Isnardi: Okay.

Lober: I've got some disclosures, actually quite a few disclosures. I'm going to try to fly through them quickly here, pertaining to both numbers five and six. All of them, unless I note otherwise, are in opposition to the proposal. I had an email from Rose McGinnis on March 11, an email from Melanie Lorenti, on March 13. I have emails from Ron Bartcher dated March 14 and 17, also on March 14, an email from David Laney; on the 16th of March an email from David Botto, on the 18th I have one from Rachel Burke. Also on the 18th, I have one from Maureen Rupe. On the 19th, I have one from Marielle Marne and Steven Moore. On the 27th of March I have one from Mary Sphar. On the 27th I had a phone consultation and meeting with some area residents, David Laney, Rose McGinnis, and Jerrad Atkins. On the 30th of March I have an email from Leesa Souto. On the 31st of March, I have an email from Maxine Ziemann. April 1, I have a letter that we received from Scottsmeer Community Association. On April 2, I received an email from Kathy Ceballos. Also on April 2, another email, this one from Jared Atkins. On the 3rd of April, I have an email from Philip and Lori MacIntyre, and on the following day, the 4th of April, I have one from Morgan MacIntyre, all in opposition.

Isnardi: Commissioner Pritchett, do you have a disclosure?

Pritchett: Yeah, Madam Chair, I submitted them all to the Clerk already and they are in a packet, but I think I had pretty much the same ones you had, Sir, and so, they are numerous and they are all out there for public record if you guys would like to review them.

Isnardi: I was going to disclose the same, and I also had a meeting in my office with David Laney, Rose McGinnis, and Jared Atkins on March 27th, and the discussion was their opposition to the re-zoning of this, to their area. They had concerns about whether or not it was consistent and it was about 45 minutes, maybe an hour.

Sterk: I would also like to clarify. We got some comments after the Planning and Zoning Board meeting that the public was not sure we were talking about both Items, so when you all come up for public comment, if you will address both the Comp Plan Amendment and the Re-Zoning, then we will be sure that everybody has a chance to be heard.

Isnardi: And some of the cards that I have as well have five and six, some have just five or just six, but I am going to call them ahead in order, unless you don't want to speak, that's okay, too, but after the applicant we will go through the cards. Commissioner Lober?

Lober: Just a brief question, and I hopefully this helps, but if not, I apologize. But I was hoping we could kind of get a feel for where the Board was inclined to go before we have a public comment, because if we can save a couple of hours of people speaking, I think it might be appreciated by some folks. Because I am happy to let everyone know where I am, and maybe we can go that way, and perhaps it may not be necessary to have everyone come up and say what they have been telling us by email and by letter and by visit.

Isnardi: Ms. Bentley?

Bentley: I think we need to take the public comment. You can discuss it some, but you must not pre-judge before you hear the public comment.

Lober: I tried.

Isnardi: Okay, Mr. Buchanan?

Buchanan: Thank you.

Isnardi: And are you representing the applicant?

Buchanan: I am. I'm Stuart Buchanan. I'm here representing the applicant. My working address is PO Box 1545, Titusville, Florida, 32781. I know that you have many speakers, so I'm going to be very short on my introduction and my presentation, so that you can hear from the public and I can do the applicant's rebuttal after the end. Thank you. I may need some help also, because I understand that Commissioner Smith is not here, and I do have a handout for the Commissioners that I want to present. I have already given a copy, both to the Clerk to the Board and I'll provide one to the Commissioners and Staff. As I stated, I am going to be very short, because I understand you have a number of members of the public who wish to speak, and then of course, I would appreciate the opportunity to come up afterwards for rebuttal. This is one of the most straightforward requests for re-zoning that you will possibly see. The property currently has 16 acres, which has a Future Land Use of Residential 1. The zoning assigned to it is Agricultural Use. These are both the original Future Land Use Category and Zoning district that was assigned after the Growth Management Act was passed. The reason that it was given Agricultural Use with AU zoning was at the time of the Comprehensive Plan being adopted, and the zoning districts being assigned, it had an agricultural use. It was a citrus grove with a bona fide ag exemption. It has not been a citrus grove for many, many years. This is why that it is acceptable to come before you and request re-zoning. If you look at the aerial, I would encourage you to note that this is not a property that is in its natural state, it was clear cut decades ago, it was planted as a citrus grove, the citrus grove is now defunct, and therefore we revert back, we look at the Future Land Use of Residential 1 on the 16 acres. The small portion that has, which is your Small Scale Comprehensive Plan Amendment for approximately 3.15 acres, that request was simply to provide consistency for the parcel as a whole. The applicant has already agreed to enter into a binding development plan to limit the total development to 14 lots. I'd like to stress again, that under the Future Land Use Category, that 16 acres is already Residential 1, which would be 16 dwelling units. Again, the applicant is willing to, with or without the Small Scale Plan Amendment being approved, the applicant is simply asking for the Rural Residential zoning designation to be assigned to this property. They are willing to enter into a binding development plan to limit it to 14 lots. I would encourage you, at some point, to seek input from the County Attorney that is present, so that you can find what the process would be should the request be denied, what the next two steps would be for the applicant, after the administrative relief has been exhausted. Again, I know

you have a number of members of the public, so I am going to go ahead and step down, and I will be happy to answer any questions that you have.

Isnardi: Alright, I'm going to name a couple names at once, so you'll know that you are next, we have Nancy Stephenson, and after Nancy, we have Ron Bartcher.

Nancy Stephenson: Good afternoon, my name is Nancy Stephenson, I am at 6600 Possum Lane. It's a rural area. I'm on County Line Ditch Road. I'm about 1,200 to 1,500 feet away from the adjacent property. My family also manages a property that is less than 800 feet away from said property. This... we are giving out some handouts. There's also some aerial maps. Now they'll be two, one shows, I want to say the Brevard side, showing roads in the rural area. The second one is showing more on the Volusia side, conservation, protected areas. How some of the ditches flow and we will get into that in just a few minutes. This project greatly impacts not only the neighbors, but the community. Along with the concerns of water quality and availability, the environment, neighboring agricultural lands and the future conservation areas, and the Indian River Lagoon. Like I said, this property is very close to my family's property, which is an agricultural use. Our area is considered rural, rural agricultural, with the smallest tract close by is 2.5 acres, but that is only because it is a family unit. It is a total of 10 acres, where a family, mother/child, split up a 10-acre block, so the child has a two and one-half acres block on the same property. People relocate to this area in search of large acreage space, a quiet way of life. They want the room for their livestock and their families. They don't want to open the kitchen window and talk to the neighbor. Many that have had to settle for a two and one-half acre piece of property wish that their property was bigger so that they could have more animals, crops, and freedom. Like I said, we painted you these maps so we could give you the idea of the layout of the property in question. The main roads in and out of this area are County Line Ditch Road and Dixie Way, County Line Ditch Road running east and west. It is not a paved road, it is covered with millings. Dixie Way traveling north and south is dirt. Both of these roads, if two cars were coming in opposite directions and wanted to pass, one vehicle has to yield to the side so the other can get by, and we kind of make a joke about it, you may have to yield to livestock or wildlife and let them finish before you can go on about your day. I want everybody to keep in mind those are the two roads that would have to support this extra traffic, meaning construction trucks, deliveries, garbage, power, emergency vehicles, everything above. When you factor in two, two point five vehicles per house, with these additional homes, that is an impact on the roads. On the north side of this is all conservation areas. On the Volusia side, that is a one parcel per 10 acres, and forgive me if I say it wrong, but, and along with the conservation areas. The County Line Ditch itself, flows east. It is the main ditch for that area. It starts at US1, goes completely through the conservation areas and unloads into the Lagoon, straight into the Lagoon. Again, it is mainly a rural and agricultural area. Agricultural businesses are the major part of the Florida economy. In the 2012 Census of Agriculture for Brevard County, along with the State, the majority of farming operations are produced on 48, 49, or less acreage, with the second major income coming from cattle, and the third from citrus and fruits. There are many property owners up there with agricultural practices whether it is cattle, citrus, other fruits and vegetables, or even horse operations. Along with that, many of these families have young children, our future generations. Our comments and concerns are brought up by the properties... I'm sorry, one of the concerns that was brought up was that this is this family's investment, and they are trying to...their retirement. That is the same with everybody up there. That's our life, that's our future, and we want to respect it and take care of it. We bought these large tracts of land for privacy, conservation, agricultural practices, and it's just agriculture keeps everybody fed. I mean, that's just the way it is. If you don't take care of the land, it won't take care of you. Conservation and preservation are the key aspects of everyone's future. We all have property in the north area could profit from development, but we choose not to out of respect for the Future Land Use ideas and future generations to follow us. Again, our concerns are the

over density of the land, water retention, water flow, run-offs, flooding, the natural flows of the ditches, the infrastructures, the roads, I know everybody is going to be getting into some of this for you. I'd also like to bring up there is a Florida State Statute, 163.316, that talks about dealing with future development and existing land use. It has to do with future development that is attached or close by agricultural lands, and it's Florida Legislation's way to try to preserve Ag, and protect it, and there's formalities and forms that have to be filled out, looked at, and I'm sorry, I meant to bring that paper, and I didn't bring it up here with me. Please forgive me. Again, we wanted to talk about the Small Area Study.

Isnardi: I have to cut you off. I'm sorry.

Stephenson: Yes ma'am. I'm done.

Isnardi: Thank you. Thanks so much. Ron Bartcher? And After Ron, David Laney.

Ron Bartcher: Ron Bartcher, 3431 Grantline Road. The map I just handed out shows the property in question and also shows the septic tank overlay on this property. And the blue line that is down the middle of that property... not the middle, but towards the, in my case, the right, shows the division between the Res. 1 and the Res 2.5, and you'll notice that all of that Res. property is Res 2.5, is all in a property that is in the septic tank overlay, meaning they need to have high performance septic tanks. My concern with you changing the land use on this, and I want to address specifically land use, is changing the land use on this property is then allow three residence per acre. This is essentially a three acre property, so you're allowing three residences in there. That's three septic tanks. If you leave it at 1.25, that's one septic tank. What that means is, you're increasing... if you approve this, you're increasing the pollution to the river by a factor of three, and it's been stated that pollution goes straight to the river. There's another important consideration that I wanted to bring up, and that is that density, like beauty, is in the eye of the beholder. If you live in a city, one acre of property, or one house on one acre, that is tremendous density, but if you live out where we do, that is a very high density, one house per acre. What we have, and what a lot of our property is one with 2.5 or one on five, one on ten, one on 20, that's what we consider low density. This difference in perspective is very important, because when you make a Future Land Use change, you should not have a negative impact on the residents that live there. The residents that live in this rural area, we believe... I'm sorry, we desire to have what we perceive as low density, not what someone else perceives as low density. We rightly expect that the land use will continue to be compatible with our community values, so I would request that you please deny the land use change. And I had a question. I have submitted two cards, will I be permitted to speak on the zoning separately from the land use?

Eden Bentley: If you are requesting additional time, that is up to the Board, we would recommend giving additional time.

Isnardi: Okay.

Bartcher: Do you want me to do that now? Or do that...

Isnardi: If you submitted two cards, it's probably easier if you come back up, possibly. I don't know, what do you think? Unless we... we can do it now if you'd like.

Lober: Let me just make a motion that if someone has indicated both Items, or if they submitted two cards, that when they come up for either, that we go ahead and double the time. If that's what they want to do.

Isnardi: That's fine. Yeah, we will give them the option.

Bartcher: Okay, and I'll go ahead...

Isnardi: I'll just dispose... not dispose, I'll put your other card with this one. So did you want to start your next five, or do you want to finish this first five and start another five? Does that make sense?

Bartcher: I can go ahead and start the next five if that's okay.

Isnardi: Okay. Go ahead and reset it. Thank you.

