



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.3.

9/4/2025

Subject:

Cobblestone II RVG LLC (D. Scott Baker) requests a Small-Scale Comprehensive Plan Amendment (25S.12) to change the Future Land Use Map (FLUM) designation from RES-1, RES-2, CC, and NC to RES-6. (23SS00006) (Tax Accounts 3006458, 3010260) (District 3)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a Small-Scale Comprehensive Plan Amendment (25S.12), to change the Future Land Use designation from RES-1 (Residential 1), RES-2 (Residential 2), CC (Community Commercial), and NC (Neighborhood Commercial) to RES-6 (Residential 6).

Summary Explanation and Background:

The applicant requests a Small-Scale Comprehensive Plan Amendment (SSCPA) to change the Future Land Use Map (FLUM) from Residential 1 (RES 1), Residential 2 (RES 2), Neighborhood Commercial (NC) and Community Commercial (CC) to all Residential 6 (RES 6) on a 31.82-acre parcel to achieve consistency between the zoning classification and the Future Land Use designation. Approval of this request will alter the Future Land Use designation to reflect the existing development pattern and ensure compliance between the established residential density and Brevard County Code. The applicant has a companion rezoning application, 23Z00038, requesting a change from RU-1-9 (Single Family Residential) and TR-3 (Mobile Home Park) to all TR-3.

The subject parcel is currently developed as River Grove Mobile Home Park and is located on the west side of N. Highway 1 approximately 2,200 feet south of Micco Rd.

North of the subject property is 7 parcels ranging in size from approximately 0.4 acres to 0.9 acres all developed with single-family residences with RU-1-7 zoning classification and RES 2 FLU designation. The last and eighth parcel is 0.93-acre parcel with BU-1 zoning and developed as single-family residential with CC FLU designation. South of the subject property, is a condominium, developed with approximately 288 units, with RU 2-10 capped at 7 units to the acre with RES 2 FLU designation. East of the subject property, across US Hwy 1, this parcel with TR-3 zoning, contains approximately 0.53-acres of the 31.19-acre parcel to the west, which remains undeveloped. West of the subject property is two parcels: The first parcel is 6.66-acres developed with a single-family mobile home that has RRMH-1 zoning classification and RES 1 FLU designation. The second parcel is 104.03 acres, vacant land with GU zoning classification and RES 1 FLU designation.

The Board may wish to consider if the request is consistent with the Comprehensive Plan and compatible with the surrounding area.

In its analysis of this Policy, the Board may consider whether Policy 1.6 may be satisfied through alternative means; specifically limiting the number of units to the existing 173 units under the companion zoning application.

On August 18, 2025, the Local Planning Agency considered the request and unanimously recommended approval.

Clerk to the Board Instructions:

Please return a copy of the filed ordinance to Planning and Development



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

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

September 5, 2025

M E M O R A N D U M

TO: Billy Prasad, Planning and Development Director Attn: Trina Gilliam

RE: Item H.3., Ordinance for Small Scale Comprehensive Plan Amendment (25S.12), Changing the Future Land Use Designation from RES-1, RES-2, CC, and NC to RES-6 (23SS00006)

The Board of County Commissioners, in regular session on September 4, 2025, conducted the public hearing and adopted Ordinance No. 25-16, setting forth the twelfth Small Scale Comprehensive Plan Amendment of 2025, (25S.12) to change the Future Land Use designation from RES-1, RES-2, CC, and NC to RES-6 for Cobblestone II RUG, LLC. Enclosed is the fully-executed Ordinance.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

/ns

Encl. (1)

cc: Alice Randall, Zoning
County Attorney

ORDINANCE 25-16

AN ORDINANCE AMENDING ARTICLE III, CHAPTER 62, OF THE CODE OF ORDINANCES OF BREVARD COUNTY, ENTITLED "THE 1988 COMPREHENSIVE PLAN", SETTING FORTH THE TWELTH SMALL SCALE PLAN AMENDMENT OF 2025, 25S.12 TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING SECTION 62-501 ENTITLED CONTENTS OF THE PLAN; SPECIFICALLY AMENDING SECTION 62-501, PART XVI(E), THE FUTURE LAND USE APPENDIX; AND PROVISIONS WHICH REQUIRE AMENDMENT TO MAINTAIN INTERNAL CONSISTENCY WITH THESE AMENDMENTS; PROVIDING LEGAL STATUS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 et. seq., Florida Statutes (1987) established the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Section 163.3167, Florida Statutes, requires each County in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Economic Opportunity; and

WHEREAS, on September 8, 1988, the Board of County Commissioners of Brevard County, Florida, approved Ordinance No. 88-27, adopting the 1988 Brevard County Comprehensive Plan, hereafter referred to as the 1988 Plan; and

WHEREAS, Sections 163.34 and 163.3187, and 163.3189, Florida Statutes, established the process for the amendment of comprehensive plans pursuant to which Brevard County has established procedures for amending the 1988 Plan; and

WHEREAS, Brevard County initiated amendments and accepted application for small scale amendments to the Comprehensive Plan for adoption in calendar year 2025 as Small Scale Plan Amendment 25S.12; and

WHEREAS, Brevard County established Technical Advisory Groups consisting of County technical employees grouped according to their operational relationship to the subject of a plan element or sub-element being prepared or amended, and these Technical Advisory Groups have provided technical expertise for the Amendment 25S.12; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, have provided for the broad dissemination of proposals and alternatives, opportunity for written
Officially filed with the Secretary of State on September 8, 2025.

comments, public hearings after due public notice, provisions for open discussion, communication programs and consideration of and response to public comments concerning the provisions contained in the 1988 Plan and amendments thereto; and

WHEREAS, Section 62-181, Brevard County Code designated the Brevard County Planning and Zoning Board as the Local Planning Agency for the unincorporated areas of Brevard County, Florida, and set forth the duties and responsibilities of said local planning agency; and

WHEREAS, on August 18, 2025, the Brevard County Local Planning Agency held a duly noticed public hearing on Plan Amendment 25S.12, and considered the findings and advice of the Technical Advisory Groups, and all interested parties submitting comments; and

WHEREAS, on September 4, 2025, the Brevard County Board of County Commissioners held a duly noticed public hearing, and considered the findings and recommendations of the Technical Advisory Group, and all interested parties submitting written or oral comments, and the recommendations of the Local Planning Agency, and upon thorough and complete consideration and deliberation, approved for adoption Plan Amendment 25S.12; and

WHEREAS, Small Scale Plan Amendment 25S.12 adopted by this Ordinance comply with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, Plan Amendment 25S.12 adopted by this Ordinance is based upon findings of fact as included in data and analysis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Section 1. Authority. This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Sections 163.3184 and 163.3187, Florida Statutes.

Section 2. Purpose and Intent. It is hereby declared to be the purpose and intent of this Ordinance to clarify, expand, correct, update, modify and otherwise further the provisions of the 1988 Brevard County Comprehensive Plan.

Section 3. Adoption of Comprehensive Plan Amendments. Pursuant to Plan Amendment 25S.12 to the 1988 Comprehensive Plan, Article III, Chapter 62-504, Brevard County Code, the 1988 Brevard County Comprehensive Plan is hereby amended based on documentation shown in Exhibit A and as specifically shown in Exhibit B. Exhibits A and B are hereby incorporated into and made part of this Ordinance.

Section 4. Legal Status of the Plan Amendments. After and from the effective date of this Ordinance, the plan amendment, Plan Amendment 25S.12, shall amend the 1988 Comprehensive Plan and become part of that plan and the plan amendment shall retain the legal status of the 1988 Brevard County Comprehensive Plan established in Chapter 62-504 of the Code of Laws and Ordinances of Brevard County, Florida, as amended.

Section 5. Severability. If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 6. Effective Date. The effective date of this small scale plan amendment shall be 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3187(3), Florida Statutes. If challenged, the effective date of this amendment shall be the date a final order is issued by the Department of Economic Opportunity, or the Administration Commission, finding the amendment in compliance with Section 163.3184, Florida Statutes. A certified copy of the ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten days of enactment.

DONE AND ADOPTED in regular session, this 4th day of September, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA


Rachel M. Sadoff, Clerk

By: 
Rob Feltner, Chairman

As approved by the Board on September 4, 2025.

