

H. PUBLIC HEARINGS

Planning and Zoning Board
Monday, May 6, 2019, at 3:00 p.m.
and
Brevard County Board of County Commissioners
Thursday, May 30, 2019, at 5:00 p.m.
Both at the
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

- 1. Clark A. and Patricia A. Simms** request a change of zoning classification from RU-1-9 (Single-Family Residential) and EU (Estate Use Residential) to all RU-1-9. The property is 2.92 acres, located on the west side of North Tropical Trail, approximately 685 feet north of Lucas Road. (700 Saint Lawrence Lane, Merritt Island. (18PZ00130) (District 2)

Planning and Zoning Board Recommendation: Moia/Lawandales – Denied. The vote was 7:1, with Bartcher voting nay.

Board of County Commissioners Action: Lober/Pritchett – Approved with a BDP (Binding Development Plan), recorded on October 11, 2019, in Official Records Book 8562, Pages 152 – 158, limited to two lots, each developed with one single-family dwelling and one guesthouse with kitchen facilities, and that the sewer be installed at the owner's expense. The vote was unanimous.

- 2. Robert Bailey** requests a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1 to Residential 4. The property is 0.35 acres, located on south side of Craig Road, approximately 495 feet west of Friday Road. (5055 Craig Road, Cocoa) (19PZ00028) (District 1)

Local Planning Agency Recommendation: Hodgers/Moia – Approved. The vote was unanimous.

Board of County Commissioners Action: Pritchett/Lober – Denied. The vote was 4:1, with Tobia nay.

- 3. Robert Bailey** requests a change of zoning classification from GU (General Residential) to RU-1-13 (Single-Family Residential). The property is 0.35 acres, located on the south side of Craig Road, approximately 495 feet west of Friday Road. (5055 Craig Road, Cocoa) (19PZ00029) (District 1)

Planning and Zoning Board Recommendation: Hodgers/Moia – Approved. The vote was unanimous.

Board of County Commissioners Action: Pritchett/Lober – Denied. The vote was 4:1, with Tobia nay.

- 4. Xiaolu Yin and Robert McBride** (Oscar Busso) requests a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial). The property is 3.57 acres, located on the northeast corner of Waelti Drive and Freeman Lane. (3550 Freeman Lane, Melbourne) (19PZ00034) (District 4)

Local Planning Agency Recommendation: Lawandales/Filiberto – Approved. The vote was unanimous. (Bruce Moia abstained from voting)

Board of County Commissioners Action: Smith/Lober – Approved as recommended, and adopted Ordinance 19-12. The vote was unanimous.

5. **Xiaolu Yin and Robert McBride** (Oscar Busso) requests a change of zoning classification from GU (General Use) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is 3.57 acres, located on the northeast corner of Waelti Drive and Freeman Lane. (3550 Freeman Lane, Melbourne) (19PZ00035) (District 4)

Planning and Zoning Board Recommendation: Lawandales/Filiberto – Approved with a BDP (Binding Development Plan) with the following uses prohibited: auditoriums; automobile hire; automobile paint and body repair; automobile repairs; automobile sales; automobile tires and mufflers sales and service; automobile washing – mechanized; boat service; building materials and supplies; cabinetmaking and carpentry; commercial entertainment and amusement enterprises; contractors outdoor storage yards; engine service; farm machinery sales and service; feed and hay for animals and stock; fertilizer stores; flea markets; gasoline service stations; hotels, lumber sales; motels; motorcycle sales and service; outside sale of mobile homes; pet kennels; plan nurseries; recovered materials processing facility; restaurant outdoor seating; seafood processing plants; service station for automotive vehicles and U-Haul service; sharpening and grinding shops; theatres; towers and antennas; trailer and truck service; treatment and recovery facility; welding repairs and metal fabrication; outdoor storage or display of large items or material which may require a forklift, front loader, tractor, or similar machinery to move shall be prohibited. Outdoor intercoms and public address systems shall be prohibited. Digital or electronic signs and billboards, whether static, animated, or intermittent, shall be prohibited. Freestanding signs shall be limited to the Sign Code. The vote was unanimous. (Bruce Moia abstained from voting)

Board of County Commissioners Action: Smith/Lober – Approved with a BDP, recorded on August 22, 2019, in Official Records Book 8521, Pages 1208 – 1214, with the following uses prohibited: auditoriums; automobile hire; automobile paint and body repair; automobile repairs; automobile sales; automobile tires and mufflers sales and service; automobile washing – mechanized; boat service; building materials and supplies; cabinetmaking and carpentry; commercial entertainment and amusement enterprises; contractors outdoor storage yards; engine service; farm machinery sales and service; feed and hay for animals and stock; fertilizer stores; flea markets; gasoline service stations; hotels, lumber sales; motels; motorcycle sales and service; outside sale of mobile homes; pet kennels; plan nurseries; recovered materials processing facility; restaurant outdoor seating; seafood processing plants; service station for automotive vehicles and U-Haul service; sharpening and grinding shops; theatres; towers and antennas; trailer and truck service; treatment and recovery facility; welding repairs and metal fabrication; outdoor storage or display of large items or material which may require a forklift, front loader, tractor, or similar machinery to move shall be prohibited. Outdoor intercoms and public address systems shall be prohibited. Digital or electronic signs and billboards, whether static, animated, or intermittent, shall be prohibited. Freestanding signs shall be limited to the Sign Code. The vote was unanimous.

6. **Palm Bay REH, LLC** (Hitesh Patel) requests a CUP (Conditional Use Permit) for Alcoholic Beverages (full liquor) for On-Premises Consumption in conjunction with a restaurant, in a TU-

1 (General Tourist Commercial) zoning classification. The property is 1.23 acres, located on the west side of U.S. Highway 1, approximately 290 feet north of Camp Road. (4885 North Highway 1, Cocoa) (19PZ00051) (District 1)

Planning and Zoning Board Recommendation: Lawandales/Moia – Tabled to the May 20, 2019, Local Planning Agency meeting, as the applicant failed to appear. The vote was unanimous.

Board of County Commissioners Action: Pritchett/Lober – Approved as recommended. The vote was unanimous.

Public Comment