Bartcher: Thank you. I did want to address the Item H.6. which talks about Zoning. You've heard a little bit about rural lifestyle, and I'm sure as other speakers come up, you are going to hear about rural lifestyle. I want to explain that a little bit more. Have you ever looked out your window and seen a gopher turtle laying eggs? I have. Have you ever seen a bobcat stick his head out from a palmetto in your backyard, and look around and say, oh you're not a threat, so he just calmly walks off over to the palmetto on the other side of your yard? I have seen that. Have you ever walked around your house, the corner of your house, surprise, a wild flock of turkeys fly off all of a sudden off into the palmetto? I have. Have you ever seen a wild hog peer his head out look very closely at you and think you're a threat and then take off running through, crashing through the palmetto? These are the kinds of things I have seen. I like to read my morning paper on the patio, where I frequently hear a rooster crowing, or a cow mooing. I enjoy these sounds and other sounds of wildlife. A blue jay squawking, a squirrel scolding, a hawk screeching to scare up dinner, an owl hooting. City folk think these sounds are irritating, I find them very pleasing and relaxing. Most of us who live in this rural area in Mims and Scottsmeer do precisely because we enjoy the rural lifestyle. My nearest neighbor is hundreds of feet away. Life in rural neighborhood is much less stressful than a crowded city and you all know the studies about increasing crowding increases stress. We live out here because we enjoy the relaxing, peaceful atmosphere. We don't have to have a car drive by our house every few minutes. Even the traffic on the Federal Highway that runs through our area is far quieter and safer than when that same highway runs anyplace south of us. Excuse me. The activities we have out here are very interesting. Imagine taking your kids to a library program about miniature horses, only to have at the end of the program, the kids get to ride in a buggy driven by that miniature horse. Kids just love that. We have the annual July picnic in Scottsmeer, and we have the annual Mullet Festival in Mims. Both of these have loads of activities for kids and adults. There's more freedom in our rural area, we can do what we want without having to tell somebody to stop. If I want to put up an eagle in my front yard, I don't have to go to a homeowners association and have them tell me to stop you can't do that. I can spend my time in my workshop sawing, drilling, routing plywood, turning this into furniture for either my house or the library, and my neighbor who I can barely hear, is out sanding on his car, converting his antique car into something much nicer and having a nice paint job on it. One of the more popular stores in our area has a motto that fits our area, it's "for life out here". There are several large stores in this rural area that serve our needs, Tractor Supply, Family Dollar, B&E hardware, Walgreens, Dollar General, however the convenience of having these stores, it's not why we moved here, it's just an added benefit. When I moved here, there were none of these stores there. I didn't care if I had to go 14 miles down to a Walmart or Publix, or Home Depot. I just wanted the nice rural atmosphere, so I am requesting you to please deny this zoning so we can continue with our rural lifestyle. Thank you.

Isnardi: After David Laney we have Andy Root. I have you down for Item five.

David Laney: I have Item five and Item six cards in.

Isnardi: So, is it okay to put this time together for you to speak?

Laney: Sure!

Isnardi: So, then I'll just increase your time. And the applicant can have more time as well. I mean we weren't anticipating going this route, but the applicant can have the additional time if needed.

Laney: Okay, we will... since I am familiar with a number of the topics...

Isnardi: Can you give your name and address?

Laney: Oh, I'm sorry.

Isnardi: That's okay.

Laney: David Laney. 3800 Sams Lane, Scottsmoor, Florida. Okay. Since I am familiar with a number of the topical areas that a number of the speakers will be addressing, mine are going to be very pointed and I think will not be replicated by other people and I will speak fast here. Obviously I prepared for two that I thought were three minutes, so I think I'll be done in six. With that being said, let's talk about the Future Land Use map change first. First of all, who has standing in the discussion regarding the future Small Scale Plan change as requested with this property? By Florida State Statutes 361.318(4) Subparagraph A-1: The effective persons of those that own property in the boundary of the local government who's plan is the subject of the review, which means virtually... well not virtually, every resident of Brevard County has standing. Additionally, those owners of real property, abutting real property, that is subject to proposal change to that Future Land Use Map. That includes those of us who were notified by the Planning and Zoning for the re-zoning location, but I would note that it also includes Brevard County, excuse me, Volusia County, because Florida State Statutes 361.318(4) Subparagraph A, Sub. 2, local governments that have areas designated for protection to special treatment within their jurisdiction that abut this said project. And that is Volusia County. The property immediately on the north side of this property that is requesting the small area plan change is a conservation area, designated conservation corridor. That's just establishing standing here on who's talking and why we are talking about it. Okay, let's talk about Future Land Use Maps. Future Land Use Maps cannot be further than something cast in stone. They are not intended to be something that is cast in stone. When they were established, come in after the 1988 Robert T. Stafford Act, and as amended in 2002, Future Land Use Maps are required to be viewed on an ongoing basis. The most recent requirement from that comes from the guidance to the States is from FEMA. Probability to the future hazard events FEMA State Mitigation Plan Review, effective March 6, 2016, Title 44, Code Federal Regulations Part 201, and it dictates what has to be taken into account in a Risk Assessment associated with Future Land Use Maps associated with that. What has to be taken into account is the probability of future hazard events that must include considerations of changing future conditions including the effects of long-term changes in weather patterns, climate, and identified hazards. Now the reason I am bringing that up is right now, you are in the process of considering increasing the density utilization of component of the Future Land Use Maps. Let's take a look at the area we are actually talking about, which is that intersection of County Line Ditch Road and Dixie Way and what lies east of it to the Lagoon. The first consideration from the risk and hazard associated with future climate changes is that associated with storm surge. The new National Oceanographic and Atmospheric Administration (NOAA) have combined their projections with the Army Corps of Engineers, and you will find when you go to those most recent

projections, which have now been published, for a category three hurricane, it comes directly in at that point and this material is all available online, for a category three hurricane coming directly in on that section of the east coast of Florida, you will have up to three feet of water at Dixie Way. Category four hurricane coming directly in at that point of the east coast of Florida you will have up to four feet of water, four to five feet of water standing in Dixie Way. This is definitely a flood surge, hurricane surge, area. Compounding that, if you take into account the future sea level rise projections due to whatever you wish attribute them, the fact is, it is happening, sea level around Florida is up to eight inches higher than it was in 1950 and is projected to rise another six inches in the next 15 years. That next 15 years is based on the projection that was done in 2017 by NOAA, actually The National Oceanographic and Atmospheric Association. Actually, there's two points that are identifiable and you can pull data specifically from the east coast of Florida. The southernmost is Miami Beach, the northernmost is Daytona Shores, and these projections hold consistent from Miami Beach to Daytona Shores, and this is the most probable. This is not the most drastic projection, this is what they're... there is consensus that this is the most probable on sea level rise. By 2050, its projected 15 inch increase. By that time, the Mosquito Lagoon is no longer the Lagoon, that is the ocean. After Mosquito Lagoon will very probably become the ocean the next time a significant hurricane impacts that section and the dunes are gone. That's all I'll say because I know there are other folks that are going to talk about the small area plan change. Okay things that we are here to talk about and things that we are not here to talk about. During the Planning and Zoning meetings, Mr. Buchanan brought up as a representative for the Thomas', the fact that we don't need more property taken off the tax rolls, we need to increase the tax rolls, 49 percent of Brevard County is not on... well let's take a look at that. Let's take a look at what those properties are and what the economic contributions are to Brevard County and Central Florida, those properties which are not on the tax rolls. Patrick Air Force Base, 9,464 jobs on base, 4,310 indirect jobs in the community, from the latest economic impact information. Over \$1 billion per year economic impact to Brevard County and Central Florida from Patrick Air Force Base. Kennedy Space Center, 10,194 spaceport jobs currently, and that includes private sector spaceport jobs. Total between jobs on the spaceport and jobs which are created and supported by spaceport and NASA, 23,753 jobs, with a total economic impact to Brevard and Central Florida of \$3.9 billion annually. The next big one, let's go right on up to Playalinda where Canaveral National Seashore is. Canaveral National Seashore has a total of 1,000 direct jobs that are supported by an economic impact back to the community of over \$111 million annually. So, those are just indications that perhaps some of the properties that may not be paying property taxes, they are certainly providing positive economic impact back into Central Florida and Brevard County. Okay, for the zoning, a couple other things, that we are not here to talk about tonight, since this is focusing on zoning, we are not here to talk about the new National Cemetery and the impact that the cemetery may have had on the water quality of some of the residences immediately adjacent to the cemetery. That is not a subject we are here to talk about tonight. We are talking about zoning. We are also not here to talk about BDPs. BDPs don't occur if the zoning is not approved, we are here to talk about zoning. Okay, Brandon and Nikki Thomas have requested a change in zoning of the 19.75 acres in Scottsmeer, Florida. Their request is to change the zoning from AU, two and one half house per acre, to RR one house per acre. By Brevard County Comprehensive Plans, plan and policies requirements for this request are the areas adjacent to the existing Residential 1, but current land use designations are inconsistent on that, yes there is Residential 1 on the 107 acres at the immediate southern border, component of that 107 acres is Res. 1, but there has already been discussions from Mr. Bartcher regarding whether or not Future Land use Mapping establishing classification of Res. 1 was appropriate to begin with, we feel it is not. Okay, another consideration or requirement by Administrative Policies of Brevard County, if we are classifying the property as RR-1, the areas must, which serve as a transition between land uses of land use designations with density greater than one unit in areas of lesser density. We've all seen maps of this area, this land does not meet that criteria. Another

consideration, unincorporated areas which are adjacent to incorporated areas who may be considered logical transition to Res. 1. You've seen the maps, this property does not meet that requirement. Other considerations, associated with approving this zoning change, also from Brevard County Comprehensive Plan Policies administrative, proposal must not materially and adversely impact an established neighborhood by introducing types of intensity to traffic that is not already within the defined boundaries of the neighborhood. Now, what is a neighborhood? Within Administrative Policies and Procedures of Brevard County, said that a neighborhood must have clearly defined boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features. There is not a population density requirement associated with the definition of a neighborhood. Not in the glossary, not in Brevard County Comprehensive Plan anywhere. We feel that we absolutely exist as a neighborhood in this portion of North Brevard. We share common values, we share common social interaction, we are dedicated to the same qualities of life, the boundaries that I've proposed are County Line Ditch Road, that's the north end of Brevard County, obviously the eastern side of the proposed neighborhood is the Indian River Lagoon, the west side is obviously Highway 1, and the southern border, you could say that is probably Huntington. That's where this consistency of social values, rural values, is concentrated in any area on houses that are built on not less than two and one half acres. Okay additional considerations also, I have Brevard County Comprehensive Plan regarding where the surrounding road system with in construction and quality are sufficient to serve the proposed use without the need for substantial public improvements. It has already been described to you. When you go down County Line Ditch Road, or you go down Dixie Way...

Isnardi: I don't want to be rude and cut you off, but you've exceeded your...

Laney: I have a total of 10 minutes.

Isnardi: You just spoke for 10 minutes.

Lober: We can round it up a little.

Laney: Oh wow, okay.

Isnardi: There was a little improv in there I think from your notes.

Laney: Well, time flies.

Isnardi: It does.

Laney: I wasn't having fun, but time flies. Okay, well thank you very much for your time, and obviously if you have any questions throughout this procedure, we are certainly available to answer more questions. That was 10 minutes, really?

Isnardi: It really was.

Laney: Well, I believe you.

Isnardi: We wouldn't do you wrong. Andy Root? He's got five and six on his card as well, so... you don't have to use all 10 minutes if you don't have 10 minutes, but you are more than welcome to.

Andy Root: I won't.



Isnardi: If you could just state your... you can hand that out first, that's fine. And after Andy, we have Stephen Chalmers.

Root: My name's Andy Root. 3540 Sunset Avenue, Scottsmoor, Florida. I want you to know that we welcome the Thomas'. We were told at a town meeting that they moved here to escape the Palm Beach lifestyle, and that our rural residential lifestyle is what they wanted. We welcomed that. The fact that they liked it so much that they wanted to change it is what we objected to. To grant this zoning to one home per acre would destroy our rural residential lifestyle and hasten the destruction of the Indian River Lagoon and amplify the demands of our fresh water, all of which are in jeopardy. I personally know of two land owners that hold 40 acres and 50 acres plus that are waiting for your decision. If you change the zoning to one home per acre, then their attorneys will be next in line, and that line will grow. Hundreds of new wells will irrigate the new laws creating runoff of herbicide and pesticides and fertilizers which will run directly to the Lagoon, while depleting our fresh water supply and increasing the salt water intrusion which is already occurring. None of these things are good. The major land to be developed is east of Dixie Way, it is closest to the proximity of the Lagoon with deep ditches running directly to it. The loss of birds, fish, shellfish, and aquatic plant life can directly be attributed to this pollution and with every new home built on small lots will increase and hasten the death of the Lagoon, while salt water intrusion has already started because of the freshwater depletion we cannot reverse that, it will only get worse. Lastly, the County needs to be aware of the direct cost to the County. 90 to 100 new homes on these sites will greatly increase the demands for Fire, Police, and Schools. The County is in the process of upgrading Coral Avenue, none of the other roads in Scottsmoor can handle this kind of traffic and we will all have to have major upgrades. The roadways with a three to five foot shoulder that have no berm, no signage, or any kind of warning are an accident waiting to happen. The cars and trucks running into the ditch are a lawsuit waiting to happen. With the upgraded roadways, Coral Avenue, the cars are now traveling three to four times faster than when it was dirt. The handout I gave you was to show you that one of the wells that had just been drilled, or sampled, was 2,510 parts per billion, which on State level or municipal level, only 450 parts per million are permissible. The University of Florida just published a survey for a recent visit where it said upon visiting the Scottsmoor area on March 6, I became familiarized with the rezoning request in the area. I am able to place such a request in context of natural and human related pressures in the Indian River Lagoon region. I think that any new infrastructure development in coastal areas around the Indian River Lagoon in particular, needs to be examined carefully, and sensibly. This is because the sea levels in Florida which has risen at rates more than six times, mean global rates, between 2011 and 2016, the sea level rose at a rate of three quarters of an inch per year. Evidence of these rapid sea level increments on the increase in the sunny day flooding areas in this State. Compound to this problem the ever increasing use of human use of fresh water from the aquifer. Moreover an inconclusive trend that Florida rain value since 1985 indicates that the aquifer recharge is not changed over the decades. That means we are using more than is being replenished. Evidently, any new zoning that allows increases in settlement density will represent amplified demands of our water aquifer, and because the sea level is expected to rise, the area will likely be drastically effected and the detriment to our water and soil quality is evident. I respectfully ask the County Commission to deny this application so that others will not follow. We can save the Lagoon, our fresh water, our dirt roads, and our rural residential way of life. Thank you.