**EXHIBIT A
25S.12 SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT**

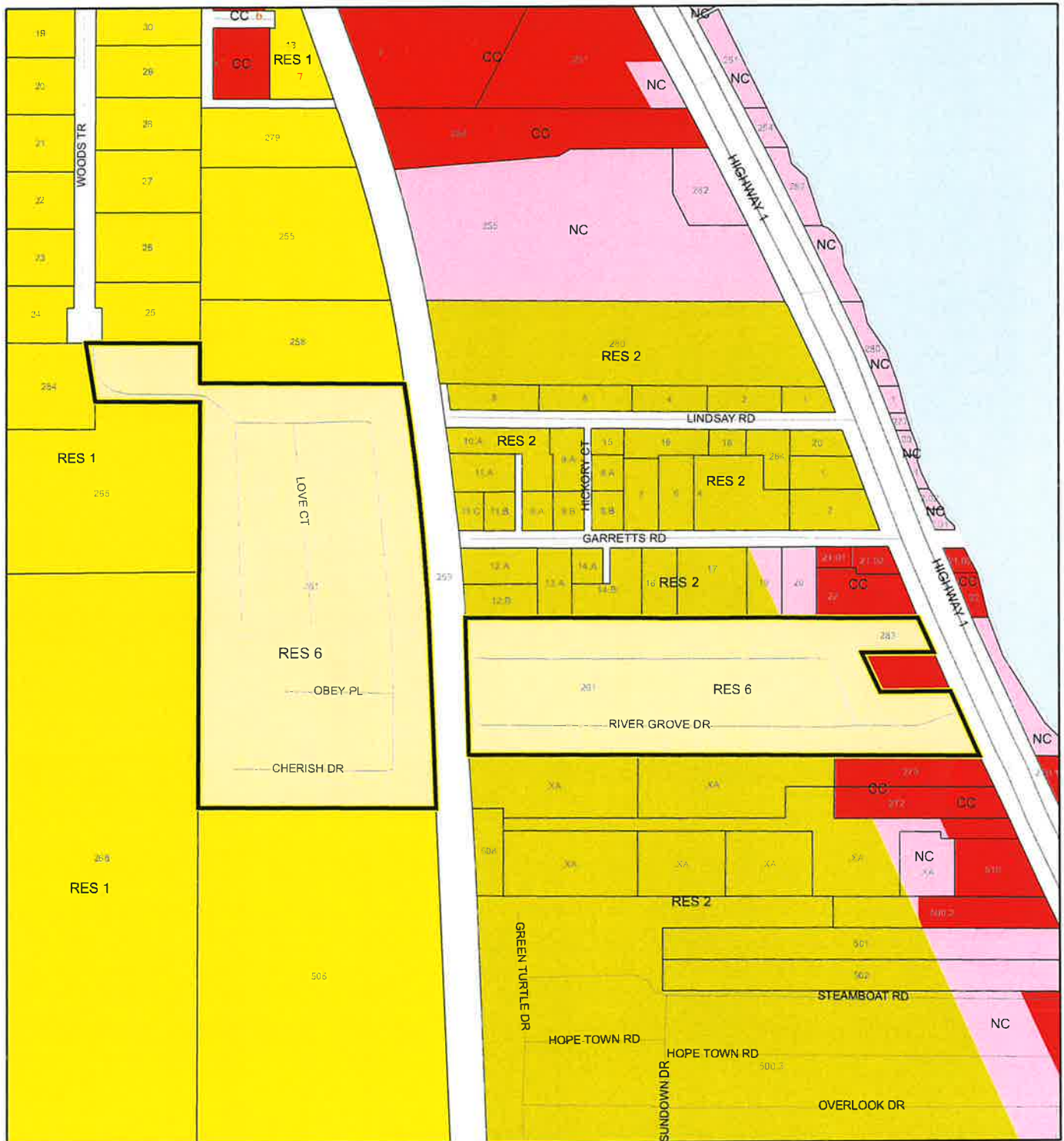
Contents

1. Proposed Future Land Use Map

PROPOSED FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 6/5/2025

Subject Property
Parcels

EXHIBIT B

Contents

1. Legal Description

A parcel of land being a part of Government Lots 2 and 5, Section 14, Township 30, Range 38 East, Brevard County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the South line of the North 786.51 feet of Government Lots 2 and 5, in Section 14, Township 30 South, Range 38 East, Brevard County, Florida, and the Westerly Right-of-Way Line of U.S. Highway No. One; thence N89° 51'48"E along aforesaid South line of the North 786.51 feet a distance of 155.49 feet to a point on the Easterly Right-of-Way line of U.S. Highway No. 1; thence continue S89° 29'18"E a distance of 39.0 feet more or less, to the Mean High Water Line (as located on February 7, 2022) of the Indian River; thence Southerly along the Mean High Water line of the Indian River a distance of 449.7 feet, more or less, to a point on the North line of Submerged Land Lease per Official Records Book 4215, Page 1020 of the Public Records of Brevard County, Florida; thence S61° 57'36"W along said North line of Submerged Land Lease a distance of 27.80 feet, more or less, to point on the South line of the North 293.76 feet of the South 448.49 feet of aforesaid Government Lots 2 and 5 of Section 14; thence N89° 33'24"W along aforesaid South line a distance of 65.34 feet to a point on said Easterly Right-of-Way Line of U.S. Highway No. 1; thence N89° 33'24"W a distance of 157.90 feet to a point on the aforesaid Westerly Right-of-Way Line of U.S. Highway No. 1; thence N89° 33'24"W continuing along aforesaid South Line a distance of 1,562.37 feet to a point on the West Right-of-Way Line of Florida East Coast Railroad; thence S2° 13'14"E along said West Right-of-Way Line of the Florida East Coast Railroad a distance of 155.17 feet; thence N89° 32'04"W a distance of 684.76 feet to the Southwest corner of Government Lot 2; thence N0° 15'21"E along the West line of Government Lot 2 a distance of 1,167.02 feet; thence N89° 32'41"W a distance of 301.95 feet; thence N9° 14'29"W a distance of 170.00 feet to a point on the South Right-of-Way Line of Woods Trail as shown on the plat of PINERIDGE HEIGHTS, as recorded in Plat Book 24, Page 86, of the Public Records of Brevard County, Florida; thence S89° 32'41"E along aforesaid South Right-of-Line of Woods Trail and along the south line of Lot 25 a distance of 330.00 feet to the Northeast corner of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14; thence S0° 15'21"W a distance of 115.00 feet; thence S89° 32'49"E a distance of 586.68 feet to a point on aforesaid West Right-of-Way Line of the Florida East Coast Railroad, said point being on a circular curve being concave Westerly, having a radius of 5,679.65 feet, a central angle of 6° 49'40" and a chord bearing of S6° 02'44"E; thence Southerly along the arc of said curve a distance of 676.83 feet to a point on the aforesaid South line of the North 786.51 feet of Government Lots 2 and 5; thence S89° 29'18"E along aforesaid South line a distance of 1,401.39 feet to the Point of Beginning, LESS AND EXCEPT: road right-of-way for U.S. Highway No. 1 (143 feet wide right-of-way). Florida East Coast Railroad (100 feet wide right-of-way).

A parcel of land lying in Section 14, Township 30 South, Range 38 East, Brevard County, Florida being a portion of those lands described in Official Records Book 3614, Page 3232, of the Public Records of Brevard County, Florida and being more particularly described as follows:

Commence at the Southwest corner of lands described in Official Records Book 5033, Page 1534 of said public records and run South 89° 25'18" East along the south line of said lands and along the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 118.20 feet to the POINT OF BEGINNING of the herein described parcel: thence continue South 89° 25'18" East along the south line of said lands described in Official Records Book 5033, Page 1534 and the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 112.78 feet to the intersection with the Westerly Right-of-Way line of U.S. Highway No. 1, a 143 foot wide public right-of- way as presently occupied, said Westerly Right-of-Way line being a circular curve concave to the Northeast and having for its elements a radius of 8672.41 feet, a chord of 134.62 feet and a chord direction of South 24° 16'53" East; thence run Southeasterly along the said Westerly right-of-way line and along arc of said curve through a central angle of 00° 53'22" an arc distance of 134.62 feet to a Point of Tangency; thence departing said Westerly Right-of-Way line run South 74° 08'16" West a distance of 126.43 feet; thence North 16° 25'04" West a distance of 165.00 feet to the Point of Beginning.

Gross Area = 1,504,084 sq.ft. = 34.529 Ac. ±

Railroad Right-of-Way: 38,850 sq.ft. = 0.892

Ac. ±

U.S. Road Right-of-Way: 61,713 sq.ft. = 1.417

Ac. ± Less & Except Parcel: 17,200 sq.ft. =

0.40 Ac. ±

Net Area:= 1,386,321 sq.ft. = 31.826 Ac. ±

LOCATION MAP

COBBLESTONE II RVG LLC

23SS00006



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

Buffer Distance: 500 feet

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

Produced by BoCC - GIS Date: 6/5/2025

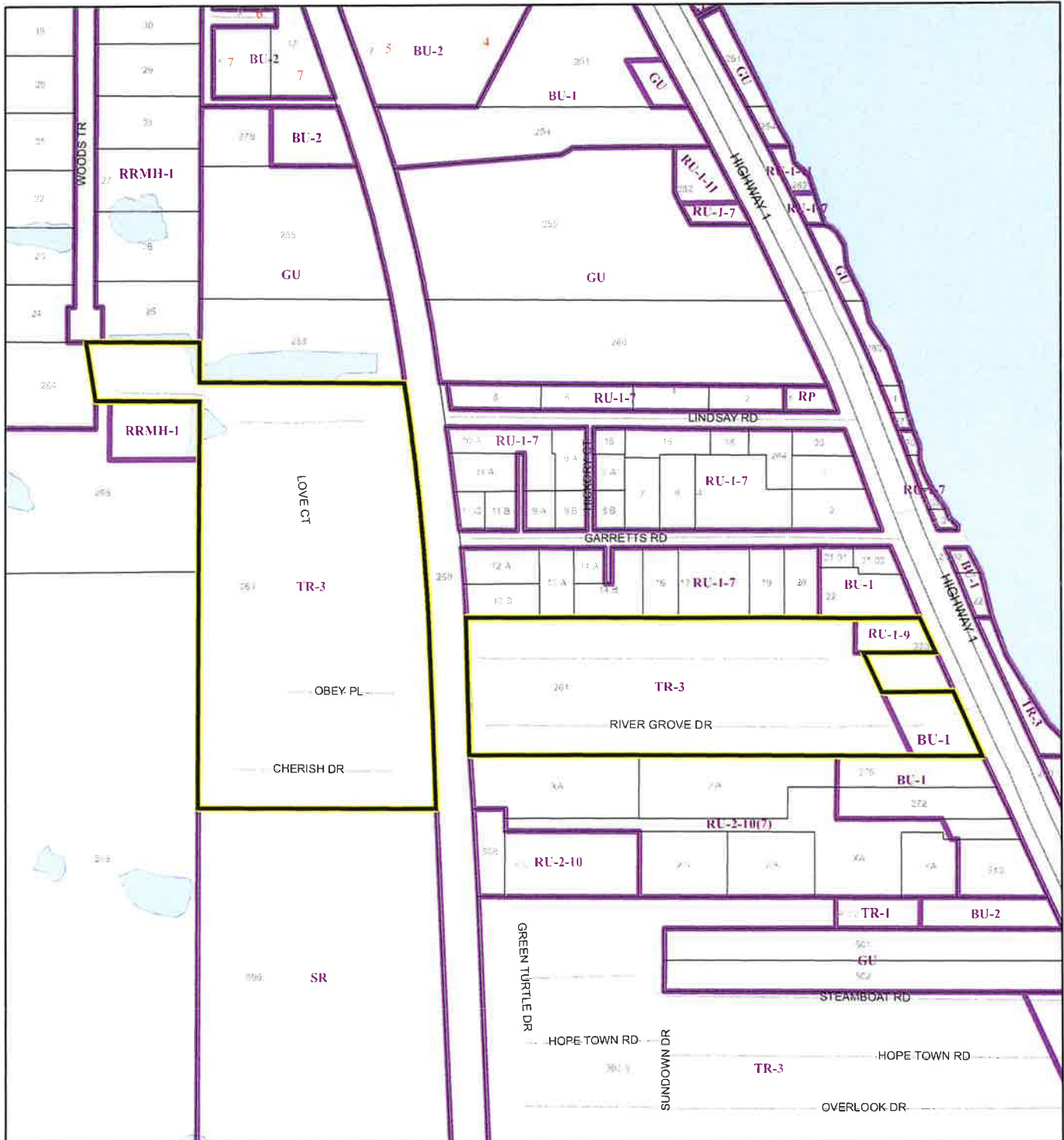
— Buffer

— Subject Property

ZONING MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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Subject Property