Bentley: Sir, you have two documents you provided to the Board. Could you please put them on the projector so that they will go on the screen behind the Board? Mr. Walker may need to assist you. Commissioner Smith, can you see that?

Smith: Not yet. I'm a little behind you guys. Now I can see it.

Bentley: Okay.

Root: This is the letter from the University of Florida. Again, the most important thing here isn't just this sub development that is being proposed, it's what's going to happen after.

Isnardi: Talk in the mic, just so we can hear you. You have more time.

Root: The most important thing is not just this development, it's what's coming right behind, and that we can't stop, unless we stop this. Thank you.

Isnardi: Alright, you have 10 minutes as well.

Stephen Chalmers: Thank you. My name is Stephen Chalmers, Windbrook Drive in Palm Bay. I want to start by saying how much I respect and appreciate the service of all of you and the responsibility you take on making decisions such as this one in particular this evening. I have some reservations, though, it appears one of you might be a pirate.

Isnardi: Oh, my gosh.

Lober: Which one, sir?

Chalmers: I won't say. I'm representing the MRC, and I think our letter to each of you speaks for itself. I just want to emphasize the last paragraph, as did my predecessor's speaker. This is an important event or decision that is before us because of its future ramifications. The MRC sees that enabling this kind of development in the face of change, which is not only ongoing arrival of more people in Florida and our County, but the threats of climate and sea level rise is not a wise consideration. We should step back, we should zoom out from the locality of Scottsmeer and look at the whole County, and look at the whole coast a little bit more, and consider an overall plan which is yet to be really formulated about how we are handling our land. So, with that I will yield the rest of my time.

Isnardi: Diamond Scharfenstine? And please correct me if I said it incorrectly.

Diamond Scharfenstine: No, you said it right.

Isnardi: And after Diamond, we have Clara Mutter. Name and address please. And you have it down for five and six, so you have 10 minutes as well if you want to use it.

Scharfenstine: 6350 Dixie Way, Mims, Florida. My name is Diamond Scharfenstine. My mom and I both live at 6350 Dixie Way. We live approximately one-half mile, maybe more, from the developer. I know the Lagoon and roads have been the primary subject of challenge on the subject, but I would like to touch base on my personal side of this issue. My mom is a native of Brevard, born in Rockledge, grew up in Merritt Island, my father, who we lost in 2016, was military and a Federal contractor. My parents after moving from Port St. John to Titusville, where I was born, moved to Mims, where they settled in Scottsmeer, about 20 years ago. Because of the rural area, this is where they wanted to raise me. My mom has had horses most of her life and they wanted the same experience for me. My parents chose Scottsmeer because of the land, the space, and the privacy, and they respected that Scottsmeer wanted to keep their community rural. Most of us in this room from the great community of Scottsmeer love our lifestyle in the country living. If we Brevard County residents and Commissioners allow the developer to come in and re-

zone our rural areas, we will end up with areas like Viera and Port St. John. There's nothing wrong with those areas by any means, but we moved to this area for a reason. We all understand that Brevard is growing, but really, why can't we keep the north part of Brevard in a rural habitat? I ask you, where will it stop? If you continue to let this re-zoning and development move forward, the big question is, why can't Brevard County stick to its own requirements that they have already put in place? They put these in place for a reason, right? Thank you for your time and I hope you all seriously consider keeping Scottsmeer a rural area.

Isnardi: Thank you. Clara Mutter, and after Clara, we have R.C. Kirk. You have 10 minutes as well.

Clara Mutter: Okay, but I will probably only take three. You'll get tired of me before then. My name is Clara Mutter. I live at 3405 Johns Road. Mailing address is Mims, but I live in Scottsmeer. I'm probably on the southernmost end of this, and I have a strange story to tell you. We moved to Scottsmeer, my husband was a homicide investigator, we moved to Scottsmeer to get away from town, to get away from people, to get away from traffic. And one of the first nights that we spent in our home after moving out there we used to sit on our front porch, we used to say "wow, we'll watch the traffic". We might see one car, and it was an exciting night if we saw two. And we would just sit there and watch the traffic. Well this one night we saw this hawk, and he landed on our fence out front, and we thought, boy what's he doing there? And about this time a cow came trotting down the middle of the road. It's a dirt road, he can go there if he wants to, and he's headed east, going toward Dixie Way. He did turn north. Behind the cow was a guy with a stick driving the cow that way, but he was about 50 feet behind. Then after the guy with the stick, was a pickup truck, full of kids, following the guy following the cow. We had a parade in Scottsmeer. Now, you don't get that in town. You just don't get it. Our first Christmas, the Scottsmeer Volunteer Fire Department came by with Santa Clause on the back of the fire truck. Sirens, everything, there's Santa Claus, our son was maybe 10 at the time, he ran out there so excited. He'd never seen anything like that. The point of all of this, I didn't come as prepared and as knowledgeable as all of these people, because I live there, it's what we wanted. We built our house with our own hands. We put our fences in ourselves, now we can afford to pay to get it done. I can understand the owner of the property wanting to chop it up and sell it for as much money as possible. After all, my family is in real estate, I can understand that. But I can't understand destroying a neighborhood for one person, for one party. And that's what would happen. You would destroy a neighborhood. You would destroy a group of people for one person to make more profit. He can still make profit on his property, at 2.75 acres. He can still make profit, everyone can. We just have to judge how much we want to do to the other guy to get our own. So, I would ask you to think about that when you consider it, because all of these people that came here are here because they value what little they may have, that they built themselves, like we did. More than having 10 neighbors right next door. More than having 10 cars or having a BMW. We just want our privacy, we want our lifestyle, we want our kids to grow up with horses. We have cows in the backyard now, okay. We have been the horse, cow, sheep route, we've done all of that on my property. I'm down to one rooster. When he's gone, he's gone. Okay, he got me yesterday morning. He's gone. But he's too old to stew. I told you I was not as prepared as these people. I just ask you to consider this is what our life is like. This is what we treasure most. And there should be a place for us. Okay? That's all I have to say.

Isnardi: Thank you. Okay. R.C. Kirk, and you have 10 minutes as well, and after R.C., we have Louis Sanders.

R.C. Kirk: R.C. Kirk, 3001 Lionel Road. I'm kind of on the cuff there of Mims and Scottsmeer. I have a daughter that lives on Carter Road, she just moved into her home July 4th, and then I

have a step-son, Ray Merchant, he's on 2 and on-half acres, right there by County Line Road, and he's having a new home built right now. One of the things, I've been in Titusville 57 years, I was born there in '61, and I used to do a lot of work for Mr. Parrish and Mims Citrus. I was in the equipment business, and still am. I used to do a lot of pushing in the groves when they would hedge and top them, and tear out old groves when canker would come along, and where they could replant, and I worked that area. I've seen it under water so bad that we couldn't even work in there, we had to move on to a different area, because the equipment couldn't even move, that's how bad it is, and then, the other thing you... Nancy brought it up about the liability of the roads. I went in that ditch one time with a machine. I know what it's like, and, so you have a real liability there. Like I said, Ron and her pretty much covered a lot of the stuff that I wanted to talk about, but the other thing, too, is just for the common knowledge of, the Volusia County side, just a week ago today, there's a piece of property a little over 200 acres that belonged to Truett Cathy, which is the founder of Chick fil A, they called it the land of milk and honey if you look it up on legal description. He sold it... he died and sold it, the corporation sold it, and the people sold it again last week and it's being fenced for cattle, okay. And then the Bernard/Parrish Grove on the Volusia County side, because Mr. Parrish had stuff everywhere, Edgewater, all the way down to I think West Palm, everywhere. But, basically, you know, there's people spending money and that family that bought that property, paid really good money for that property. They're also looking at 326 more acres to buy in that same area, and it's right over the line, everything they are doing, see Volusia County, you know, not much was happening in their south part, not much was happening in our north part, and everybody was like minded. And I kind of agree with them, you know, if you let this go through, then you've got... you're going to set a new precedence and then here comes everybody else, you know, I live on... well, my daughter lives on Carter, and I'm on... I've got five acres on Lionel, and another thing, you know, that 2.75 acres, the property so low, that they could come in and put a small pond in there and have the State stock it. I did that. Okay, at my place, and I got Tilapia, Bass, all kinds of nice fish. I enjoy fishing. And, because fill dirt's not cheap, it's \$200 a load now, and you know, some of them places, you know, somebody gets ready to build, they are going to have a \$30,000 to \$40,000 fill dirt bill. So, I don't think they're really thinking it through. Also, you've got a man on 10 acres right there that bought 10 acres, put up a 3,000 square foot home, okay, spent his hard-earned money, the place is beautiful, he just had an appraisal done, it is over \$700,000. You come in here with this, he's going to drive down his value, okay, same thing for the ones that's got two and one-half acres. Ray Ray worked hard, and you know, he rolled out of his old house, and he's rolling into a new one, and, you know, you going to drive down the value of his place, so I just want you to think about it, and also, you know, the water issues, if another storm hits, and there's people in this room right now, Roy's son, Mr. Robertson, and Louis Sanders that's coming up here next, you know, they can tell you, they've seen the water in that area. It's deep deep, so, it's just a matter of time, it'll happen again. You know, then like I said, that liability problem of coming down that road, I don't know if any of you all have been up there to see it, but you basically got to get off the side of the road, and let the other person come through. Thank y'all, appreciate it.

Isnardi: Thank you. Okay, Louis, after Louis, we have Barbara Campbell.

Louis Sanders: My name is Louis Sanders, I live at 3510 Sunset Avenue in Scottsmoor. I want to, first of all, take my hat off to all these folks that spoke so eloquently tonight, makes me proud to be a neighbor of theirs. Well, I came to Scottsmoor in 1956, rode the little short bus to Mims and to Titusville, because you know, there wasn't many of us up that way then. But, I'm not against growth, I'm pro-growth 100 percent, I'm a member of the Brevard Economic Development Zone. I'm a disabled veteran, but I don't want to see our community change to the degree that they are asking for us to do it. I'm kind of unsure, I heard someone state it can be one acre, one house per acre, that's kind of news to me. I was on a committee back in the '90s with Truman Scarborough,

Peggy Busacca, when we came up with this plan, you know, to make the land area size two and one half acres, because at that time, orange groves were viable, people were still prospering, the packing houses was still open and stuff, and you know, we all know what happened to that. But to open the flood gates of setting a house one acre a piece, especially east of Dixie Way. East of Dixie Way is always been, that's where the water starts getting salty, quick. But, somebody downhill of an acre lot, with a sewer and a well, somewhere down that line somebody's not going to be drinking that great of water; and the road impact, like some of these folks has mentioned, would be serious. It'd be a big expense. And good news is that they can still develop their property with two and one-half acres, and I don't think you'll have a person resist that, because that's what we're all on is two and one half acres, but now, I had 10 acres and I wanted to cut my son's out for just two and one half acres, well, I went through hell to get it done because my lot required them to have an easement, and man, did they put me through the hoops, and this was not that long ago, but the development across 95, the Miami Corporation, the future of that area is fine for development. They are going to make a huge impact on that area, they done planned their water, they done planned their easements, their conservation areas, and we going to have tons and tons of places for people to buy homes and live, but let little, old, Scottsmeer stay, stay there. Hey, my mother's place is on five lots, but that's what it was at the time we came here in '56, but, you know, seeing that and living there, and knowing how that is, you know, and then there's over the last few years some people have snuck in there, and I guess pressured the powers that be to let them build a house per one lot. You're talking 50 feet-wide, 135 feet long. Now three septic tanks and three wells, we have no city water, we have no sewer at all up that way, so I think the impact that down to an acre would drastically affect a lot of people. Not just that, I want to see neighbors and relatives and stuff coming to Scottsmeer, but let's leave it as rural as we can, realizing that it's just not a good thing for everybody to have, you know, one-acre lots. It's been a pleasure coming before y'all. Miss Rita, I know, the rest I haven't met, but I hope you all will consider that it's just too much of a bad influence on us up that way to re-zone this. Thank you.

Isnardi: Thank you. Ms. Barbara Campbell, and after Barbara, we have Linden Campbell. She has one. You signed up for Item six? Okay.

Bentley: Do you have one to put on the projector?

Barbara Campbell: I do. So...

Bentley: Okay, thank you.

Isnardi: Name and address, please.