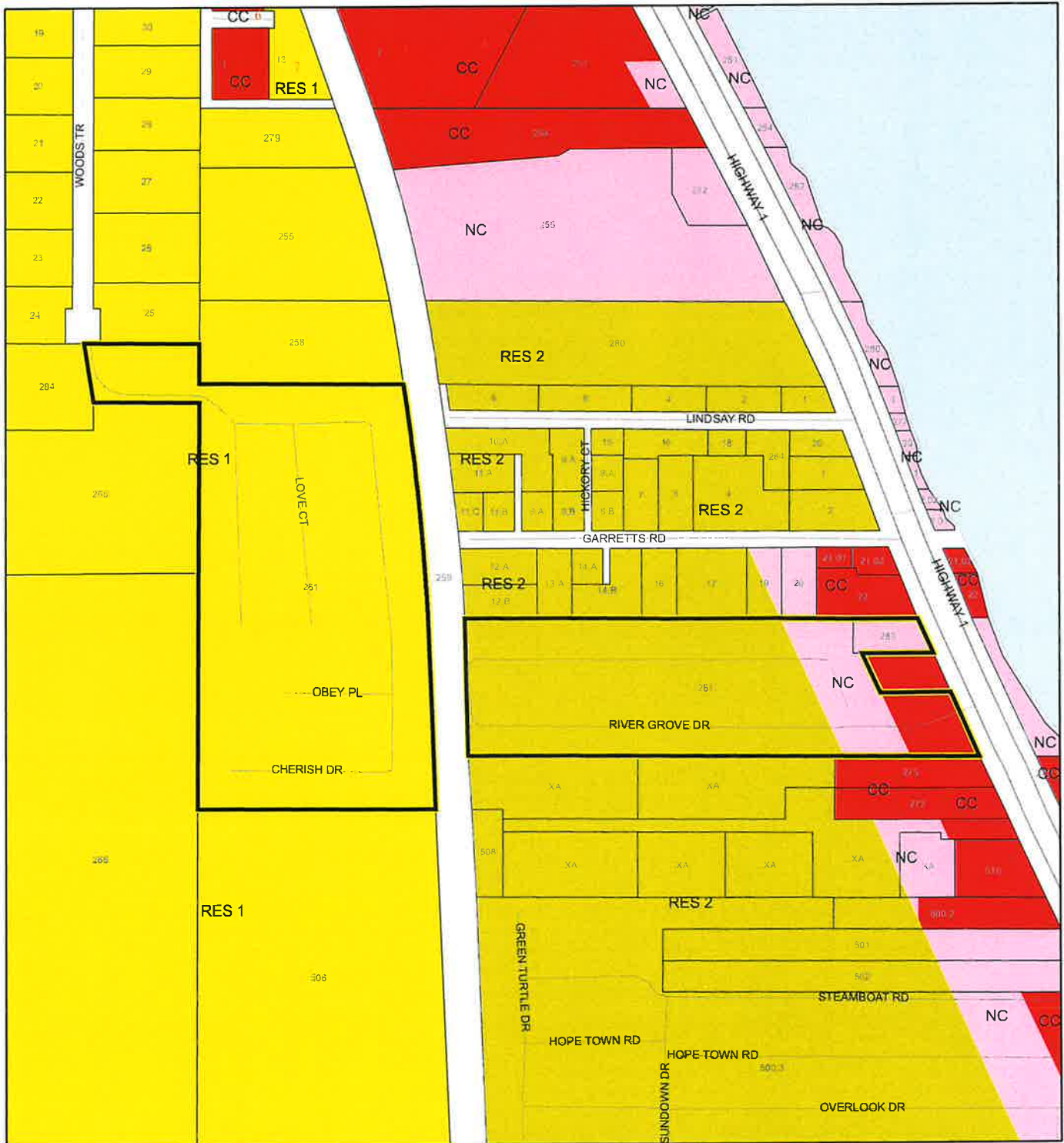
Parcels

Zoning

FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

23SS00006



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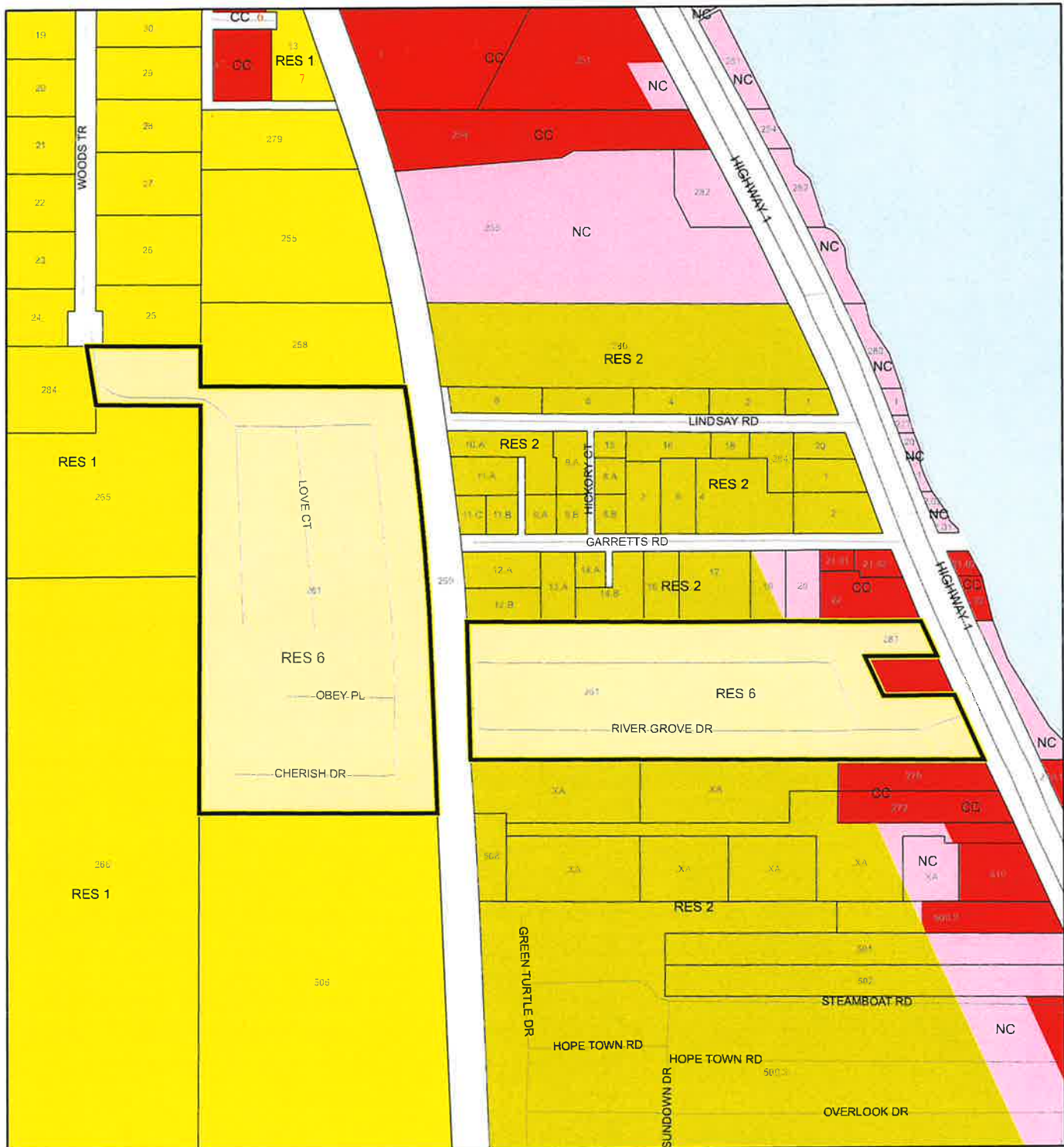
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PROPOSED FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

23SS00006



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Subject Property
Parcels

AERIAL MAP

COBBLESTONE II RVG LLC

23SS00006



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PHOTO YEAR: 2024

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Produced by BoCC - GIS Date: 6/5/2025

Subject Property

Parcels



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

September 8, 2025

Rachel Sadoff
County Clerk
Brevard County
Post Office Box 999
Titusville, FL 32781-0999

Dear Rachel Sadoff,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Brevard County Ordinance No. 25-16, which was filed in this office on September 8, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT

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

Administrative Policy 1

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

Administrative Policy 2

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

Criteria:

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

Administrative Policy 3

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

Criteria:

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

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

Administrative Policy 4

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

Criteria:

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

Administrative Policy 5

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

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

Criteria:

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

Administrative Policy 6

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

Administrative Policy 7

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

Administrative Policy 8

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

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

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

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

CONDITIONAL USE PERMITS (CUPs)

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

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

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

(c) General Standards of Review.

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

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

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

FACTORS TO CONSIDER FOR A REZONING REQUEST

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

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

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

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

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

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

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

DEFINITIONS OF CONCURRENCY TERMS

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

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

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

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

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

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

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

**FUTURE LAND USE MAP SERIES
PLAN AMENDMENT**

STAFF COMMENTS

Small Scale Plan Amendment 25S.12 (23SS00006)
Township 30, Range 38, Section 14

Property Information

Owner / Applicant: **Cobblestone II RVG LLC/ Scott Baker**

Adopted Future Land Use Map Designation: Residential 1 (RES 1), Residential 2 (RES 2), Community Commercial (CC) and Neighborhood Commercial (NC)

Requested Future Land Use Map Designation: Residential 6 (RES 6)

Acreage: 31.82 acres

Tax Account # 3006458, 3010260

Site Location: West side of Highway US-1, approximately 368 feet south of Garretts Road (District 3)

Commission District: 3

Current Zoning: RU-1-9 (Single-Family Residential)and TR-3 (Mobile Home Park)

Requested Zoning: All TR-3 with a BDP (23Z00038)

Background & Purpose

The applicant requests a Small-Scale Comprehensive Plan Amendment (SSCPA) to change the Future Land Use Map (FLUM) from Residential 1 (RES 1), Residential 2 (RES 2), Neighborhood Commercial (NC) and Community Commercial (CC) to all Residential 6 (RES 6) on a 31.82 acre parcel to achieve consistency between the zoning classification and the Future Land Use designation. Approval of this request will alter the Future Land Use designation to reflect the existing development pattern and ensure compliance between the established residential density and Brevard County Code. The subject property contains two parcels. The larger parcel is bifurcated by the FEC Railway and Highway 1. The first parcel is 0.52 acres with NC FLU designation will be used as an accessory use (residential office and pool) to the mobile home park. The second larger parcel is bifurcated by the FEC Railway and Highway 1. A smaller portion of the subject property is undeveloped with NC FLU designation, located on the east side of Highway 1, is not included in this request. Staff analysis has determined that the current site has a development density of 6 units per acre.

The applicant has a companion rezoning application, **23Z00038**, requesting a change from RU-1-9 (Single Family Residential), BU-1 (General Retail Commercial) and TR-3 (Mobile Home Park) to all TR-3 with a BDP.

The subject parcel is currently developed as River Grove Mobile Home Park and is located on the west side of N. Highway 1 approximately 2,200 feet south of Micco Rd.

The subject property retains four original FLU designations established in 1988 by the Brevard County Comprehensive Plan: RES 1, RES 2, CC, and NC.

At this time, there are no active code enforcement cases associated with the subject property.

Surrounding Land Use Analysis

	Existing Land Use	Zoning	Future Land Use
North	Single-family residential	RU-1-7, BU-1	RES 2, CC
South	Condominium, multiple living units	RU-2-10(7), BU-1	RES 2, CC
East	Mobile home sales office, Highway 1, and Undeveloped	BU-1, TR-3	CC, NC
West	Single-family residential, vacant land	RRMH-1, GU	RES 1

North of the subject property is 7 parcels ranging in size from approximately 0.4 acres to 0.9 acres all developed with single-family residences with RU-1-7 zoning classification and RES 2 FLU designation. The last and eighth parcel is a 0.93-acre parcel with BU-1 zoning and developed as single-family residential, according to Brevard County Property Appraiser, with CC FLU designation.

South of the subject property is two parcels: One is a condominium, developed with approximately 288 units, with RU 2-10 capped at 7 units to the acre with RES 2 FLU designation. The RU-10(7) was approved under zoning action **Z-4363** on November 17, 1977. A second parcel is 0.96 acres, developed as a duplex with BU-1 zoning classification and CC FLU designation.

East of the subject property, across US Hwy 1, there is a parcel with TR-3 zoning, containing approximately 0.53-acres of the 31.19-acre parcel to the west, which remains undeveloped.

West of the subject property is two parcels: The first parcel is 6.66-acres developed with a single-family mobile home that has RRMH-1 zoning classification and RES 1 FLU designation. The second parcel is 104.03 acres, vacant land with GU zoning classification and RES 1 FLU designation.

RES 1 FLU designation permits low density residential development with a maximum density of up to one (1) unit per acre, except as otherwise may be provided for within this element.

RES 2 FLU designation permits lower density residential development with a maximum density of up to two (2) units per acre, except as otherwise may be provided for within the Future Land Use Element.

Community Commercial (CC) development activities are intended to serve several neighborhoods, sub-regional and regional areas and provide an array of retail, personal and professional uses.

Neighborhood Commercial (NC) development activities are intended to be low-impact in nature and serve the needs of the immediate residential area. Intrusion of these land uses into surrounding residential areas shall be limited.

The proposed RES 6 FLU designation affords a transition in density between higher urbanized areas and lower intensity land uses. This land use designation permits a maximum density of up to six (6) units per acre, except as otherwise may be provided for within this Future Land Use Element.

Future Land Use

The subject property is currently designated as Neighborhood Commercial (NC), Community Commercial (CC), and Residential 1 (RES 1) Future Land Use (FLU). The existing RU-1-9 and TR-3 can be considered consistent with the existing NC FLU designation under Section 62-1255. The BU-1 can be considered consistent with the existing CC FLU designation under Section 62-1255. The TR-3 zoning portion with RES 1 FLU designation cannot be considered consistent under Section 62-1255. The proposed TR-3 zoning classification can be considered consistent with the proposed RES 6 FLU designation under Section 62-1255.

Comprehensive Plan Policies/Comprehensive Plan Analysis

Comprehensive Plan Policies are shown in plain text; Staff Findings of Fact are shown in **bold**.

Notice: The Comprehensive Plan establishes the broadest framework for reviewing development applications and provides the initial level of review in a three layer screening process. The second level of review entails assessment of the development application's consistency with Brevard County's zoning regulations. The third layer of review assesses whether the development application conforms to site planning/land development standards of the Brevard County Land Development Code. While each of these layers individually affords its own evaluative value, all three layers must be cumulatively considered when assessing the appropriateness of a specific development proposal.

Residential Land Use Designations

Public Facilities and Services Requirements

FLUE Policy 1.2

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

Criteria:

- C. In the Residential 30 Directive, Residential 15, Residential 10, Residential 6 and Residential 4 land use designations, centralized potable water and wastewater treatment shall be available concurrent with the impact of the development.

The subject property is serviced by a private wastewater treatment facility. Potable water is provided by River Grove Utilities, Inc. River Grove is a privately owned and is managed by the mobile home park. The potable water line is connected to Barefoot Bay Utilities.

- D. Where public water service is available, residential development proposals with densities greater than four units per acre shall be required to connect to a centralized sewer system.

The subject property is serviced by a private wastewater treatment facility that is located on site.

Residential 6 (maximum of 6 dwelling units per acre)

FLUE Policy 1.6

The Residential 6 land use designation affords a transition in density between higher urbanized areas and lower intensity land uses. This land use designation permits a maximum density of up to six (6) units per acre, except as otherwise may be provided for within this element. The Residential 6 land use designation may be considered for lands within the following generalized locations, unless otherwise limited by this Comprehensive Plan:

Criteria:

- A. Areas adjacent to existing Residential 6 land use designation; or

The applicant's request can be considered an introduction to the area. Currently, there is no RES 6 within a half mile of the subject property. The request will rectify the Future Land Use designation to reflect the existing development pattern and ensure compliance with the allowable residential density established.

- B. Areas which serve as a transition between existing land uses or land use designations with density greater than four (4) units per acre and areas

with density of less than four (4) units per acre; or

Staff analysis indicates the requested FLU designation will not serve as a transition between existing land uses or between greater and lower land use designations. RES 2 FLU designation is abutting to the north and south.

The Board may consider the request based on the “may” be considered for areas which serve as a transition between existing land uses or land use designations with density greater than four (4) units and areas with density of less than four (4) units per acre; or” to be satisfied because the approval of the request will rectify the Future Land Use designation to reflect the existing development pattern and ensure compliance with the allowable residential density established.

Glossary definition:

May – To have the permission to.

- C. Unincorporated areas which are adjacent to incorporated areas and may be considered a logical transition for Residential 4.

The subject property is not adjacent to any incorporated areas. The Board may consider the request based on the “may” be considered, to be satisfied via the rezoning request. The applicant is proposing a BDP under the companion zoning application to limit the mobile home units to 173, currently existing on-site.

- D. Up to a 25% density bonus to permit up to five (5) dwelling units per acre may be considered where the Planned Unit Development concept is utilized, where deemed compatible by the County with adjacent development, provided that minimum infrastructure requirements set forth in Policy 1.2 are available. Such higher densities should be relegated to interior portions of the PUD tract, away from perimeters, to enhance blending with adjacent areas and to maximize the integration of open space within the development and promote inter-connectivity with surrounding uses. This density bonus shall not be utilized for properties within the CHHA.

The applicant is not proposing a Planned Unit Development (PUD) or any new development to be added to the property.

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

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

Criteria:

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

The applicant is not proposing a change to the historical use of the subject property as a mobile home park. The use is not anticipated to affect the existing area's quality of life, hours of operation, lighting, odor, noise levels, or traffic in a negative manner.

Traffic from the proposed development will not have an impact on the surrounding area. There is no increase in the percentage of MAV utilization. The corridor is anticipated to continue to operate at 64.39% of capacity daily.

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

Only a certified MAI appraisal can determine if material reduction has or will occur due to the proposed use.

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

1. historical land use patterns;

Within the 0.5-mile radius of the subject property, there are four (4) FLU designations: RES 1, RES 2, CC and NC. RES 2 is the predominant FLU designation on the west side of Highway 1.

The existing pattern is a mixture of mobile home parks, predominant land use in the area, that also includes single-family residences, condos, marinas, restaurants, a bar lounge and strip mall plazas.

There have been no FLUM amendments within one-half mile of the subject property in the past three years.

There are several zoning classifications within the 0.5-mile radius of the subject property, with the predominant zoning classification being TR-3.

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

There has been no permitted development within a one-half mile radius over the immediately preceding three years.

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

There is no development approved within the past three years that has not yet been constructed.

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

No material violation of relevant policies has been identified.

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

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

Criteria:

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic, parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. The character of the surrounding neighborhoods and areas will not be materially or adversely affected by the proposed rezoning. The established mobile home park will not introduce any additional traffic, parking, or commercial or industrial activity. There is an existing pattern of commercial and residential zoning surrounding the subject parcel.**
- C. In determining whether an established residential neighborhood exists, the following factors must be present:

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

The area has well-established boundaries, roads, and open spaces. The subject property is an established residential neighborhood with roads and minimal open space.

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

The request is not for commercial uses.

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

This area is presumed to be primarily residential in nature. There are no commercial, industrial or other non-residential uses applied for and approved during the previous five (5) years.

Preliminary Concurrency

The closest concurrency management segment to the subject property is US Hwy 1 between Micco Rd and Indian River County Line, which has a Maximum Acceptable Volume (MAV) of 41,790 trips per day, a Level of Service (LOS) of D, and currently operates at 64.39% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.00%. The corridor is anticipated to operate at 64.39% of capacity daily. The proposal would not create a deficiency in LOS. This is only a preliminary review and is subject to change.

The subject property is serviced by a private wastewater treatment facility. Potable water is provided by River Grove Utilities, Inc. River Grove is a privately owned and is managed by the mobile home park. The potable water line is connected to Barefoot Bay Utilities.

No school concurrency information has been provided as this is an established mobile home park with no proposed development.

Environmental Constraints

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Hydric Soils
- Floodplain Protection
- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Overlay
- Surface Waters of the State
- Land Clearing and Landscape Requirements
- Protected Species

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

For Board Consideration

The Board should consider if the request is consistent and compatible with the surrounding area.

In its analysis of this Policy, the Board may consider whether Policy 1.6 may be satisfied through alternative means; specifically limiting the number of units to the existing 173 units under the companion zoning application.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT
Rezoning Review & Summary
Item # 23SS00006**

Applicant: Scott Baker (Owner: Erik Hagen)

Zoning Request: RES-1, RES-2, CC and NC to RES-6

Note: to create consistent zoning

P&Z Hearing Date: 08/18/25; **BCC Hearing Date:** 09/04/25

Tax ID No: 3006458 and 3010260

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

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Hydric Soils
- Floodplain Protection
- Aquifer Recharge Soils
- Indian River Lagoon Nitrogen Reduction Overlay
- Surface Waters of the State
- Land Clearing and Landscape Requirements
- Protected Species

Land Use Comments:

Hydric Soils

The subject parcel contains a small area of hydric soils (Myakka sand, depressional) on the northwest corner of the property, as shown on the USDA Soil Conservation Service Soils Survey maps. This is an indicator that wetlands may exist adjacent to an existing pond. A wetland delineation will be required prior to any land clearing or alteration activities. The wetland delineation shall be verified at time of site plan submittal. For multi-family parcels greater than five acres in area, the limitation of one dwelling unit per five (5) acres within wetlands may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total non-commercial and non-industrial acreage on a cumulative basis as set forth in Section 65 3694(c)(6). Any permitted wetland impacts must meet the requirements of Section 62 3694(e), including avoidance of impacts, and will require no net loss mitigation in accordance with Section

62-3696. The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Floodplain Protection

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

Aquifer Recharge Soils

This parcel contains mapped aquifer recharge soils (St. Lucie fine sand, 0 to 5 percent slopes, Pomello sand) as shown on the USDA Soil Conservation Service Soils Survey map. Mapped topographic elevations indicate the soils may consist of Type 3 Aquifer Recharge soils that have impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Indian River Lagoon Nitrogen Reduction Overlay

The very eastern edge of the parcel (including the strip directly on the Indian River Lagoon) is mapped within the Indian River Lagoon Nitrogen Reduction Overlay. If applicable, and if adequate sewer for the development is not available, then the use of an alternative septic system, designed to provide at least 65% total nitrogen reduction through multi-stage treatment processes, shall be required.

Surface Waters of the State

The subject property is located on the Indian River Lagoon, designated as a Class II Water, Outstanding FL Water (OFW), and Aquatic Preserve in this location. A 50-foot Surface Water Protection Buffer is required. Primary structures shall be located outside the Buffer. Accessory structures are permissible within the Buffer with conditions (e.g., storm water management is provided, avoidance/minimization of impacts, and maximum 30% impervious). The removal of native vegetation located within the Buffer shall be avoided. Temporary impacts to native vegetation require in-kind restoration. The Florida Department of Environmental Protection (FDEP) regulates mangrove trimming, and can be reached at (407) 897-4101. The applicant is encouraged to contact NRM at 321-633-2016 prior to any activities, plan, or permit submittal.

Land Clearing and Landscape Requirements

The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for Protected and Specimen tree preservation, and canopy coverage requirements. Land clearing is not permitted without prior authorization by NRM.

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. A majority of the parcel is mapped as Florida Scrub Jay occupancy, and there is potential for existence of Gopher Tortoises on site. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission and/or U.S. Fish and Wildlife Service, as applicable.

SKETCH & LEGAL DESCRIPTION

NOT A BOUNDARY SURVEY

Cross Keys: 1-100K, BTL: 1-252Z NLT
 Conflicting 0.6K Access time of 17ms.

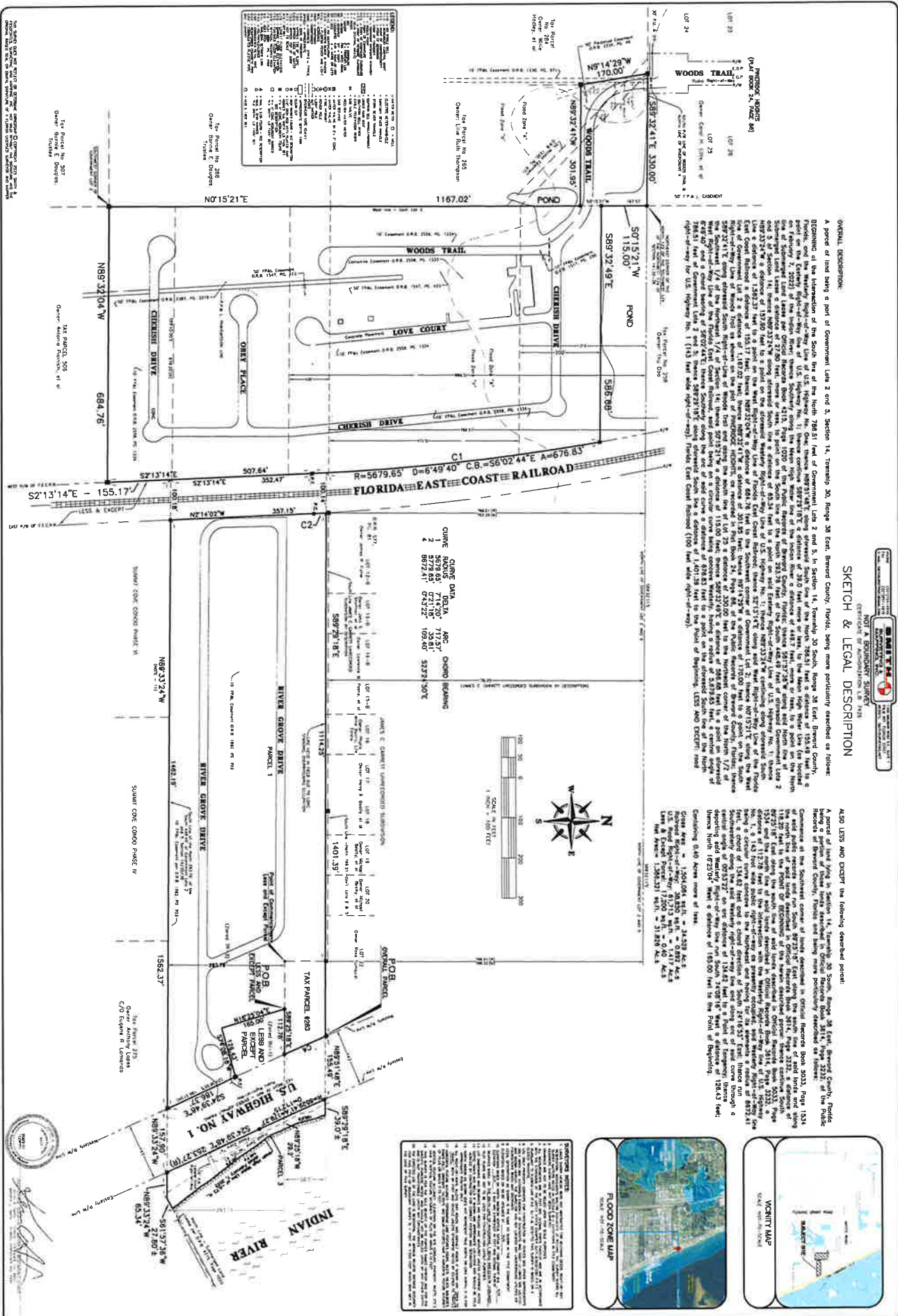
VICINITY MAP

25
162

TYPE	SURVEY DATE	JOB NUMBER	CK. BY
RECEIVED	NOV 21 1973	-	
RECEIVED	NOVEMBER 11, 1973	-	
RECEIVED	NOVEMBER 25, 1973	14-1150	
RECEIVED	NOVEMBER 27, 1973	14-1150	
RECEIVED	NOVEMBER 27, 1973	14-1150	

NO. REC. & DATE RECEIVED: NOVEMBER 27, 1973

SCALE: 1" = 100'



LOCATION MAP

COBBLESTONE II RVG LLC

23SS00006



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

Buffer Distance: 500 feet

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

Produced by BoCC - GIS Date: 6/5/2025

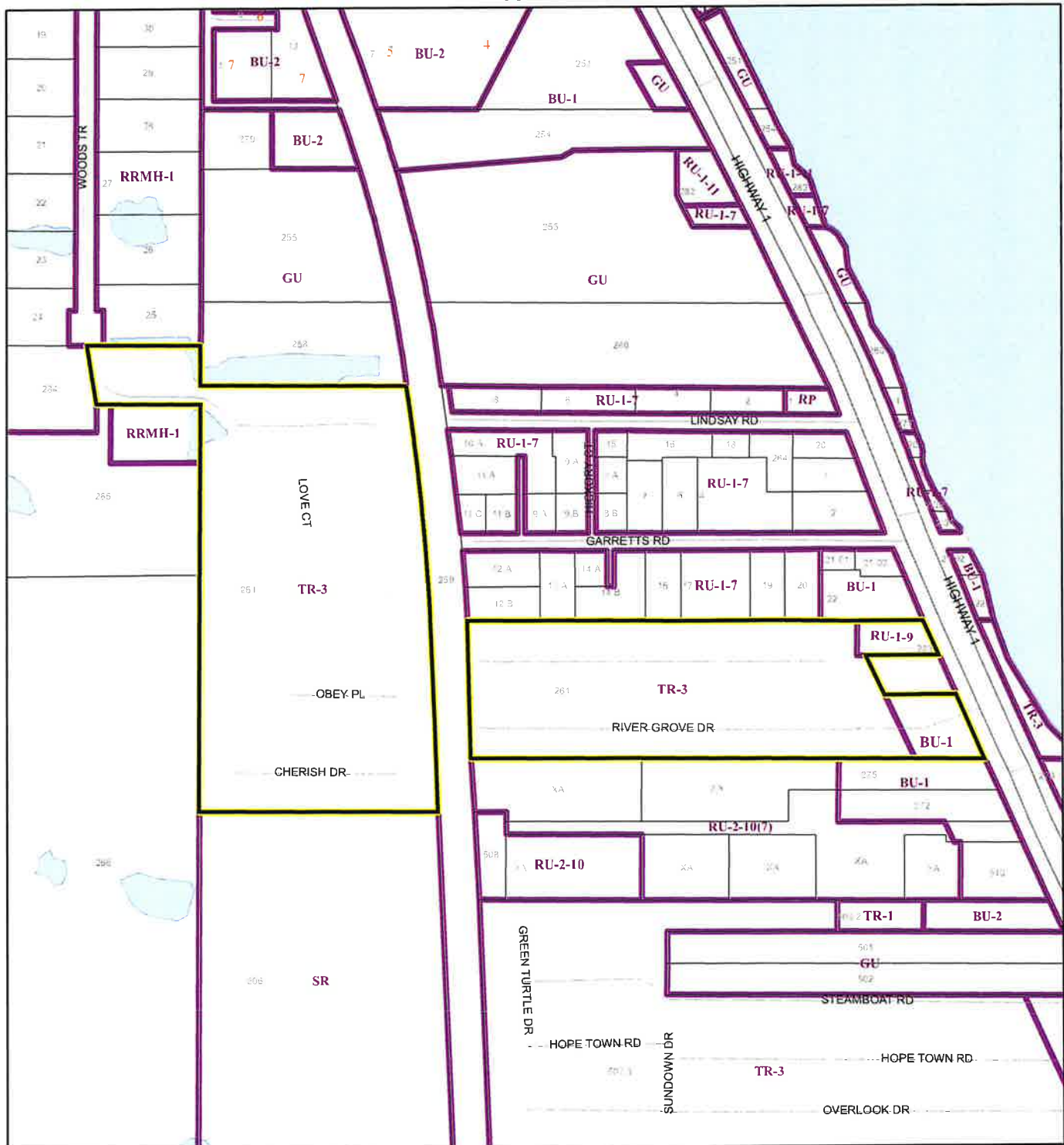
Buffer

Subject Property

ZONING MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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Subject Property