Campbell: Barbara Campbell, Fishtail Palm, Cocoa. I am not a next door neighbor, but I am in the same District, and I have basically two points. One is elevation, this is a topo map we are looking at, and if you look real close you can see the five and the 10 foot line. So, this property is between five and 10 feet, some of it less than five feet, that's pretty low. Also...

Lober: Would you like some water?

Campbell: Sure. Thank you. My other point is the proximity to the Lagoon. The edge of, I believe, is about 3,700 feet and it's been pointed out before, that blue line across the top there, is called Ditch Road, I think it really is a ditch, that's why it's blue. So, this is not the place to build additional houses. I, personally, have lived in Brevard most of my life, I have loved the Indian River all of my life, and it breaks my heart what you and I have let happen to it.

Isnardi: Mr. Campbell, can you just hold on one second? Because Commissioner Lober addressed those emails that most of us were copied on, we want to make sure that the applicant has access to those emails. I'm not sure if we would forward those, Ms. Bentley?

Bentley: The Clerk has them, and you may take a look at them any time. Anyone in the audience may.

Isnardi: And you may have even been copied on some of them, but I just want to make sure that you have them available to you, and you could always ask if you need more time. Okay, Mr. Campbell go ahead. You have just one card in, for one item, is that correct? Okay.

Linden Campbell: I was expecting three minutes, so this is better.

Isnardi: Well, you get five in a zoning, so this is better. Name and address, please.

Campbell: Linden Campbell, 5005 Fishtail Palm, Cocoa. I agree with what someone previously said that you all have gotten to know me a little bit, and it's a tough job you all are doing and I appreciate the efforts. And people before me said a great deal of what I had in mind bringing up, and some of them did it better than I probably could, but I'll try and cover a couple things. Most of us are probably familiar with a saying that's attributed to Albert Einstein. The definition of insanity is doing the same thing over and over again and expecting a different result. I've lived in Florida since '55, and I've been fishing in the Lagoon since the early '70s. And the changes have been very disturbing. And development just keeps going, and some have said they are not against development, I'm a little perplexed about that. If we don't somehow get a handle on this, the accountants among us will say its obvious, development builds the tax base, increases revenue, agreed, that's obvious, it does. But there is another expression in economics, it's called externalities. It's the things that can't be readily measured. Some of them were addressed, the quality of life of the individuals in the neighborhood, but the damage to the Lagoon is directly related to the loads, and that was considered by you all a couple weeks ago. Someone pointed big sugar, MacArthur Dairies, Military, a variety of sources. Many try to pass it off on septic tanks, and there is some validity to that, and there have been rules for years on keeping them away from sensitive areas. As my wife pointed out, this is backing up to a ditch and you're going to put a whole bunch of new septic tanks relatively close, even if you go to advanced septic tanks, there is still the problem of the golf course mentality, people move here and they want a palm tree and a golf course. That dumps a whole lot of nutrients and herbicides and pesticides, and it'll go directly into the Lagoon. We got a half cent sales tax imposed, that'll be generating at least tens maybe hundreds of millions of dollars with the target of fixing that problem, but my question is, rather than letting the pig farmer come in and prop his feet on the carpet, don't we need to stop the pig farmer coming in and polluting the carpet? Develop a plan, educate the community, get away from the golf course mentality, go to micro agriculture, and hope people learn how to grow things that will stop the nutrient going in and trashing the Lagoon. Take an action to fix it, to actually long term fix it. Developers put a lot of pressure and the money is hard to resist, and I learned in researching this, I didn't know about Farnton. Three miles away, 59,000 acres, my knees nearly buckled. I lived in the Keys for a period. I saw the Keys 40 years ago, and then 10 years ago, and the changes in the canals from when I was a kid, it was horrible. I could see to the bottom in 30 feet of water when I was a kid, now I can hide my hand by putting it two feet under the water, same canal. They put a moratorium in because they realized that they were losing control. It was running away from them. I don't know if that has to be. Maybe. They stopped building until they could get a handle on it. Titusville, from what I understand last year, dumped several hundred thousand, the year before, over a million gallons, and they weren't the only ones. Somehow this has got to be stopped. The Native Americans, I tried to find the attribution said

"When the last tree is cut, the last river poisoned, the last fish dead, we will discover that we can't eat money."

Isnardi: Thank you. Susan Minch, and after Susan, Roy Roberts. Susan? Not trying to rush you, I just wasn't sure I was loud enough. Also, I wanted to confirm, did you send Commissioner Smith your handout by email? Do you have that as a document? I mean, we can show it at the end, I just wanted him to have that information to review it.

Buchanan: I'd be more than happy to give it to staff and have it scanned and emailed right now.

Bentley: Commissioner Smith, if you are listening?

Smith: I am.

Bentley: We sent you an email if you can access your email, you will have the handout from Mr. Buchanan from April 3.

Isnardi: Oh, okay. Great.

Smith: Yes, I have it.

Bentley: Okay, thank you.

Isnardi: Okay, I just wanted to verify because I wanted him to have enough time to look it over. Alright, sorry Susan. Name and address, please. And you only signed up for one, is that okay? Five minutes?

Susan Minch: Yes.

Isnardi: Okay.

Minch: Hello. My name is Susan Minch, and I live on five acres at 3020 Coral Avenue, in the community of Scottsmoor. Our son and his family live on the next five acres, so we have three generations affected by this possible re-zoning. We live near the Lagoon, east of Dixie Way, and we are less than two miles from the Thomas' property. I will begin by commending Mr. Dane Theodore, the School Board representative on the Planning Board. He voted to deny the request for a higher density on the Thomas property. As he so wisely stated, more homes exacerbate the problems of school overcrowding. His reference was to Pinewood Elementary, the only school we have in the extreme northern end of the County. Last week I met with Mrs. Robinson, the Principal of Pinewood, who confirmed the school is already at 90 percent capacity. The majority of our youngest Scottsmoor children attend this school. Some changes have been made recently, such as adding portables, and restricting out of zoning enrollment. She said five years ago the school had only 350 students, while currently, it has 530. We all know that large, two story homes will attract families with children, not retirees. David Lindaman's report states, Pinewood Elementary is not projected to have enough capacity for the total of projected students from the Thomas Property Development. David Lindaman is manager for facilities, and he stated this in his December 2018 report. Students would have to be sent to a quote, "concurrency service area", such as Mims Elementary or further south. This is unacceptable. Parents have told me they do not want to send their children further south. They do not want to send them north either into Volusia County. As Mr. Minneboo, Planning and Zoning member, seemed to suggest. Home schooling or private schools are just not possible alternatives for many of our young, working

parents. I would like you to note the Scottsmoor Association donates \$1,000 each year to Pinewood Elementary to help them achieve success. It's a gem, as my daughter-in-law says. As a farmer, St. Lucie County School Board Member, I, too, caution you about the change in house density. The overcrowding of a school leads to a number of problems, such as excessive bussing, unhappy parents, and anxious students. The result is a lack of support from the community. St. Lucie County did not plan well for its growth and the school system suffered. You can avoid these happenings. New schools cannot be built overnight, and even though Pinewood is 50 years old, it is Scottsmoor's beloved and only elementary school. As I close, I will add that one of our sons earned his Master's Degree in urban and regional planning in 2007, his thesis was titled "A Plan to Achieve Smart Growth in Scottsmoor". He researched many of the subjects mentioned by previous speakers. It is now 12 years later, and the projected growth is upon us, along with its challenges. As you contemplate your decision, and prepare for smart growth, listen to all the adults here, but please consider your very youngest constituents, too.

Isnardi: Roy Roberts? And after Roy Roberts we will have Rose McGinnis. Hi Roy, I have you down for one card?

Roy Roberts: Yeah.

Isnardi: Okay.

Roberts: Roy Roberts, 3700 Coral Avenue. My family moved there in 1962, so we've been there a pretty long time. We run the citrus grove there that's on Coral. Seen a lot of change, and the grove up there and pastures and all is about 300 acres, so I can tell you there's probably nobody that really believes in land rights any more that I do, and as citrus has gone downhill, I know I may have to sell. I hope not, I'm going to try not to, but it's a possibility that it may very well happen. We've already had to sell some land years ago, and my dad was pretty good at trying to make sure we did what was compatible with the community, and the land he sold, he sold in lots of five acre lots, which pretty well fit the community, and I would hope that I don't have to do that; but I can tell you, I have farmed that area, I know that area, east of Dixie Way is pretty well rock. So, you need to think about that because if we really get started in all this, that rock does not percolate water, it will go right into the Lagoon. It's no way to stop it. You can put all the retention ponds in you want, ain't going to change it and that's almost all of that land along that area is like that. When you get west of Old Dixie, or Dixie Way, you get into the sand and all that, and you know you can do some of that, but, the footprint that Scottsmoor kind of puts on the earth is pretty mild right now. The pollution that we put into the Lagoon is pretty mild, but if we get started on one house per acre, there's a whole lot of people that want to come up and do the same thing, and then it's going to be massive. The pollution going into the Lagoon, you know, we can't stop it. The only way we can stop it is hold our population down, run one house per two and one half, per five acres, whatever, but hold that down. Otherwise we're going to be, we're going to be putting a pretty big footprint in like everybody else, and how much can we take? That's all I have. I think you've heard pretty well everything else, so, I mean it's pretty obvious what the people of the community want and they want to keep it like it is and I would hope that the people of the community would have the right to dictate or decide how that community is going to be. Thank you.

Isnardi: Thank you. Rose McGinnis? After Rose McGinnis we have Glenda Ceballos. Hi Rose, I have one item for you, too.

Rose McGinnis: Yeah.



Isnardi: Five minutes will cover it?

McGinnis: Yes. I was expecting three minutes also, by the way.

Isnardi: That's a regular meeting, but zoning is five. Name and address, please.

McGinnis: Oh, I didn't put one up here. Hold on one second. I also want to thank you all for the job that you do here. It's not easy and I appreciate you spending the time you did with me and other members of our community. I am the previous president of the Scottsmeer Community Association, I live at 3734 Huntington Avenue in Scottsmeer. I handed over this fun duty to my predecessor just a week and a half ago, so I'm here representing the community, but mostly my own, you know, mostly my own views. In February I was notified about a rezoning effort at 6705 Dixie Way, Scottsmeer. I can tell you in my four years, I have never seen such unified decision or viewpoint with my neighbors, ever. It was swift, it was interesting to see, and evidenced by our petition, we were able to collect 1,500 exactly signatures on our petition in opposition of the rezoning efforts on that property. 841 of those signatures have Scottsmeer or Mims addresses, and if you speak to anyone in Mims or Scottsmeer, there is never a consensus on where Scottsmeer ends and Mims starts. It is a very blurry line, so I did include the Google Map there, so you can see kind of the cluster of homes where the signers lived. The testimony in opposition to this rezoning is not personally directed at the Thomas'. They seem like fine people to me. I've spoken with them a handful of times, and the... my impression, from everyone I have spoken with, they do not have a personal issue with the Thomas', they seem like lovely people. They just are concerned citizens trying to protect their rural lifestyle that they enjoy so much, and I enjoy. Many new homes are under construction in Scottsmeer, and currently comply with zoning regulations. There's an obvious market for rural living, I'm not anti-development, I welcome new neighbors building within zoning guidelines. I welcome the Thomas' development to their property under the current zoning. The development proposal before you is just not consistent with the surrounding properties. I am sure it is possible to responsibly develop and market the rural lifestyle without changing and destroying it. A subdivision in that area just doesn't make sense. All of the information regarding salt water intrusion, drainage ditches, run-offs, wildlife, livestock, our basic way of life, you're going to hear quite a bit of that today from people much more knowledgeable than I am on that subject, but I implore you to listen to these testimonies and oppose both Agenda Items presented by the Thomas' based on the beginning sentence of State Florida Statute Chapter 163.3161(4), which states: "It is the intent of this act that local governments have the ability to preserve and enhance present advantages; encourage the most appropriate use of land, water, and resources, consistent with the public interest." Those who are here in person or by signature represent the majority of public interest in Scottsmeer. I haven't had a crash... I've had to take a crash course in navigating the local government in order to protect and preserve my rural lifestyle I cherish. I'm not a professional with years of experience immersed in planning and zoning, but I do, however feel the support of so many neighbors and people I live and talk and commune with daily. So, I ask that you help keep Scottsmeer rural. Thank you.

Isnardi: Thank you. Glenda Ceballos and after Glenda, Bud Link? Hi Glenda, I have you down for one item, is that okay?

Glenda Ceballos: That's fine.

Isnardi: Okay, could you just state your name and address for the record, please?

Ceballos: Yes, my name is Glenda Ceballos, I live at...

Isnardi: Ceballos, I'm sorry I mispronounced it.

Ceballos: That's okay, you were close enough. We live on a small orange grove at 3175 Sunset Avenue in Scottsmeer, and I'm not going to talk about the schools and the water and the traffic and the sewage, you already know all of those issues from all the previous speakers. I'm just going to quickly touch on our lifestyle. We moved here from the West Coast, from Naples, Florida. We had five plus acres there. Then a developer came in, bought the surrounding area and divided it up and sold it in small parcels, most likely what they want to do here, and our little bit of paradise, it turned into an urban sprawl, so we moved to Scottsmeer. We have a small orange grove, which is a natural habitat for the wildlife. We have turkeys, we have sand hill cranes, we have rabbits, tortoises, blue birds, all kinds of birds, and we even have a few oranges, which we sell to the local roadside stands. The strawberries, the watermelons, that's growing out there, the oranges, you can't grow those on small plots. And that's what Florida is famous for. So, we just hope, you know, that we can keep the little bit of a rural atmosphere there. And also, the birds. The birding trail, the National Birding Trail, goes through Scottsmeer. When you get a denser population, you're going to have less birds. We love our birds. I feed them every day. Scottsmeer population, we want to keep more green space there. However, we do welcome growth. We have three houses growing up around us on Sunset Avenue. These people moved here because of the country atmosphere. They wanted to raise their family in a rural area. Are we going to take that away from them? They're all on two and one half, plus acres, so we'd just like to keep it that way, and that's it. Just, thank you for listening, and let's vote to keep Scottsmeer rural.

Isnardi: Thank you. Bud Link, and after Bud we have William Goff. Hi Mr. Link, I have you down for one item, is that correct? You only wanted to speak on the one? Okay.

Bud Link: Yes ma'am.

Isnardi: Name and address, please?

Link: My name is Delbert Link. I live at 5435 Allen Street, Scottsmeer. I'm going to agree with the personal thing, too. You've gotten all these people talking and stuff about all real important stuff, but I moved to Florida, specifically Brevard County, in 1977 from Wisconsin. We had 30 days in a row up there where it doesn't get above zero for the high of the day. That's pretty cold for a long, long time. I didn't quit traveling until I got to Merritt Island. That was back in 1977. I stayed there for two or three years. I got pushed out of there because of development. I moved to Cocoa. I was pretty happy again for another three or four years. I got pushed out of there because of all the urban... the development of the urban properties and stuff, the rural properties, I should say. I moved to my present address 26 years ago, and I moved there because of the people there, and because the zoning, knowing that there's nobody going to be on less than two and one half piece of a parcel of property. I'm totally against this guy wanting to come in there and change that. I love all of the people there, everybody in this room I have the most awesome respect for, I love each and every one of them, except for the applicant. He could be loved, too, if he wants to leave things the way they are. And, in closing, I'm sure all of you would like to visit just a little piece of heaven in your lifetime. If you ever want to do that, you don't have to travel far, all you have to do is come up to Scottsmeer and visit the rural areas of Scottsmeer and you'll be there. Thank you.

Isnardi: Thank you. After William, we have Jared Atkins? And William, I have you down for one, like for item six.

William Goff: That is correct.

Isnardi: Okay. Name and address, please.

Goff: Commissioners, thank you for listening to us. When I spoke before the...

Isnardi: Can you give me your name and address? Sorry.

Goff: William Goff. 3320 Huntington Avenue in Scottsmeer. When I spoke before the Zoning Board, I hadn't talked to anyone at that time at the St. Johns Water Management District. I gave you this fact sheet because the gentleman, Jason Siroy, that I talked to, and I gave you the phone number so you can check the facts, and he informed me on two long phone conversations that I had with him over the last week. The EPA recommended standard for drinking water and chlorides, which is salt, of course, levels may not be higher than 250 milligrams per liter of water. When I spoke before the Zoning Board, I thought we still had a comfortable time before we were going to see any problem associated with that, but he tells me otherwise. When Titusville built their well field, west of Scottsmeer, between us and the Floridan Aquifer Water Supply, they're in the supply line before it gets to us. They built six test wells. The only one that is really outside the well field is number six, which is directly across the road from my house. I'm at the corner of Huntington Avenue and Dixie Way. My well is less than 300 feet from this test well. Both my well and the test well are 55 feet deep. So, I assume with only 100 yards separating my well from his, from Titusville's, my results would mirror this data on the bottom. And, if the EPA's recommended standard for drinking water with chlorides in it is 250 milligrams, we're already at that point. Since they started testing in 2013, that test well has waffled back and forth between the low of 124 milligrams per liter and a high of 317, so there's already been excursions past what the EPA recommends for drinking water. And, it isn't just as simple as being told, "Well, you folks can buy bottled water, and you can drink bottled water, and you can cook in bottled water". But, have you ever tried to wash your clothes in salt water? The detergent doesn't work. The same thing for your dish washer. So, I took a step, one further, and I looked at what would be required to outfit a whole house with a reverse osmosis system. Just to buy the system is \$3,000. Now, you have to find a plumber or somebody to install it if you can't do it yourself. Or, you can go to Culligan, and Culligan will charge you \$34 a month, every month, for the rest of your life, to give you proper potable water for your home. So, it isn't just as simple as drinking water. It's your whole house issue. So, Jason Siroy at St. Johns Water Management District, I asked him a pure and simple question, I said, "Will those numbers go down?" He said, "No", he says, "if you have a normal rate of growth in the area, and you build the six, seven, eight, nine, ten new homes a year, that number is going to inexorably creep upwards, it's not going to go the other way.", and folks, something tells me, that if all of our wells turn to salt, you guys aren't going to call Titusville up and tell them to shut their wells off. Are you? Titusville needs water, too. Why didn't Titusville drill their well fields within the boundaries of Titusville? Because all that water under Titusville is also beyond the standard, due to pumping in the past decades. So, I leave you with one request, refuse this request for a higher density population. Thank you.

Isnardi: Thank you. After Jerrad, we're going to have Tom Minch. Okay, Jerrad, I have you down for one item, too.

Jerrad Atkins: I believe I wrote five and six, both, but on one card, but that's fine, I can do it in five.

Isnardi: You can do it, because you desire to speak on it, I mean because most people have it on there, sometimes we write it down, we help you along, but I'm happy to update your card.

Atkins: I brought a copy also for staff. I don't know if they need one, or if I just need to hand one to you guys?

Isnardi: We can make sure staff has it.

Atkins: Okay, making you guys work for it tonight, huh?

Isnardi: Could you give your name and address, please?

Atkins: Jerrad Atkins. 3000 Sunset Avenue. Good evening and Ahoy! Five and one half years ago my wife and I chose to move to Scottsmeer to live in the country and raise our two boys Chase and Riley. We previously lived in Merritt Island, but we wanted more land and to start a small farm, so we moved to Scottsmeer, one of the few remaining rural areas in Brevard County. We did so, mainly because of the rural nature of the area, and because the AU zoning and the two and one half acre per house minimum requirement. This meant that limited and responsible development would maintain the rural nature of this community. Many folks here this evening chose, or choose, to live in Scottsmeer for the same reason. If you take a look at the map I distributed, you'll note the multitude of large parcels of farm land that surround this property. These, like mine, are small sustainable family farms. It's what drives our community. You will note, also, that the project in question would not be compatible with the surrounding area. The average lot size, within a 2,000 foot radius on the Brevard side is roughly 30 acres. There's a spreadsheet that accompanies that map behind it that shows those calculations. If you only account for the lots in the area between Dixie Way and the Indian River Estuary, that number is even larger. Immediately north in Volusia County, the minimum buildable lot size is 10 acres, and the closest parcel under two acres with similar proximity to the estuary is 1.1 miles away. I will note however, that the same owner owns an "L" shaped plot around the home giving him a contiguous 2.6 acres, so even this could be considered incomparable. I would also like to draw your attention to the photos I provided, they were taken on my property September 2017, after Hurricane Irma. I'm just going to put these up on the screen, too, for Mr. Smith. That would be a before, and an after. Okay? Another after, that would be my driveway. That would be my shed, my dog, our chicken coop, and the interior of my shed. You'd be surprised what floats. As you can see, we already have issues with flooding, resulting from storm surge and from runoff. Further development in this density would continue, even hasten, the worsening effects of this problem for all residents east of Dixie Way. I would also like to address some things that were brought up in the zoning meeting regarding this application, some of which distract from the real issues that surround this application. We're not here to discuss septic systems, that comes after zoning. We are here to discuss the Zoning. We are not here to discuss the BDPs, because those, too, come after zoning. We are here to talk about the zoning. We're not here to discuss the Veteran's Cemetery, these are issues that are out of the scope of this conversation and should stay that way. I was also mentioned... I'm sorry, it was also mentioned, I had to write this because I thought I only had three minutes. It was also mentioned that the agricultural land pollutes more than residential. I would like to point out that these are small, sustainable family farms. These are not feed lots, they're not chicken plants, or big sugar. We have best management practices in place that are County and State recognized by the Department of Agriculture, to ensure sustainability. This is our dirt, we care about it. Finally, I've said it before, and I'll say it again, our roads suck, our water sucks, our internet sucks, we're 20 miles from a Publix, okay, but we put up with all this because we love our rural lifestyle that this community provides. Approving this re-zoning will be the first step in the destruction of that lifestyle that we all hold so dear, and around which we have literally built our lives. We are not against new homes, we welcome new neighbors with open arms, I, myself, was a new neighbor a few short years ago. We're not against development. As a member of this community we shared... I'm sorry, as members of this community we share a desire to help make sure development is responsible, and in keeping with the way of life that we all provide for our families and for one another. So, I ask you to please deny the request for the re-zone. I also, since

I do have a couple more minutes left, I'm just going to hit this real quick, it was brought up in the original packet and stated as such that the largest citrus grower in the area signed a letter for the applicant in their support, and I just wanted to point out that this gentleman, or family, is not the largest citrus grower in the area. He's not the second or the third largest, the first largest citrus grower in the area spoke here tonight in opposition to this, and he and the second and third largest citrus growers in the area, you'll find their name on our petition. So, thank you.

Isnardi: Thank you. Tom Minch? And after Tom, we have Bill DeBusk. I have you written down for one item? Is five minutes enough?

Tom Minch: I had five and six, but that's alright.

Isnardi: Would you like to speak on five and six? I mean, I saw that you crossed it out.

Minch: Five minutes is fine.

Isnardi: I'm going to give you ten, because that's what your intention was.

Minch: I thought maybe after all this testimony we had we'd be cut short anyway, I mean, but...

Isnardi: You don't need to talk for 10, I just want to give you...

Minch: I'm going to repeat a lot of things, but since I wrote this out...

Isnardi: I'm just trying to be fair and give you the option.

Minch: That's fine.

Isnardi: Name and address, please?

Minch: My name is Tom Minch, and I live at 3020 Coral Ave, Mims/Scottsmoor, Florida, along with my wife, Susan, two miles from the subject property. In my opinion, everyone here in this chamber is trying to resolve an issue that was created when the Mims Small Area Study was done and completed. Unfortunately, at that time, it appears the Scottsmoor community did not participate in this process and the planners did not have a complete understanding of the Scottsmoor area. That is easy to see why there was a misunderstanding, we have two addresses, Mims and Scottsmoor, a community within a community, very confusing. When the Mims study was done, it overlapped into the Scottsmoor area and without the input of the Scottsmoor area, we have a Future Land use Map that does not ensure compatible land use for that area. A new small study for the Scottsmoor area needs to be considered with the participation of the Scottsmoor community residents. To rezone this subject property, using the Future Land Use Map, would make it non-conforming to the surrounding area. It could set a precedent and open up flood gates for more rezoning in our area. As noted in the definition in the Future Land Use Map, a property designated in that Map, does not require that the rezoning has to be applied now, five years from now, or ever, if not approved by the local government. Public input, knowledge of the surrounding area, and any impact the change could cause must be considered before any approval is granted. We are not opposed to growth, but it is very important to control it so that we don't destroy our environment and quality of life. In my former years, I was a commercial loan officer in a bank, and helped with financing for many new developments and establishments. When analyzing a new development, not only were financial perspectives reviewed, but so were the environmental aspects. Water sources and sewage treatments were always major issues.

This leads me to the potable water. Our water quality is not the best in the area as you've already heard. My wife and I experienced this the hard way. When we built our new home in 2015, our new water system worked okay for the first year, but the following year, we experienced a major drought and our water system turned salty. Salty showers, salty laundry stains, etcetera, etcetera, salt water intrusion. After several attempts to find good fresh water to no avail, two water contractors told us we only had two options, one, to buy water from an outside source and truck it in to a large storage tank, or two, to put in a whole house reverse osmosis system. We chose the second option, which, obviously was very expensive. Other residents have experienced their wells drying up, or having the same experience we had with salt water intrusion. Thus, the more wells drilled in our area, the more danger is being imposed on our fragile aquifer. Salt water intrusion is a reality. Greater Scottsmeer area lies east of US1, and adjacent to the Lagoon. Thus, we all need to work together to preserve this beautiful area, not only for ourselves, but for future generations. The rezoning, in my opinion, could have a negative impact. Thank you.

Isnardi: Thank you. Bill DeBusk, and after Bill DeBusk, Becky Funk. Did you only sign up for one, I mean that's what I have. Five is enough?

Bill DeBusk: Yeah, that's all I got time for.

Isnardi: Name and address?