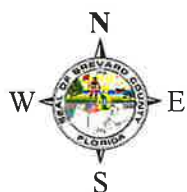
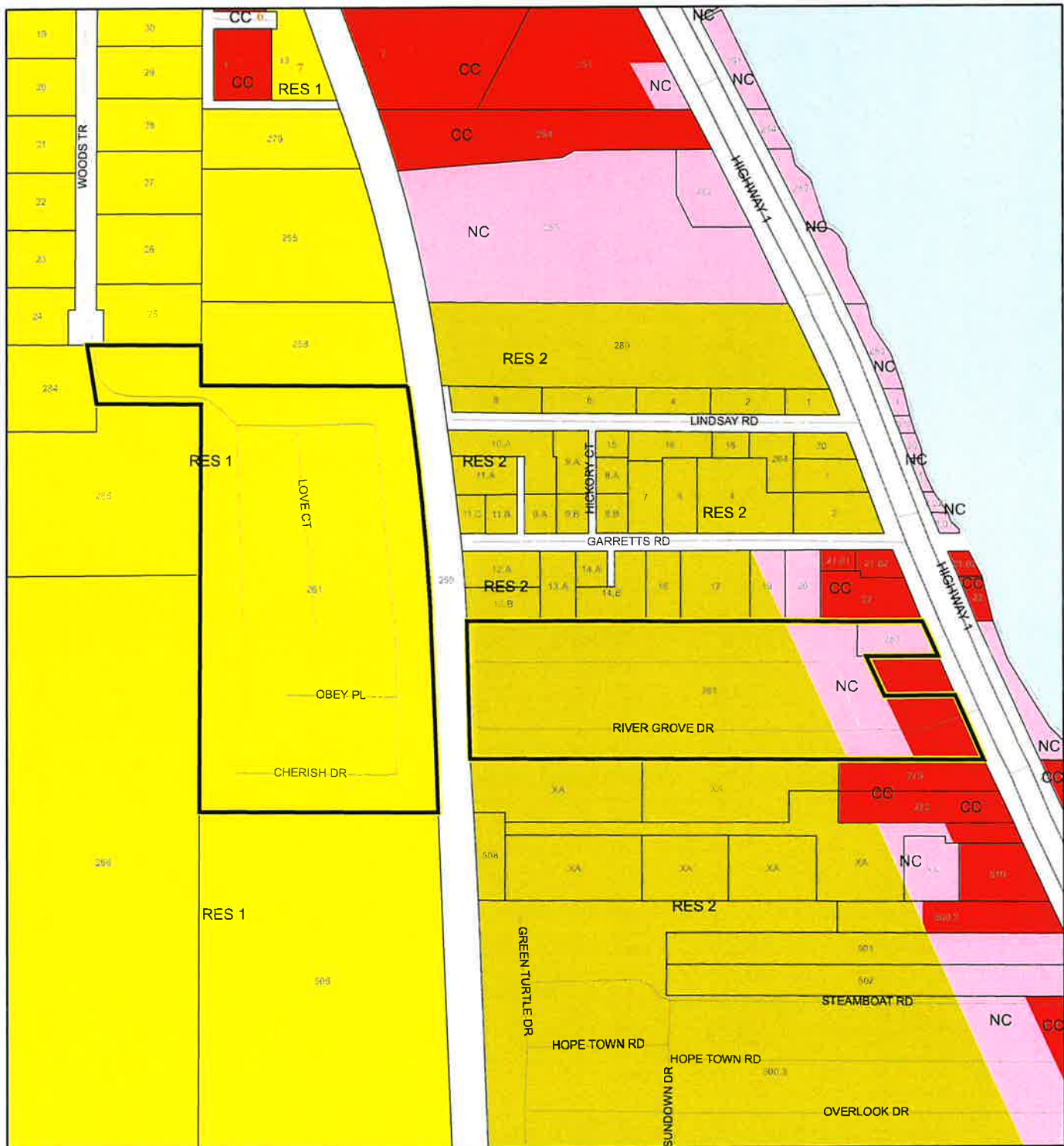
Parcels

Zoning

FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

Subject Property
Parcels

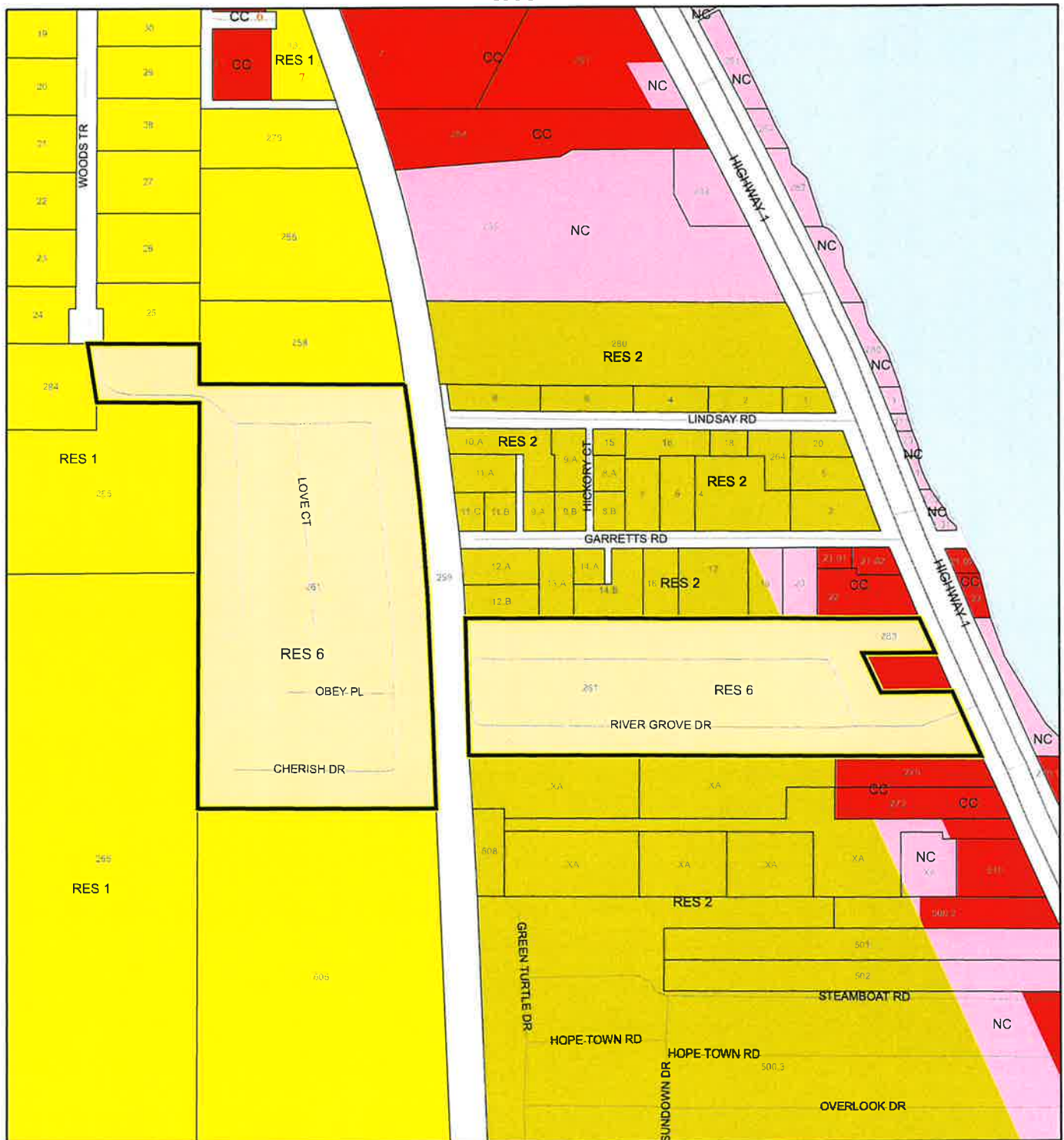
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

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PROPOSED FUTURE LAND USE MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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Subject Property
Parcels

AERIAL MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2024

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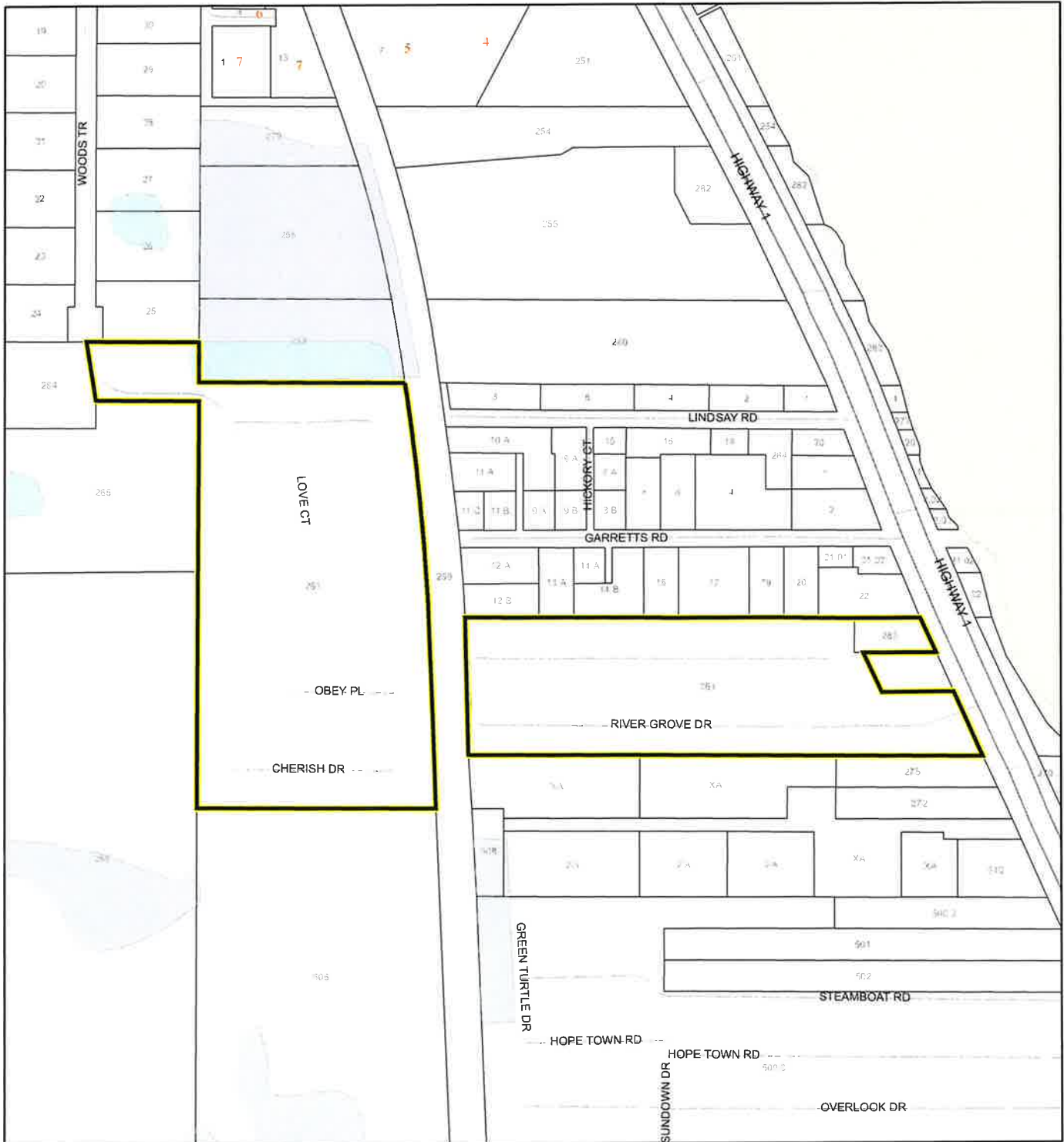
 Subject Property