DeBusk: My name is Bill DeBusk. I live in West Melbourne, Florida. I'm here today representing the Turtle Coast Sierra Club of Brevard and Indian River County. We're asking you to say no to this zoning request in front of you today, because this zoning request will infest a robust rural community with a cancer-like urban sprawl. The Scottsmeer area is really not appropriate for the zoning being requested today. This area is surrounded by environmentally sensitive lands, and rural agricultural landscape. Scottsmeer is actually one of the last rural, agricultural areas in close proximity to our Indian River Lagoon. Immediately to the north is Volusia County, which restricts zoning to no more than one house per 10 acres. The local road system in Scottsmeer is made up mostly of dirt roads that are very narrow and narrow roads that are very minimally paved. This road system was really not designed for an urban environment. Existing zoning area of Scottsmeer, the way it's zoned now, enables habitat for wild animals, creates a buffer to the Indian River Lagoon, and enables corridors for wild animals to travel between these native areas. The rezoning request is urban sprawl, and in accordance with Florida Statutes 163.3162, says this rezoning request is not consistent with uses and intensities of the residential areas that surround this parcel. Florida Statutes 163.3177, also requires the Future Land Use plans discourage urban sprawl and preserve rural agricultural lands, and it does this because rural agricultural lands provide this critical buffer between developed land and natural lands, and because it provides water recharge and storage areas, protects valuable ecosystems and open spaces, and maintains the viability of agriculture. In contrast, urban sprawl destroys wildlife habitat, introduces invasive plants and animals, increases the risk of water pollution, increases flooding risk, reduces groundwater for wells, and increases risks to life and property from wildfires. If this property in this rural area is rezoned to one house per acre, then more requests will follow, and these requests will point to this action tonight as precedence. This one rezoning will likely lead to an avalanche of sprawl and the end, potentially, of Scottsmeer as we know it. Now, tonight, is the time to act to prevent this future Broward/Dade County-like sprawl and its unique and precious community of Brevard County. So, please vote to reject this request. Thank you for your time.

Isnardi: Thank you. After Becky, we're going to have Kristi Floyd.

Becky Funk: Good evening. My name is Becky Funk. I live at 5620 US Highway 1 in Scottsmoor, and I am opposed to this rezoning. I moved to the Scottsmoor area for the rural lifestyle, for the wildlife, and the Indian River Lagoon. I grew up in Florida, and I lived on the south end of the Indian River Lagoon, near Jupiter, in Stuart, and I do not want the Scottsmoor area to become the same area that that area has become. The Lagoon is the biggest asset Brevard County has, and the voters of Brevard County smartly voted for that tax to be increased, which is unheard of, nobody votes for more tax, because they know that is the most important asset this County has. We have wildlife, and birds, and other mammals that depend on that Lagoon, and we need that Lagoon. It brings a lot of money into the area, and if we continue to irresponsibly let development overshadow that, then it's going to be gone and you're not going to get it back. It's going to be the same thing as the trouble they have had with the Everglades, so please reject this application.

Isnardi: After Kristi we're going to have Alyssa Atkins.

Kristi Floyd: Good evening. My name is Kristi Floyd. I reside at 6720 Dixie Way in Scottsmoor, Florida. My husband and I recently purchased two and one half acres from my mother and father who also reside at 6710 Dixie Way, and built our home that we currently reside in. Both of our properties together add up to 10 acres. Mr. and Mrs. Thomas also known to me as Nikki and Brandon have been great friends and neighbors, however I have to oppose to both Agenda Items concerning their property. Where our home sits, we face the Thomas's property. We moved to Scottsmoor to live a rural life to allow our children to grow up in what country we have left in Brevard County. My kids enjoy hunting, fishing, and raising livestock; our community feels safe; we look out for our neighbors; and we've all abided by what I thought was homes be built on two and one half acres, not one acre lots. Do I, my husband, or my children want to look at a subdivision from our front yard? Absolutely not. I think of the traffic that this will bring in and out, the safety of my children, not to mention the overcrowding of our schools in Brevard County. After this is all done and said, I ask you please, please, please to keep Scottsmoor rural. I also want to throw in that we just recently had to purchase a \$6,000 water system because of the water quality that we have, and after a month of having our system, the gentleman came out to change our filter, and there was so much sand in the filter that he couldn't even get it loose. And when he came out to test our water, he told us don't let the kids drink the water, don't let the kids even have the ice cubes that are coming out of our refrigerator, so our water's already horrible. I just ask you to please, please just keep us rural. Thank you.

Isnardi: Thanks. Alyssa? And after Alyssa, Cheryl Barnes. Alyssa, it looks like you had something and then you crossed it out. Did you want to speak on both five and six? Just one, okay. These pictures are nice enough to frame. Usually we get them printed out on regular paper.

Alyssa Atkins: My name's Alyssa Atkins. I live at 3000 Sunset Avenue, Scottsmoor. I was born and raised right here in Brevard County. Growing up, I roamed family owned orange groves, and swam in the Lagoon on the weekends every summer. While we grew in the suburbs, me and my husband started our family, we decided we wanted something different for our two boys. We looked at acreage all over Central Florida, and when we found this property, which was still in Brevard, close to friends and family, but nestled way back amongst the scrub palms and dirt roads, we knew this was our forever home. In the five and one half years we have been here, we've worked the land here, we've put in fencing, clearing for a small sustainable cattle ranch, raising nearly every form of livestock you can think of at one point or another, and learning everything there is to know as we went. I've home schooled our two boys full-time from pre-school, they're now eight and 10. The agricultural way of our life helps me do this because there's countless educational connections on the farm. We wanted our boys to grow up at a slower country pace, connected with the land, the animals, the wildlife, have the space to run, ditch the

screen time, and have the safety of a small town where generally everyone looks out for one another. I'm also heavily involved in the homeschool community in North Brevard, and I always open our farm to touring by our homeschool coop friends whenever possible. It's very rare this day and age for children to know someone with a working family farm operation. When the children and their parents come together, my boys and I teach them about the farm. We teach them everything we can fit into the allotted time, and let them have as an immersive experience as possible. They collect the eggs, they feed the chickens, they milk goats, they sit on the tractors, and learn about animal nutrition. Most importantly, they learn the value of agriculture within a community, and the character it adds to the County. As stated in the Mims Small Area Study in March of 2007, page six, last paragraph, I quote: "It is important to recall and acknowledge that the areas farming heritage is a significant aspect of community character today", and I still believe this to be absolutely true. We're not a part of this areas heritage, since we've only been farmers for five and one half years, but our plan is and has been to continue this legacy for future generations right where we are. We're not alone. More and more younger families are understanding the value of the agricultural way of life, knowing where your food comes from and growing it responsibly, so as to preserve the natural landscape and resources as much as possible. As referenced in Florida Statute 163.3163(2), there are major concerns about the impact of development of residential lands neighboring agricultural lands, and that it may lead to them being urban, suburban, or have no agricultural use at all. If this proposed zoning change is approved, it will thrust our area into a cycle of development, and we will eventually lose the rural nature of our town, and see yet again, inconsistent development overshadow and dismantle a small tight nit rural community. Please stand with us with the majority of this community and deny this zoning change. Thank you.

Isnardi: Thank you. Cheryl Barnes, and after Cheryl, we have Laurilee Thompson. Hi Cheryl, I have you down for one.

Cheryl Barnes: That's correct.

Isnardi: Okay.

Barnes: Good evening members of the Commission, my name is Cheryl Ann Barnes and I live at 3800 Sams Lane, Scottsmoor. Our property is approximately 130 feet from this proposed development, making us one of the impacted families notified by the County. Section 62-1151(c)(1) of the Code of Ordinances of Brevard County directs: "The character of the land uses of the property surrounding the property being considered" as the first factor for consideration of the denial or approval of an application for amendment to the official zoning map. There are two elements that contribute to the character of the land surrounding this proposed development that I ask you to consider. As noted in my previous statements to the Planning and Zoning Board, 40 acres of our property was placed into a conservation easement with Brevard County in 2005. This places our property approximately one-tenth of a mile south of a portion of Merritt Island National Wildlife Refuge, and three-tenths of a mile north of another portion of the refuge. We are also within four-tenths of a mile from land which is included within the boundaries of the Indian River Lagoon/Blueway Florida Forever Project. Including our easement, this places conservation lands on all four sides of the proposed rezoning, but more importantly, it is the second element, the rural quality of the land that contributes to the character of the land surrounding this proposed subdivision. There were five properties within the 500 feet of the proposed rezoning that were notified by the County. Of the five properties notified, four have homes built on them and we are all permanent residents of Scottsmoor who adamantly oppose this action. If you include the Thomas' home on the acreage notified by the County of the rezoning proposal, that makes a total of five homes. If this subdivision request is approved of 14 homes, this quadruples the number of



homes in just the notification area. It surely defies any sort of logic to imply this rezoning and increase in homes will not affect the character of the land surrounding it, both the environmental impacts and the impact to the neighbors as referenced by Section 62-1151 of the Brevard County Code of Ordinances. I ask you to consider our community of Scottsmeer as a whole when you consider the impacts this will have on us. I repeat my concluding statement at the Planning and Zoning meetings to make this point. Although Scottsmeer is dotted with conservation lands, which contribute to the rural environment, it is in truth the majority of Scottsmeer residents, the citrus growers, the cattlemen, the horse farms, beekeepers, and the homeowners on their agricultural parcels and family farms that are the backbone of Scottsmeer. We are not anti-development in Scottsmeer, and welcome our neighbors joining us in our rural lifestyle with the residential density of two and a half acres per home. I am asking to consider the impact this subdivision would have on the continuity of the conservation properties and initiatives in northeast Brevard and on the residents of the area. Thank you.

Isnardi: Thank you. Laurilee, I have you down for five and six, and after Laurilee, David Botto?

Laurilee Thompson: Laurilee Thompson, 3550 Irwin Avenue, Mims, Florida. I worked on the Mims Small Area Study, and we worked really hard on it, and there were hundreds of people that were involved in it. But our strategy with the Mims Small Area Study was to have the higher density closer to US1; US1 runs along the Atlantic Coastal Ridge; its sandy there, the rainwater percolates down into the sand and, you know, it's conducive to higher density; and then as you go... left US1 and start going east, then the pieces of property got larger and larger the closer you got to the Indian River Lagoon. We didn't change anybody's existing zoning, we left the existing zoning that was in place. But then the zoning... the rest of it was changed to AU, and that was to protect the Lagoon. Other than a little clump of properties that's on north of Lionell Road, between Lionell and Carter, and then another little clump, five or six properties that are along Aurantia Road, and then there's one... I couldn't figure it out on the map because it has very strange zigzag lines around it at the corner of Huntington and Dixie Way. There could be... that's probably the home that's within one mile that has an RR-1 zoning, but those are the only properties from the Titusville City Limits to the County Line, there's less than 12 properties that are zoned RR-1 east of Dixie Way and Hammock Road. And, there's a reason for that; the man that showed you the pictures of his pasture and his chicken coop and it looked like the ocean around it, that was the river. That's what happened after Irma; think about how the river is; this is the northern end of the river and it stops, like down by Cocoa the river can move, it can move north or south, but up in Scottsmeer, in the north end of the County, when the wind blows south, at 100 miles an hour during a hurricane, and it pushes all the water to the north, that water has nowhere to go except out. So, it wrecked the berms on the wildlife refuge and flooded into the impounds, and it came through the culverts underneath the railroad track, and it flooded the north end of the County. From the ridge to the river was solid water, it was salt water, it was storm surge from that hurricane; and it's going to happen again. The river keeps getting higher every year; I can tell you that; I grew up on the river; and the water level keeps getting higher in the river. So, you know, you heard all the testimony from the people who want to preserve their rural lifestyle and all that; you've heard the strategy of the Mims Small Area Study; absolutely, the people of Scottsmeer ought to have this same opportunity that the Mims people had to be able to define their community. And one of the things about the Mims Small Area Study is it was about choices, we want to have... people want to have choices; people that want to have horses, they want to have a place where they can go where they have that kind of lifestyle. And so, that's what the small area studies do, they preserve communities, and they give people choices. So, putting a subdivision in the middle of this agricultural community is a mistake, it would set a horrible precedence, and once you do it in one place, then all of the property owners that touch it, they're going to feel like they should have the same opportunity and it spreads like they said, like a cancer.