 Parcels

NWI WETLANDS MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 6/5/2025

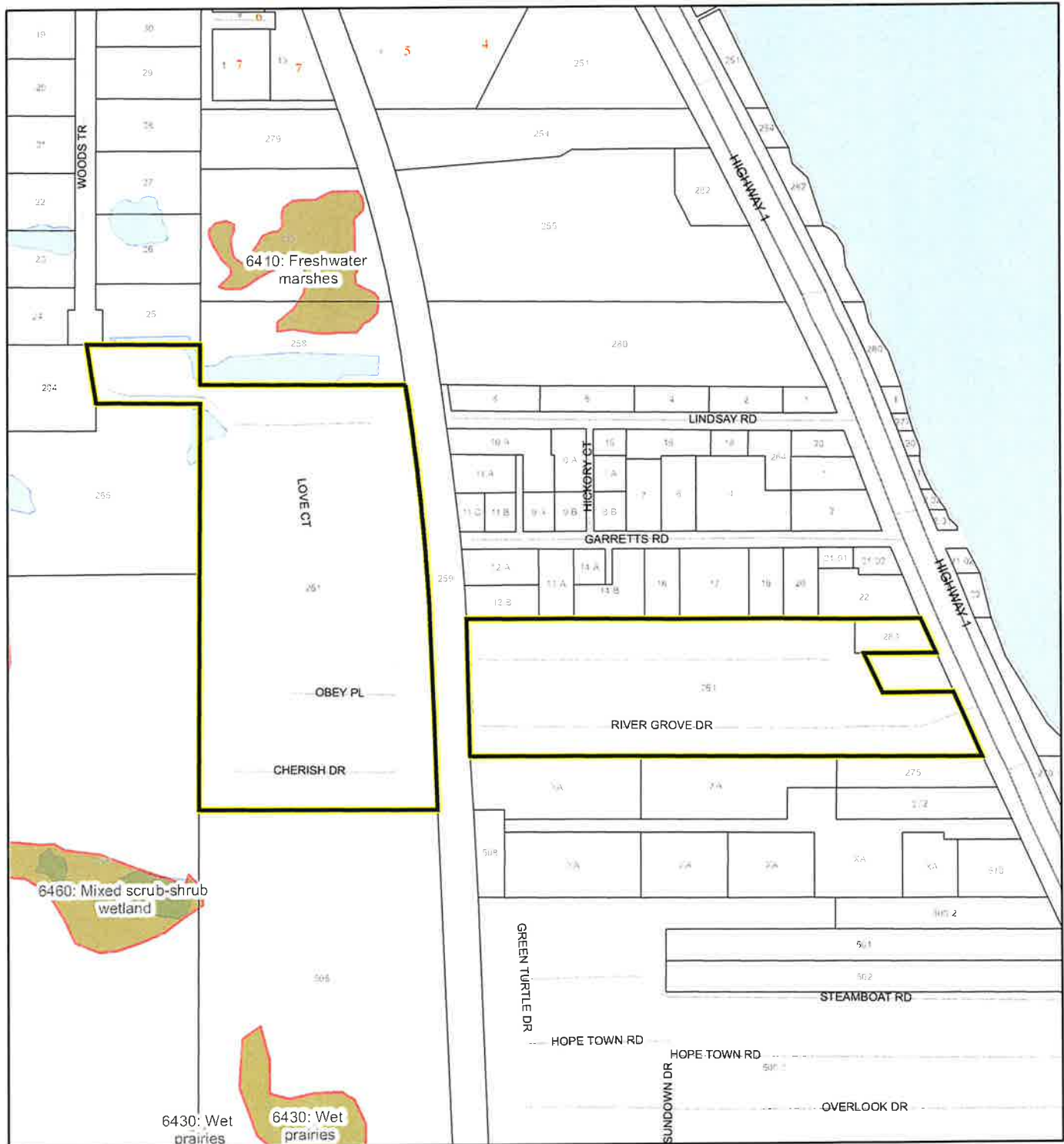
National Wetlands Inventory (NWI)

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

SJRWMD FLUCCS WETLANDS - 6000 Series MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 6/5/2025

SJRWMD FLUCCS WETLANDS

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

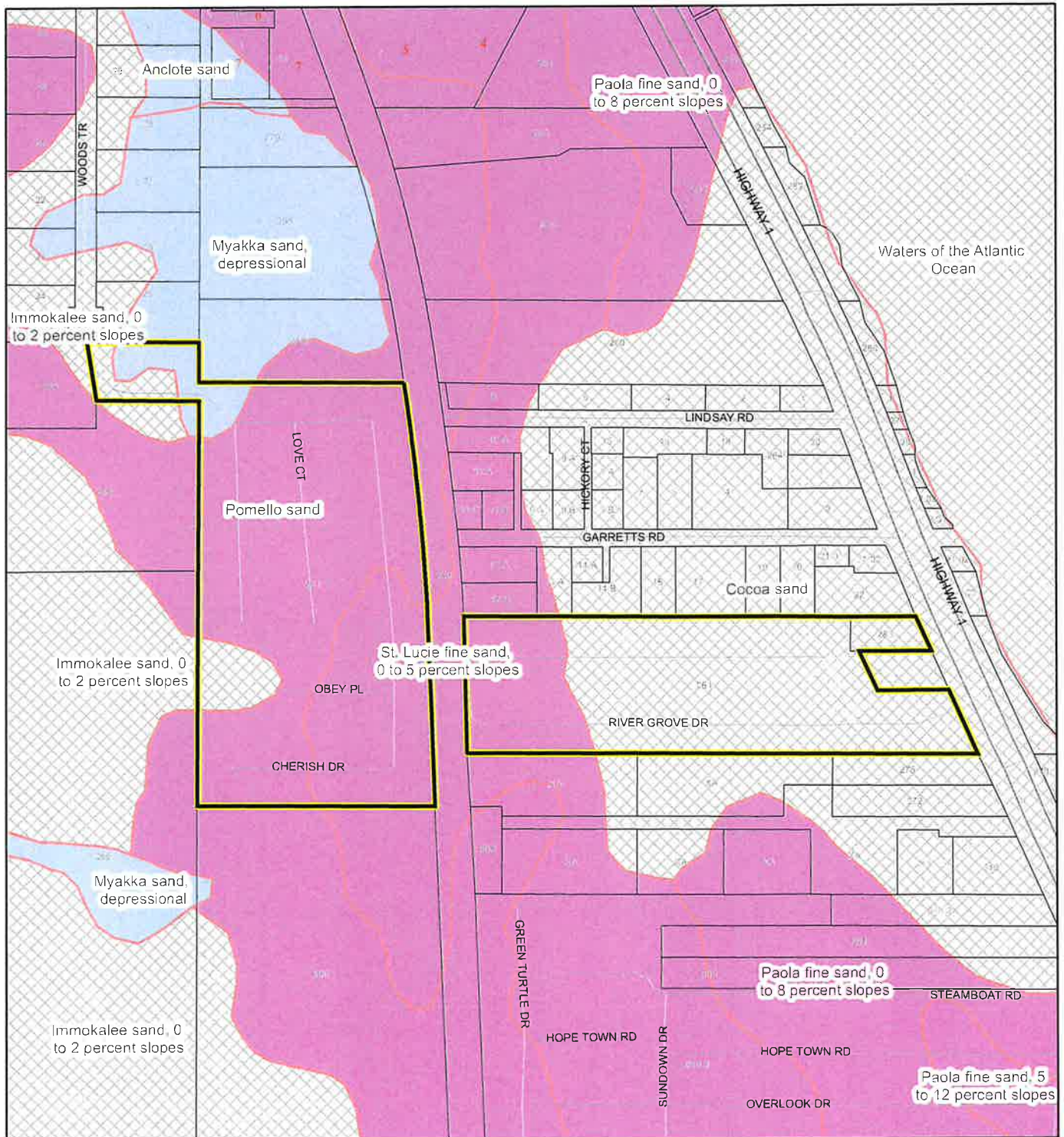
Subject Property

Parcels

USDA SCSSS SOILS MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 6/5/2025

USDA SCSSS Soils

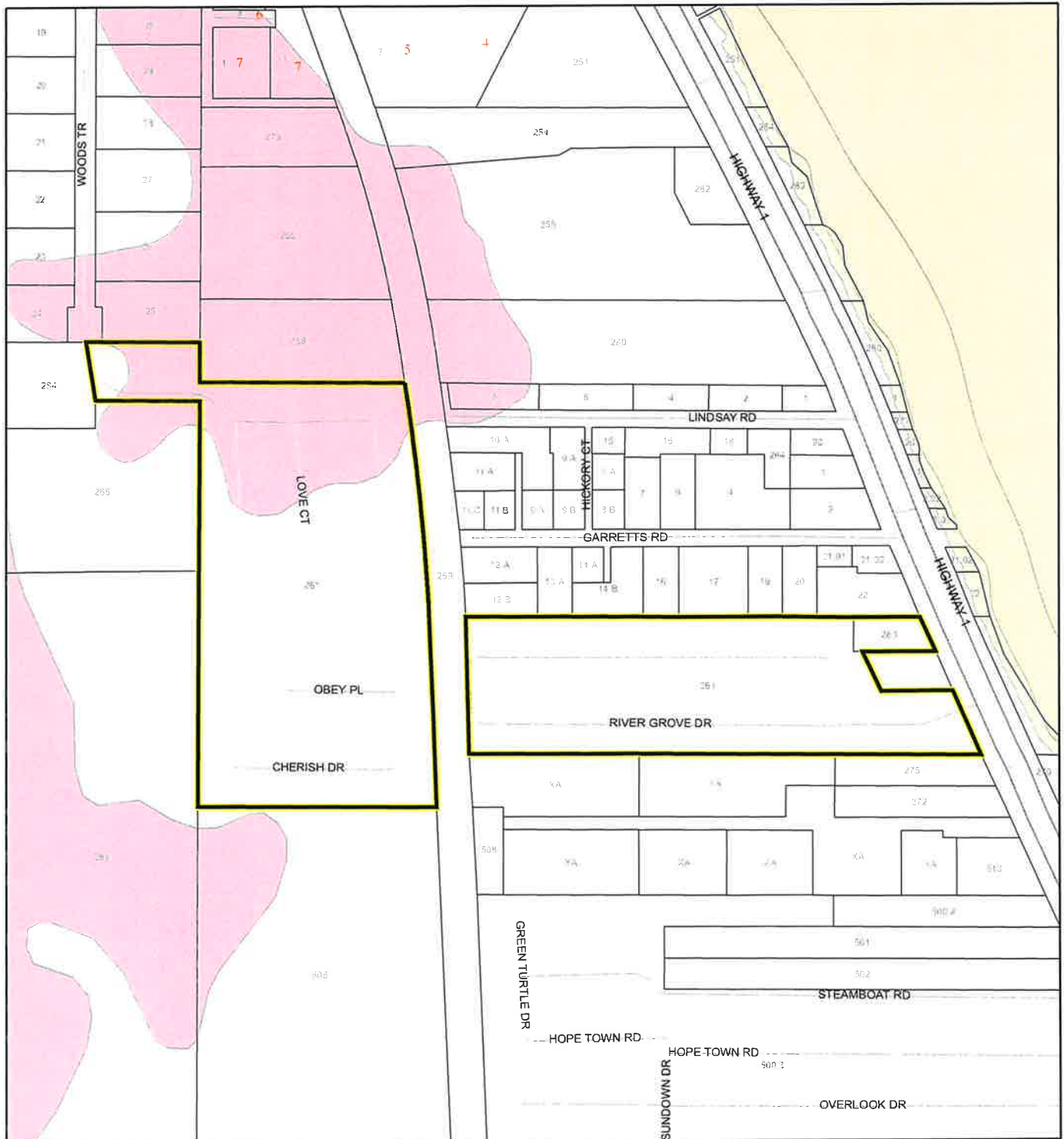
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 6/5/2025

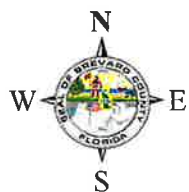
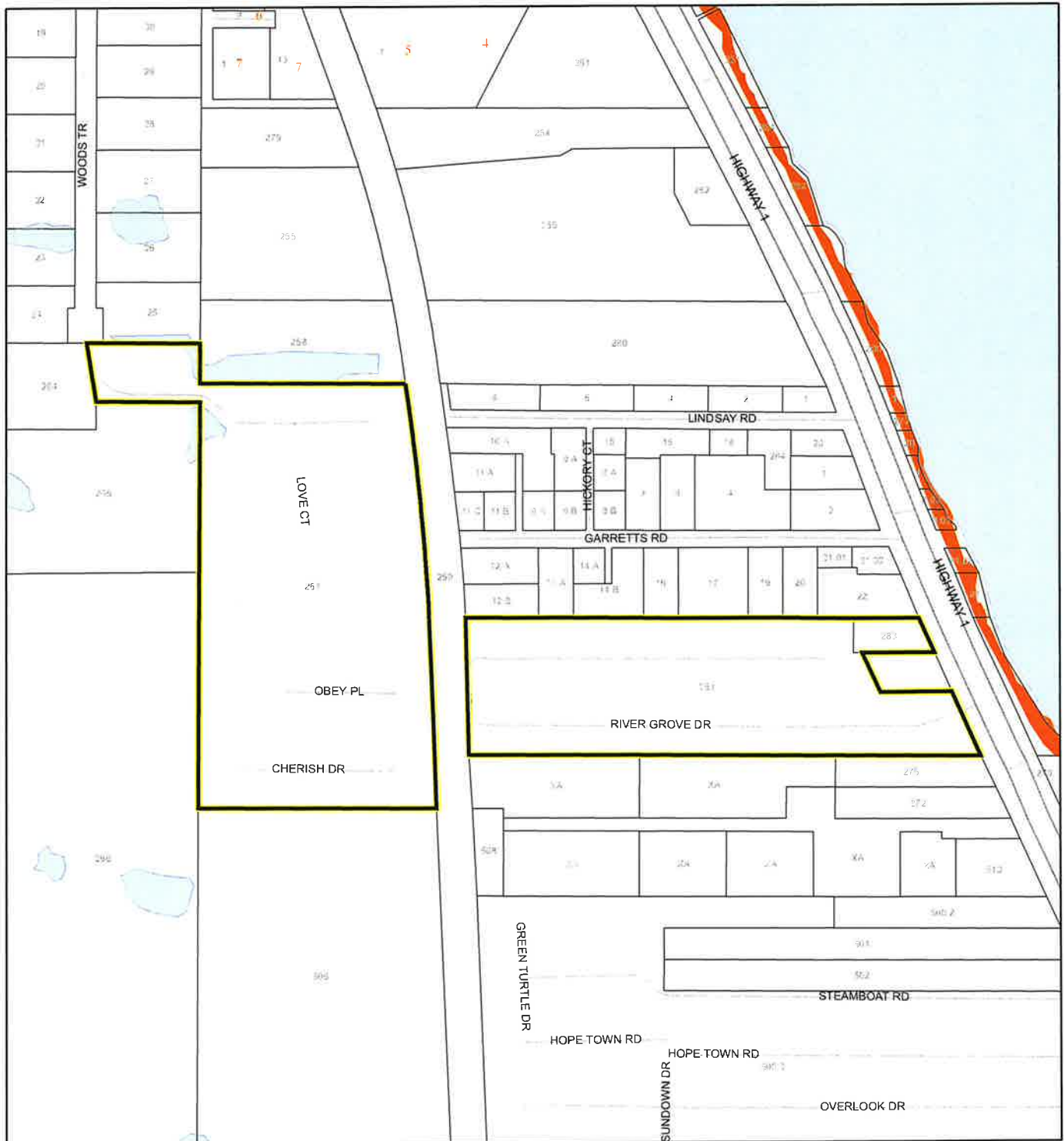
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property		Parcels