So, I want to remind you that, you know, you have all kinds of ammunition for denying this... these two requests in your own Administrative Policies. You have Administrative Policies of the Future Land Use Element, so Administrative Policy Three talks about compatibility with the existing and proposed land uses, and it talks about whether the changes are consistent with merging or existing patterns of development. Historical land use patterns, it's all agricultural. The actual development over the preceding three years, there has been no development, other than one house per two and one half acres, or five acres, or ten acres, over the last three years, or development approved within the last three years, but not yet constructed. Again, there's nothing less than one house per two and one half acres that's been approved for development. Character of the neighborhood of the area, in Administrative Policy Number Four, that needs to be considered, you have concurrency issues. Pinewood Elementary is almost at maximum, I don't think the School Board is going to build another school in North Brevard County, and it's not fair to those kids to get bussed out of their area because their school's full. You have road problems, this is not a transitional area; like, if you are closer to US1, you are in a transitional area, where you go from four houses an acre to two houses an acre, to one house and acre, then you get to one house per two and one half acres as you go east. That's the transition; sticking a bunch of houses on one acre in the middle of agricultural, is not transitioning. You have coastal management elements and conservations elements in Administration Policy Six, and then administration policy eight, these are all dealing with land use. It talks about the character of the land use of the properties surrounding the property being considered, and compatibility. So, then, and then you go into the zoning, you also have guidelines for zoning, that talk about character of the land, again, the character of the land use of the properties surrounding the property that is being considered. All of the land that's surrounded is zoned AU and conservation on the north. And then, it talks about the compatibility of the proposed zoning classification with existing land use plans for the affected area. I don't know how that land use, on house per acre got in there. I think Ron Bartcher explained it, it was an administrative change that was done, but it makes no sense. So, for that part of the County, the northern part of the County, you should keep the larger lots at least east of Dixie Way, and please deny these two requests because it will change the whole character of the north end of Brevard County. Thank you.

Isnardi: Thank you. And last is David Botto. I hope I said your last name correctly. You signed up for one item?

David Botto: Can I have two?

Isnardi: You can, only because we're allowing it, and we are hearing both items now, and I'm sure you didn't know that when you signed your card. Can you say your name and address and I'll find out if I said anything incorrectly?

Botto: David Botto. 275 Poinciana Drive, Indian Harbor Beach. I've been in Brevard since '68. I was born over in Bradenton and raised there. I'm a volunteer director on the Board of Directors of the Marine Resources Council. We sent you a letter on this subject last week, which I'm sure you've seen. I'm going to try to take a little broader perspective here. We all know that the root cause of our problem with the Lagoon is the bad management of development over the past three decades, and I say bad sincerely. Bad decisions as far as land use strategies, bad decisions as far as development goes. We have now this "Save the Lagoon" program where we're going to spend hundreds of millions in ten years to correct, repair, and restore from the results of those three decades of bad management. That is a... something that they can do, and I think we will do, but the thing is, the Save the Lagoon Plan does not address the root cause, the bad development decisions. That falls on you and your counterparts in our cities. We believe that we have shown clearly that the long-term continuing health of the Lagoon is a high priority for us, all of us. We

trust that it is also a high priority for you. We believe that today's development regulations, codes, and requirements, that means that when you're faced with a decision like today's, your first question should be, if this is approved, will it have a negative impact on the Lagoon. If the answer is yes, discussion's over, no-brainer. Thank you, we're sorry we cannot approve your request at this time. If we aren't doing that, then we're wasting our time with the Save The Lagoon Plan, because we'll be continuing to put even more polluted freshwater into the Lagoon while we're trying to treat it for the results already there. We think this particular property is a good example. This is adjacent to the Florida Blueways Project, which is a plan to preserve habitat down the whole west side of the Lagoon to protect wildlife. Of course, the most important habitat in the entire part of this State is the Indian River Lagoon, and it's also the most endangered, so this is an important project. Brevard is through its EEL Program, a partner in this project with Florida Forever. It hasn't gone very far, because neither one of these efforts have been well funded for the past eight years, but it is a good, worthwhile project. This land is considered a buffer, and it has been a target of conservation by Florida Forever and EELs for that matter for a very long time; this whole area is considered conservation targets. It is recharge, the soil characteristic is one that will absorb, store, and percolate water to the aquifer, which means it doesn't run off. This land also drains what run off there is directly into the Lagoon. No water treatment, no nothing, just directly into the Lagoon. This is conservation land. It should not be developed at this density. If you compare what current zoning development would mean to what changed development would mean, it would more than double the polluted runoff into the Lagoon, more than double. Almost two and one half times. The cost of cleaning that added pollution, excuse me, that added pollution, far outweighs any benefit Brevard is going to see from this development if you approve this request. We are asking, respectfully, that you don't approve this request. If I could add a little bit more, as we said in our letter, we believe that what's need now is that this Commission and your counterparts in the cities adopt what's called the low impact development program that is being pushed by both EPA and Florida DEP. This is a very good, very well thought out, and very successful program for development. The items are given, execution is explained, it's very well done. There's also a recommendation from the East Central Florida Resiliency Council on Climate Change that has also some good ideas in it. We strongly suggest that you have your staff review this program and adopt it. It can be tailored to meet our requirements, but it is a very important way considering the staggering population growth that we've just seen from the University of Florida for Brevard County. We need to do this and we need to do it quickly. Thank you for your time.

Isnardi: Commissioner Lober, do you have a question for him?

Lober: No, question for staff.

Isnardi: Okay. That's it for the cards, unless we missed somebody, I don't believe we have, I think we got them all.

Lober: I do have a question for staff and a couple comments if you'll allow?

Isnardi: Yeah, but I think we need... I want to make sure you have all the materials that were submitted to us because there were several, and rather than one or two pieces of paper, I've got a stack here, and I want you to have a chance to review it, if that's possible? And I want to verify that Curt Smith has all the materials and that he's seen all of the materials as well, and that will give you a chance to collect your response, if that's acceptable to the Board?

Lober: In the meanwhile, can I just pose the one question to staff? Okay, just a question for you, Ms. Bentley. I tried to give you the heads up by eyeballing you over there. Is the impact on the

Lagoon a lawful consideration with respect to either Items five or six, H.5. and H.6., and if so, to what degree can we consider that?

Bentley: It's just one of many considerations, the Administrative Policies that are in your package are the primary considerations, the character of the area.

Lober: Thank you.

Isnardi: Alright, so we are going to break for 10 minutes if that's okay with everybody, and I'm going to make sure you've got all the documents that we received, okay?

(Board recessed at 7:23 and reconvened at 7:37.)

Isnardi: Okay, we are going to call this meeting back to order. Before we go back to the applicant, or the Representative for the Applicant, I just wanted to verify whether or not the Commission had any questions for anybody that spoke during public comment and offered their testimony. I'll take that as a no. Mr. Buchanan, you have like, a lot of time, because...

Buchanan: Thank you. Stuart Buchanan, again, my working address is PO Box 1545, Titusville, Florida 32781. I know you've been here a very long time Commissioners, so I'm going to be brief. There are a few items I need to address, just for the public record. One of the items is, and I needed to state this just for clarification, for future minutes. Previously, the County went through what was called the Evaluation of Paid Appraisal Process for the Comprehensive Plan. We do this every seven years. Not the current one that you are going through now, adoption, but the prior one was prepared by myself, as your comprehensive planner. As part of that, we had to prepare what was called a Green House Gasses map, which showed all of the property that had been purchased for conservation. What we found was, that 49 percent of unincorporated Brevard had been taken off the tax rolls and placed in the conservation. We deliberately took out Federally owned properties. 49 percent does not include Patrick Air Force Base, it does not include Kennedy Space Center, we took those out because the Federal Government pays what's called impact. It's part of the Federal Impact Act, so they pay us impact fees in lieu of taxes. If any member of the public would like to verify this, they would simply contact the County GIS section. They can give them all the numbers and acreage. But, just for the record, it does not include job/employment centers that are Federal properties. The Farmton was discussed, Farmton is 11,000 acres, in many ways, Farmton is misunderstood. Farmton did not receive a single increase in density as part of that process. The Farmton density in Brevard County is what it was for the last 30 years, all we did, we didn't give them one dwelling over, we simply clustered it and put 80 percent under conservation easement. Volusia County is a completely different story. Just for the residents to have some piece of mind of that 11,000 acres in Brevard County did not receive a single extra dwelling unit beyond what the Future Land Use Map already allowed. Volusia County access to this site is actually provided by a Volusia County public road, you all have a letter from Volusia County Public Works in the record. We have already met with Volusia County Public Works, and we have agreed to do whatever improvements they ask us to do to that road. One of the very eloquent speakers talked about the wildlife on and around his house and his lot, which all of us can greatly appreciate, I would encourage the County Commissioners to look at the Brevard County Property Appraiser's site, Tax Account 2004953, it is in fact a 1.2 acre lot. The P&Z Board is made up of appointees from this Commission. Many of them are professionals, there's an architect, a civil engineer, there is a general contractor, they are professionals in the community that this Commission appointed to sit on the P&Z Board. One of the things the P&Z Board members were in agreement on is that the runoff from an active citrus grove, the impact to the Lagoon, is much higher than single family residential homes. The runoff from the citrus groves

when they're active, is much higher than single family residential homes. I would encourage you to look at the minutes from the P&Z meeting, where the professionals you appointed, sitting on the board had that discussion. The abutting neighbor to this property, to the south and the east, is in support. You have a letter in your packet, he is the abutting neighbor to both the south and the east. There was talk about the 2007 Mims Small Area Study, I was not on the County's staff at the time, I was hired by a group of Mims residents who wanted to be taken out of the study. I was successful in getting them removed from the study area. The County Commission, and rightfully so, chose to follow their request, and so they were, in fact, taken out of the study. Interestingly enough, from that, two months later after I appeared before the Brevard County LPA, I was hired from 2008 to 2015. I prepared all your small area studies. I did several of them for you, including Central Mainland, where we took 14,000 dwelling units off the map of the one study. So, I am very familiar with small area studies, if you have any questions about those, I know people have asked about them, but I would be happy to address them for you when I am finished in just a moment. Board of County Commissioners has had this property, the 16 acres, has been designated on the Future Land Use Map as one unit per acre for 30 years. It has been on file in Tallahassee for one unit per acre on the Future Land Use Map for 30 years. It was given AU zoning because at the time that the zoning map was adopted, it was an active citrus grove, as were the surrounding properties. They are no longer active... this property is no longer an active citrus grove, it has not been for years. This rezoning request is only allowed because the Future Land Use Map is Res. 1. If it wasn't Residential One, we couldn't come in here and ask you for the rural residential zoning district. RR-1 is compatible, it is, in fact, designed to go under residential one. If you were to consult the Comprehensive Plan, Land Development Regulations, you would see that in your compatibility matrix. I would ask that the Commission may wish to ask the County Attorney's Office, we agreed at the Planning and Zoning Board to enter into a binding development plan limiting it to 14 lots, 14 units. I believe the BDP is, in fact, part of this process, that we would have to execute that and honor our commitment for the P&Z meeting. What we're asking to do is to create a 14 lot subdivision for 14 new families and in their own area. As I have stated before, the agricultural use has been defunct for years on this property and finally I would encourage you to consult with the County Attorney's Office on any questions you would have concerning what the process would be should the request be denied. I'll be happy to answer any questions that you have.

Isnardi: I have a couple lights on, but I'm not sure if that's for discussion afterwards or does anybody have any questions for the applicant?

Lober: It's for discussion afterwards.

Isnardi: Okay. Thank you. Alright, with that we'll close the public hearing. Commissioner Pritchett?

Pritchett: Thank you Madam Chair. We have spent a lot of time studying this out, and I am pro-growth, and I'm always looking for new opportunities to bring new housing into the area. But, with all that said, the personality of this property up here, it really is rural, and it is really is agricultural. I've been up there a lot, and you guys have a great love for your property and your homes, and I have to say this, too, every person I've met with in the community, they really like you guys a lot and, so I really appreciate the kindness of people you are. You definitely fit into the Scottsmeer area, and I want to say thank you too, as I'm doing this, I'm really proud of my community, you guys have come out really kindly and stated your causes, and I am really blessed to be your Commissioner, and I want to thank you for how you brought your opinions tonight. I think your pretty cool. This property... here's my concern, and I don't know what's been put in there 30 years ago, but trying to get the personality of it now and what's going on around it, it really is agricultural, and there is problems with water. I hear from you guys all the time. You're getting a lot of salt in

your water and trying to figure out how to help you guys fix this, and I don't know how to help you guys fix this. I don't know how to so it other than you spending \$6,000 right now getting new water systems, and I probably weekly have you guys call me up and fuss about your roads, so you're right on that one, sir. I'm not going to use the word you used, but I think with that and the infrastructure situation in the Scottsmeer area, and I know you've got all that going on, but you really do have a wonderful community and you're wonderful people, and I'm glad you get to live there and enjoy it. Increasing the septic tank three to one, I think is going to be tough also, I think there is a lot of rock out there, and I am concerned about how that's... that would happen. It's just, it's just a whole another world out there in Scottsmeer. There's a lot of conservation land, and I think it's there for a reason, so I'm not going to support this tonight. And not that I didn't really spend some time trying to see what's going to work. We really spent the time on this in our office, but I really don't think it's a good fit trying to make this more dense at this time. Who knows, maybe in 20 years if, you know, the growth comes from the north and all the infrastructure's there, I don't know but right now I just don't think it's good for this property. I don't think it's good for the Lagoon, and I'm really concerned about the water situation as it is right now in the Scottsmeer area, so Madam Chair, after we get done with this discussion, I would like to make a motion to deny number five and number six.

Lober: And I'll second for discussion as well.