COASTAL HIGH HAZARD AREA MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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— Subject Property

□ Parcels

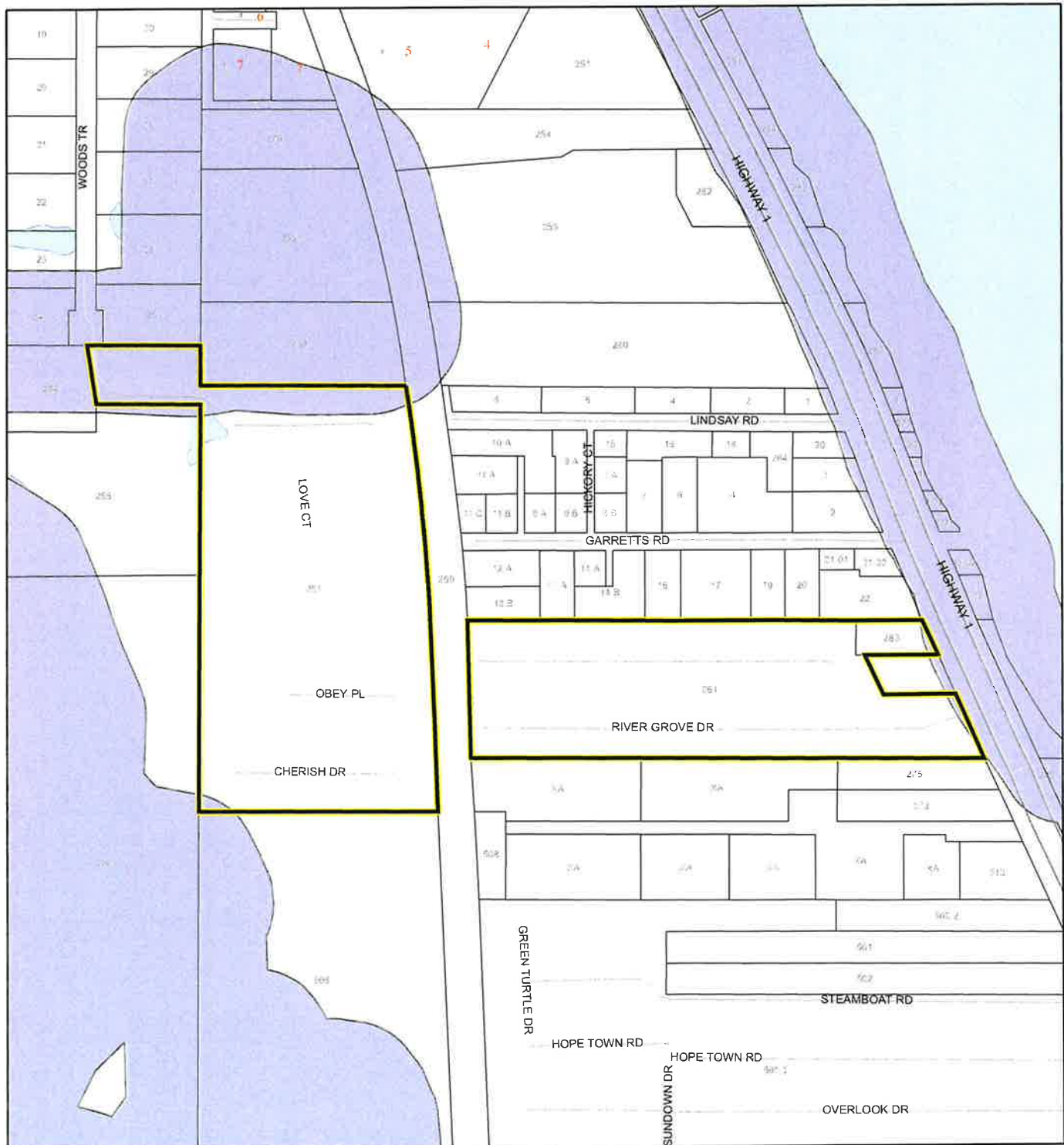
Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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— Subject Property

□ Parcels

Septic Overlay

■ 40 Meters

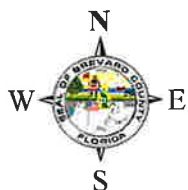
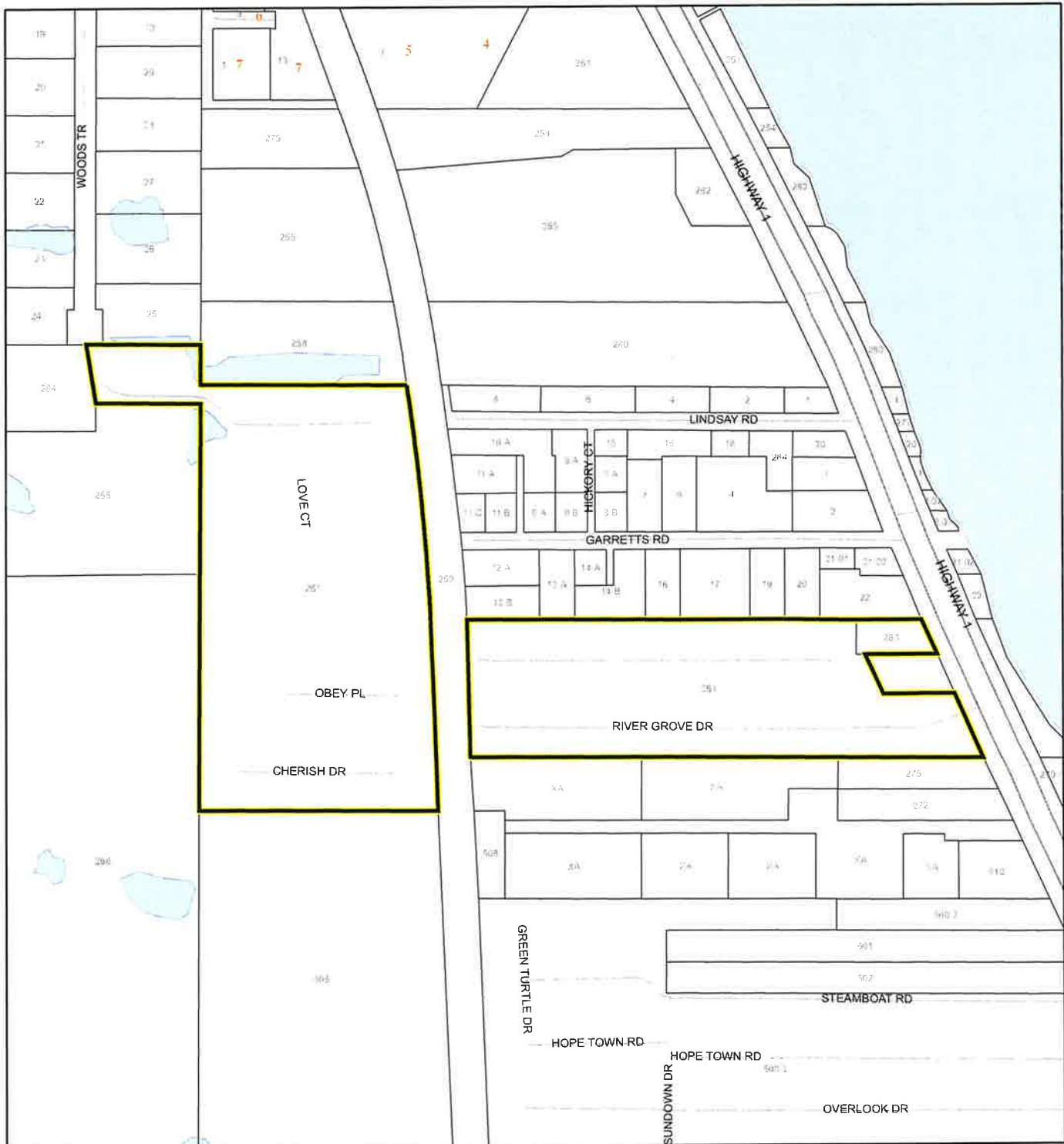
■ 60 Meters

■ All Distances

EAGLE NESTS MAP

COBBLESTONE II RVG LLC

23SS00006



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Produced by BoCC - GIS Date: 6/5/2025

 Subject Property

 Parcels

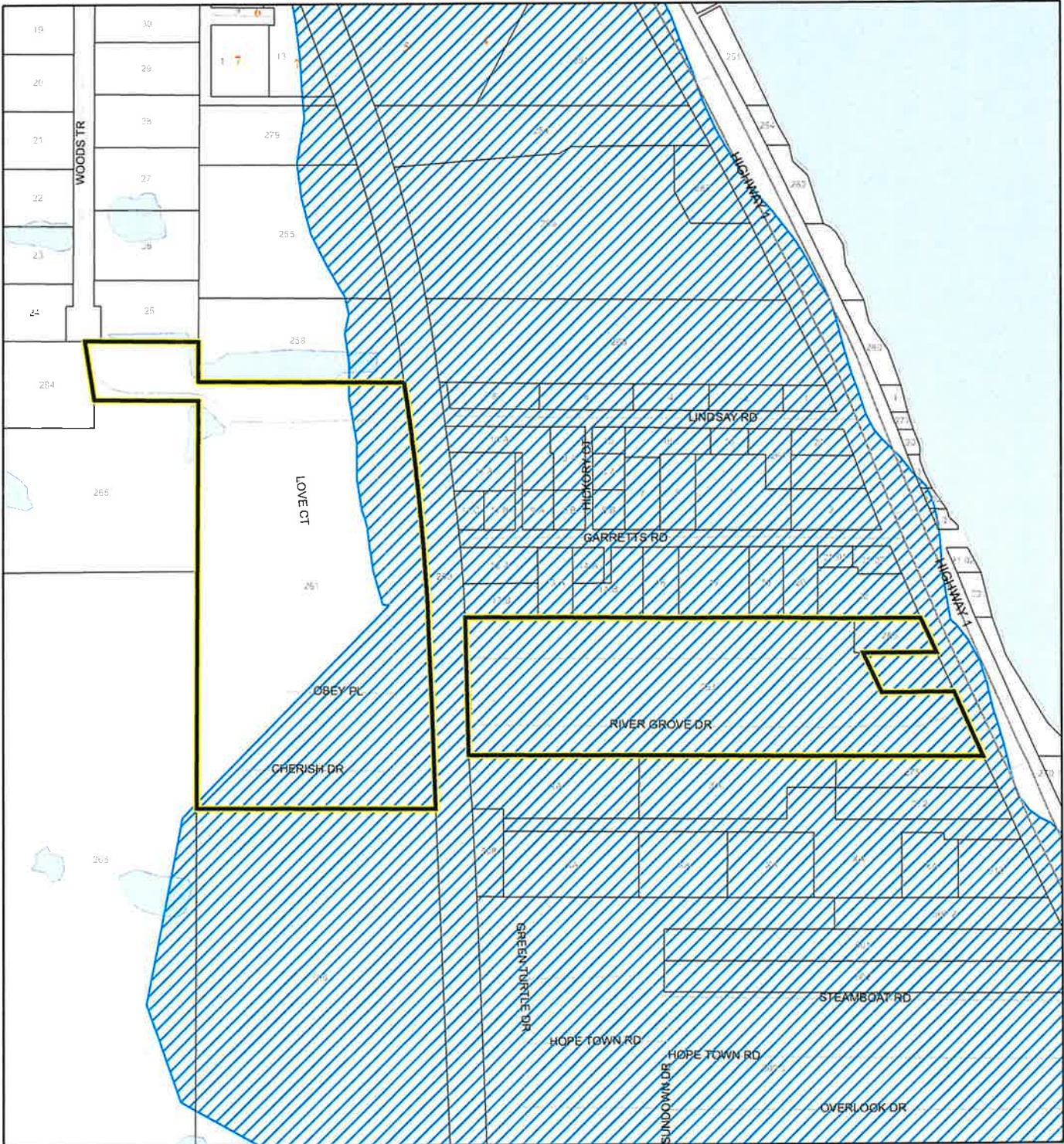


Eagle Nests
FWS

SCRUB JAY OCCUPANCY MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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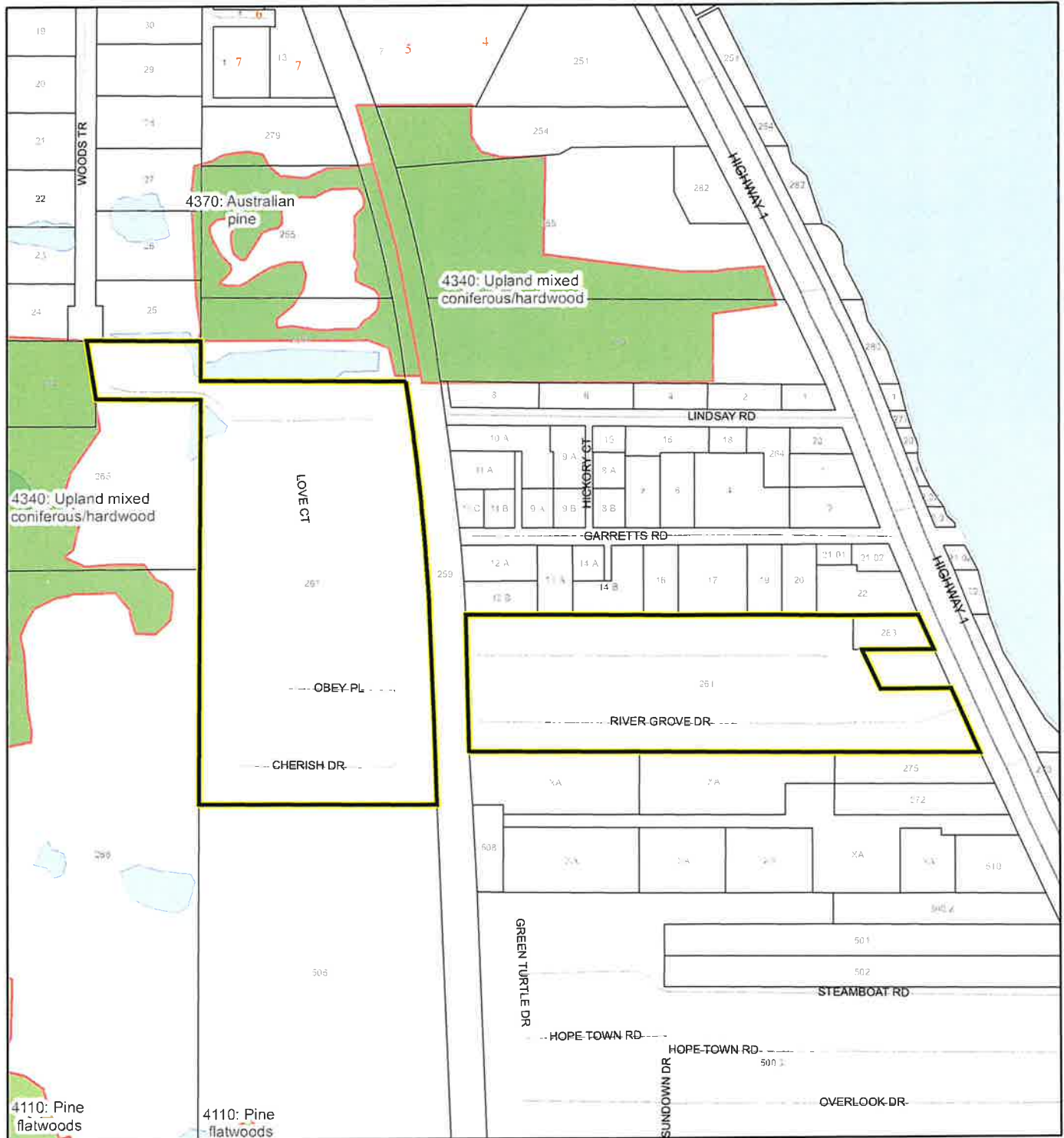
Produced by BoCC - GIS Date: 6/5/2025

- Subject Property
- Parcels
- Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

COBBLESTONE II RVG LLC

23SS00006



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 6/5/2025

SJRWMD FLUCCS Upland Forests

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

Subject Property Parcels

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, August 18, 2025**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

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

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ana Saunders (D5); Erika Orriss (D3); Debbie Thomas (D4); Greg Nicklas (D3); Ron Bartcher (D2); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Robert Brothers (D5); Melissa Jackson (D5) and Eric Michajlowicz (3).

Staff members present were Trina Gilliam, Zoning Manager; Paul Body, Planner; Alex Esseeesse, Deputy County Attorney; and Jordan Sagosz, Operations Support Specialist.

Excerpt of complete agenda

Item H.3. Cobblestone II RVG LLC (D. Scott Baker) requests a Small-Scale Comprehensive Plan Amendment (25S.12) to change the Future Land Use Map (FLUM) designation from RES-1, RES-2, CC, and NC to RES-6. (23SS00006) (Tax Account 3006458, 3010260) (District 3)

Item H.4. Cobblestone II RVG LLC (D. Scott Baker) requests a zoning classification change from TR-3, BU-1, and RU-1-9 to all TR-3 with a BDP. (23Z00038) (Tax Account 3006458, 3010260) (District 3)

Trina Gilliam read both item H.3. and H.4. into the record as they are companion applications but will need separate recommendations.

Scott Baker spoke to the applications. He stated he wanted to be clear at the outset that there's no new development proposed. There's no changes at all proposed. What happened is my client purchased a property about two years ago. The lender looked carefully at the zoning situation and realized there was some inconsistency between the zoning and the future land use. So, the future land use today would not allow this park. The park has been there probably since the late 60s maybe early 70s. It's developed at a relatively high density at six units per acre. So, it's an existing non-conforming use. We'd like to make the zoning and the land use consistent. We're also proposing to do a binding development plan to cap the unit count where it is today. So, nothing new is planned. And the reason we do that is it helps out with: 1) making the lender happy when they see that there's no inconsistencies, and 2) is if we want to do any kind of improvements to the property, not add units, but perhaps do a rec center or do some kind of amenity or something, we're non-conforming as we sit here today, and it puts us in a situation where we must go through a lot of additional steps at the county to get approval. There's also a small little house up on US-1 that we'd like to use and it's zoned RU-1. So, we can't use that as an office unless the whole thing is zoned TR-3, which allows mobile home parks. So, if any residents are here, I want them to be assured nothing's changing out there. We just need to make it legally consistent and have a unified zoning and land use approach.

Public Comment

David Fields stated he has about a hundred questions. What are they wanting to do is my first question.

Mr. Wadsworth responded with we don't know that information. You're either for the rezoning or against. We're just the planning and zoning.

Mr. Fields stated I understand that and that's what I can't find out from the notice that was posted is what are they wanting to do? What's the rezoning that they want to do? That's my question which I can't get answered from the post or from anybody else. And then I also have comments for whomever is in charge after the meeting about again the information on the post. I've been to three different buildings, and this can be on the record. I have no problem with that. I've been to three different buildings, and nobody exactly knew until I got to the last one which was over in building A and it's the planning and development. At least that lady knew where I needed to be in which building. But I still didn't get what room I needed to be in until I talked to the information lady out front. The complaint is your rezoning notice doesn't have any of that information on it. It just said this address which covers this whole facility ABC, and I don't know how many buildings you got. The other thing is on the rezoning notice, it doesn't tell me what they want to do, what zoning they're changing, what zoning they want to improve, any of that. And I can't find that out. And I've tried to ask people and nobody can tell me. Not blaming you guys. I'm just saying as far as the notice goes. I don't know if I'm against it or for it because I can't find out what they're doing. So, if that makes any sense to you, because hopefully you guys know what kind of rezoning they're wanting to do if you're here for a yay or nay vote. So, right now my vote is I abstain, but I would like to find out well what it is they're wanting to do.

Mr. Wadsworth stated we don't know that ourselves neither. We just know the zoning changes.

Mr. Fields asked then how can you approve or disapprove if you don't know what they're doing?

Mr. Wadsworth responded because if it's compatible with surrounding properties, etc., etc., we can go on forever.

Mr. Fields asked is it compatible? You don't know that either. Correct.

Mr. Wadsworth responded we do know that.

Mr. Fields continued but you don't know what it is they want to do. You just know it's compatible with other properties.

Mr. Esseeesse reminded the Chair that you don't have to go back and forth with members of the public. They're allowed to ask questions, but it's up to the discretion of the board if they want to engage in dialogue. I'm sure there's staff in the back that can assist you with explaining what the request is for, sir.

Mr. Fields responded okay. Great. I don't have a problem with that either. I can even step outside. I just I'm here today to find out what the heck they're wanting to do, because I live there.

Mr. Esseeesse commented just a suggestion if I may. If we want to wait for those two individuals to have a chance to speak with staff, then maybe they could come back and either say for or against or at least have a better understanding of what the request is for. It's up to you and the board. But that would be my recommendation.

Mr. Wadsworth stated items 3 and 4 we'll just scoot over to the side until you all have your time and we're going to go to item H5 and H6.

Mr. Atkins stated it seems like the applicant kind of gave a rundown of what they were looking to do. Is he allowed to join them out there and give them a brief explanation of what he said prior to that gentleman walking in the back door? That might streamline things a little bit.

Mr. Wadsworth replied that would be up to him.

Mr. Brothers stated he thought the applicant was very concise and straightforward in what you were planning.

Items H.3. and H.4. will be continued after items H.5. and H.6.

Item H.3. Cobblestone II RVG LLC (D. Scott Baker) requests a Small-Scale Comprehensive Plan Amendment (25S.12) to change the Future Land Use Map (FLUM) designation from RES-1, RES-2, CC, and NC to RES-6. (23SS00006) (Tax Account 3006458, 3010260) (District 3)

Item H.4. Cobblestone II RVG LLC (D. Scott Baker) requests a zoning classification change from TR-3, BU-1, and RU-1-9 to all TR-3 with a BDP. (23Z00038) (Tax Account 3006458, 3010260) (District 3)

Trina Gilliam read both item H.3. and H.4. into the record as they are companion applications but will need separate recommendations.

Scott Baker spoke to the application and stated he only spoke with one lady outside. There was another group talking to your staff. I think I addressed her questions. She's right over there. What we're doing, nothing. That's kind of the simple answer. Just changing zoning and land use to make everything consistent with each other.

Mr. Minneboo commented you're just changing words.

Mr. Baker responded Yes. And colors on your map.

No Public Comment

Mr. Hopengarten commented I don't have a copy of the existing BDP.

Mr. Baker responded there is no existing BDP. We're going to enter into one as a condition to have board approval. BOCC approval.

Mr. Hopengarten asked do you have a proposed.

Mr. Baker responded yes. It was provided to me by your staff, and we have no issue with the form.

Mr. Hopengarten commented they gave it to you and you have to agree to it and then you'll give it back.

Mr. Baker responded yes, I've submitted it to our client for signature.

Ms. Gilliam commented I've given them a template and they need to add the information in the template, but basically what they're proposing is to limit the unit count to the existing already there,

which is I think 173 units. They don't want to add anymore. What's going to be in the BDP is just to limit what's there.

Mr. Hopengarten stated I made a count on the aerial, and I come up with 178 units. Maybe I miscounted.

Mr. Baker stated he thinks it is 178, it's six units per acre, though. I can tell you that.

Mr. Hopengarten continued if the BDP states 173, you're going to have to get rid of five units.

Mr. Baker replied I just don't have that BDP in front of me. I know the form is approved and we didn't even put a unit count in there. I think we put we can never exceed six units per acre which is what we have today. But I'm happy to add a total unit.

Mr. Hopengarten replied no, because the staff said that they had stipulated 173 units and there are currently 178 on that site. So don't get tied up with 173 if that's on the BDP because it'll hold you back. You see what I'm saying?

Mr. Baker responded sure. And thank you for pointing that out.

Motion to recommend approval of Item H.3. Debbie Thomas, seconded by Erica Orriss. Motion passed unanimously.

Motion to recommend approval of Item H.4. with a BDP capping to the existing units, by Debbie Thomas, seconded by Erica Orriss. Motion passed unanimously.

Meeting adjourned at 4:18 p.m.

Board Meeting Date

9-4-25

Item Number: H.3. with a

Motion By: KA

Second By: KD

Nay By: _____

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2		
Commissioner Adkinson	3	✓	
Commissioner Altman	5	✓	
Chairman Feltner	4	✓	