Isnardi: Okay, I have a motion by Commissioner Pritchett, second by Commissioner Lober, and your light is on?

Bentley: Excuse me, are these going to be separate motions? One for the Comp Plan...

Pritchett: Yes ma'am.

Lober: The second will stand.

Isnardi: Okay.

Lober: A few thoughts if I may?

Isnardi: Okay.

Lober: So, first off, I think everyone, including the applicant, did a great job in terms of making their positions known. The only thing I don't like, and I think I've pointed this out every single time it's come up with any item, are these threats of litigation. Doesn't really win me over, so the veiled threat of what would happen if the application is denied, I'm not concerned about that. I'm concerned more about what lawful criteria we have to evaluate in determining on whether to grant or to deny a particular application, and I can't tell you how thankful I am that our D-1 Commissioner has the position she has, because this was one that was one that was troubling me. I have, with one exception that comes to mind, I believe always, with respect to a rezoning, deferred to the Commissioner in whose District the projects fall in. I was really worried, because this was one I was pretty strongly opposed to based on everything I'd heard at the outset. I was really worried if the D-1 Commissioner was in favor of this, I might have to break that tradition of going along with what folks know based on their expertise living and working in a particular district. I'm thankful that's not the case. When I was looking at this, and bear with me if any of this is repetitious, the items that I'm concerned about in evaluating this, apart from what the individual District's Commissioner thinks, are the actual Administrative Policies that we're supposed to, and we ought to follow in determining whether to grant or deny something like this. So, Laurilee Thompson

touched on some of these. I'm going to touch on some that she mentioned on, and some others as well, but our Administrative Policies dealing with Future Land Use, Policy three, talks about the compatibility of existing or proposed land use and the pertinent part, sub C, on that, talks about whether the proposed use or uses is or are consistent with an emerging or existing pattern of surrounding development; and I think it simply is just not. As far as Admin Policy Four, which is out of the same set of paperwork and out of the same document, talks about the character of a neighborhood, it says: "the character of the neighborhood or area should be a factor for consideration whenever 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." I don't think it fits with that. Admin Policy five, the pertinent parts, there are three out of a slew of quite a few more, it talks about whether the physical qualities of the existing road system that will serve the proposed use or uses as sufficient to proposed the use or uses without significant deterioration. It talks about whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use or uses without the need for substantial public improvements, and it talks about whether the surrounding and existing road system is of such width and constructions quality that proposed use or uses would realistically pose a potential for material danger to public safety in the surrounding area, and I know we've heard the nearest road has been made of, or is made of millings, and the pavement condition is somewhat poor, and I know I've heard it before, and I've heard it again today that two cars can't drive past one another without one having to pull over, so I have concerns with respect to that Admin Policy as well, at least the pertinent parts that I just mentioned. Admin Policy Seven talks about having significant adverse and unmitigatable impact on nearby water bodies. It talks about significant natural wetlands, water bodies, or habitat for listed species. I've got concerns with respect to that as well, and I believe Laurilee may have touched on this as well, but we also have factors to consider with respect to a zoning request they've set out in our municipal code or County Code, Section 62-1151, Sub C, some of the items that are pertinent at least in my view are, the character of the land use of the property surrounding the property being considered, it's rural. There's really no Res. 1 anywhere nearby and, in fact, the applicant mentioned to go to the Property Appraiser and plug in 2004953 to find one that was under Res. 2.5, and even that's not a Res.1, it's well over one acre. It looks like at least for this particular parcel, at least my quick review of that. Going on, it talks about in the same document factors to consider for rezoning requests, pursuant to that 62-1151, Sub C, talks about the impact of the proposed zoning classification on water and sewer systems. There are none. That's a problem. The other thing that occurred, and that was mentioned today, was the potential of having salt intrusion, at least it was alluded to in the wells. With some of the wells, at least one of the test wells testing over the EPA suggested safe drinking limits. That's a concern to me, that if we're going to continue to wick that down, we are going to go even beyond where that's at at this point. I'm also concerned, and it was mentioned previously, I don't know that it came up in this meeting about wells maybe even running dry, depending on how much development occurs in that area. Another item that's in that set of factors to consider out of 62-1151, talks about the compatibility with the existing land use plans, it just doesn't seem to fit it. So, for those reasons, and thankfully because the District One Commissioner has the position she has, I'm happy to second this, and, you know, I don't begrudge the applicant by any means for trying to do this. I think it's something that everyone has to make and individual decision. The gentleman that said he that he would love him if he didn't have this request, you may want to love him anyway, I mean it doesn't seem to be a malicious request, but I just don't see it as being compatible.

Isnardi: Okay, since Commissioner Smith can't press his light, did you have anything you wanted to add Commissioner Smith?

Smith: No, I pretty much agree with everything that the two Commissioners that have spoken already.

Isnardi: Commissioner Tobia? You're good? Okay. And, without sounding like a broken record, it was something that, you know, I weighed... it weighed heavy on me as well, and if everything around it was smaller than two and one half acres, it may be something I look hard at. But, again, you know, of course Mr. Lober said it a little bit more eloquently than me, but, the main issue is compatibility, and it's not compatible with the surrounding area. And the lack of utilities and the lack of infrastructure, there's... the infrastructure barely supports the few people that it has now. I mean, I hear about that road and it's a joke how you have to pull over, you really do have to pull over. I mean there's, because if you have a big vehicle, and you're trying to drive down that road, so, I don't think it's compatible, I don't think the infrastructure is there to... for this kind of development. I would encourage you to look at the two and one half acres, I think that is the reasonable compromise, because most properties in that area are much larger than that, so I won't be supporting this tonight, either.

Lober: Call the question?

Isnardi: Yep. Do we need separate motions?

Bentley: Yes, please.

Isnardi: So, do you want to restate?

Pritchett: I make a motion to deny Item H.5.

Lober: Second.

Isnardi: I have a motion by Commissioner Pritchett for denial, second by Commissioner Lober. All those in favor of denial say aye.

All: Aye.

Isnardi: Any opposed? Motion is denied unanimously.

Pritchett: I make a motion to deny Item H.6.

Lober: Second.

Isnardi: Motion by Commissioner Pritchett, second by Commissioner Lober for denial. All those in favor of denial say aye.

All: Aye.

Bentley: Do you want to request the County Attorney's Office to bring back Findings of Fact on the rezoning denial?

Pritchett: I would love that.

Isnardi: Sure, that would be great. Do we have to modify the motion, or do you wanna...?



Bentley: Just make a motion to direct us to do it and bring it back.

Lober: So moved.

Isnardi: Okay.

Lober: Just need a second.

Isnardi: Motion by Commissioner Lober, second by Commissioner Pritchett. Did I get that right?

Pritchett: We'll share it.

Isnardi: Okay. All those in favor to have the County Attorney to bring us back a findings say aye.

All: Aye.

Isnardi: Any opposed? Motion passes unanimously.

Pritchett: May I make one more ma'am.

Isnardi: Oh, one more motion.

Pritchett: I would like to make a motion to be able to do a small area study in Scottsmeer and do it in house like we are doing with Port St. John, and that way it would be staff time. And I like what we're doing in the Port St. John area, we're letting the citizen's of Port St. John come with some, be on a board we are starting to form with that, so I would like to make that motion to be able to maybe start working on that as you guys have some time opening up. Which we're going to be fine for a while now. Because we worked through this, that's something I would like to do.

Isnardi: Commissioner Tobia?

Tobia: Can I ask staff how much this is going to cost, what's the time frame? This is... or can we bring it up for discussion later before we have some pertinent facts and we go ahead and we obligate staff to, on a whim, to create a study that may not be needed, and... So, can I get that premise before we, I guess, vote on this?

Isnardi: Sure.

Sterk: Best case scenario, we're looking at nine to 12 months with a small area study. Some of the factors in Scottsmeer that the planning staff is not necessarily well versed in are things like drinking water quality. It's the purview of other State agencies, and we do not have the in house staff to do that analysis. We can conduct the coordination with those agencies and host the conversation, but those are not things that we can evaluate ourselves. So, there's some factors here, environmental factors, that will need to do some due diligence with those respective agencies, and I'm not sure how long that takes to do. Many of our other studies haven't dug that far into those factors, and I feel like that's a very relevant concern in this area, that is unique, that I've not managed a project with that purview in the past. So, that could lengthen the time, and I'm not sure what resources we would need to do that, but I can address some of the inconsistencies between the zoning and the Comp Plan that Mr. Bartcher brought up at the beginning. You know, when the Comp Plan came to town in 1988, there were zonings on properties already; if those properties have continued with that zoning and that use, we don't deploy the Comp Plan and then

change the zoning classification, because that would be a taking of rights. So, when the Comp Plan was put into place, there's a policy for preexisting uses and there's a policy of not changing the zoning until the use changes over time. And so, those uses that are out there, that have an inconsistent zoning with the Future Land Use Designation are because they existed long before the Comp Plan did. So, those things are not going to be affected by a study, because that would be... we would have to buy those properties, so there's a concern I have about the change we can affect. It's definitely in the rural areas. The Res. 1 could be cleaned up, and that's the tool to do that. So, we can't change the Res. 1 without a small area study, that's the mechanism to get there, but we'll have to get some other agencies involved.

Tobia: Thank you. Cost. I'm sorry, do you have any idea on...

Calkins: If I may... I think that, I don't know that we're going to be able to identify what the cost is. What I would ask, with the Board's permission, is maybe at the next Zoning meeting, we come back with an estimate, and we pick this topic up at that point. If you all are gracious enough and allow us to do that, and then we would be able to have, I think we'd be better able to answer the question and have an opportunity to evaluate some of the concerns that we heard here tonight. And then look at what we would have in house expertise for and what we wouldn't have, or would we have to collaborate with other agencies, State agencies like the Health Department and stuff like that.

Tobia: Thank you. One more follow up, Madam Chair?

Isnardi: Sure.

Tobia: For the benefit of the new Board member, as well as all of the people that took time out of their schedule here and are hanging their hats on a small area study, Tad, can you, or Sterk, I know you did all the work, or bulk of the work, under Tad's direction, I apologize, for the small area study that happened in Merritt Island. Can you inform us the direction the Board took when it came to the small area study that Merritt Island residents worked tirelessly, as well as staff did for three years, and made numerous recommendations, what was the... remind us for the Scottsmoor folks out here, what action did the Board take on any of the recommendations?

Sterk: I think the Commission directed staff to pursue the first step in implementing those recommendations, which was to pursue the drainage model; and then they directed in their motion to include two additional recommendations for eventually a land use change, if that were necessitated; but it wasn't a direction to do the land use density reduction, it was a direction to bring it up again when the evaluation of the drainage model was complete. So, we have kind of a series of steps that that study resulted in, which will take place over the next several years, and come back to you several times, I'm sure.

Tobia: Okay. Thank you. Density was not in... short yes or no, was density changed because of that study?

Sterk: Not yet, but we received direction to address it again when more information comes forth.

Tobia: Thank you.

Isnardi: Commissioner Pritchett?

Pritchett: The thought I have on this, and I know we all have those areas in our communities, but I really only have one City in all of District 1. The rest of them are unincorporated. There's a little, tiny bit of Cocoa, I think I share with Commissioner Lober and Commissioner Smith, but most of you guys are out there on your own. You're just County property, and I can't ask for a large area study of the County that's unincorporated, but when you have a community that's obviously, almost like a little unincorporated City like Port St. John, or Scottsmeer. I mean, you can't do it your own unless you go unincorporated, and we don't want that, so I think this is fair to you to get some kind of continuity of what's going on in your lives, in your development, and since you own almost all of the property out there. So, that's my reason for asking for this, because if they were a city, of course, they'd have an idea of what they want to be and what they want to stay. So, in all fairness, we're all you got. So, we have to get... help you get some kind of parameters of what it is you want in your community. Even though you're not incorporated, you really are a community, and so, that's why I think this is imperative. I don't know how much detail we can get into it. Like you said with the water quality, that's different because you have a whole other issue there. But there certainly are things we can address in a small area study, and that's getting together maybe these issues we have with some zoning and some of those things in the area, and some placed that just shouldn't be built out there at all because of the hard, rocky areas. So, again, you know, Tad, I would be very comfortable if you guys would like to come back with that, but I think as far as this community, I think we should do this for them. Because we are all they have and I think this is an important thing for Scottsmeer. So, again, I'd like to make a motion to have the staff come back with some parameters on a small area study, but I'd really like to do one for this area.

Lober: I'll second that.

Pritchett: Thank you, sir.

Isnardi: Second by Commissioner Pritchett... I mean, second by Commissioner Lober.

Pritchett: We'll share.


Isnardi: Yeah. All those in favor, say aye.

All: Aye.

Isnardi: Any opposed? Motion passes unanimously.

PARTIAL VERBATIM TRANSCRIPT FROM APRIL 4, 2019, BOARD OF COUNTY  
COMMISSIONERS MEETING

This is to certify that the above unofficial partial transcript was prepared by the Clerk to  
the Board's Office.



Tammy Rowe  
Clerk to the Board