

PLANNING AND ZONING BOARD MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, February 10, 2020**, at **3:00 p.m.**, in the Commission 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: Ron Bartcher; Brian Woltz; Brian Hodgers; Harry Carswell; Ben Glover; Mark Wadsworth, Chair; Bruce Moia; Peter Filiberto, Vice Chair; and Dane Theodore.

Staff members present were: Rebecca Ragain, Assistant Director, Planning and Development; Jad Brewer, Assistant County Attorney; Paul Body, Planner II; and Jennifer Jones, Special Projects Coordinator.

Approval of the January 13, 2020, Minutes

Motion by Peter Filiberto, seconded by Bruce Moia, approve the minutes of January 13, 2020. The motion passed unanimously.

1. Beatrice A. Akman (Corey Lancaster)

A CUP (Conditional Use Permit) for a Guesthouse in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.96 acres, located at 1291 Newfound Harbor Drive, Merritt Island. (19PZ00139) (Tax Account 2514604) (District 2)

Corey Lancaster, 284 Clearlake Road, Cocoa, stated his client would like to build an 1,100 square-foot guesthouse. He explained Ms. Akman is from Indonesia and has a lot of guests who visit and stay for 30 to 45 days, and she doesn't have enough room in her primary home to keep them comfortably.

Peter Filiberto asked if the applicant is willing to put the guesthouse on sewer. Mr. Lancaster replied he was told sewer is not available, but he will hook up to it if it is available. Mr. Filiberto asked if the guesthouse would be one-story and if it would be rented. Mr. Lancaster replied the guesthouse will be one-story and it will not be rented.

Ben Glover clarified that the intention was not for an Airbnb. Mr. Lancaster confirmed the guesthouse would strictly be for family from out the of country and out of town.

Ron Bartcher asked if the board can make it a condition of the CUP that it not be rented.

Paul Body explained it is already in the code that a guesthouse cannot be rented, and that they shall be used to accommodate family members and temporary guests only.

No public comment.

Motion by Peter Filiberto to approve the CUP for a guesthouse with the condition that the principal structure as well as the guesthouse be hooked up to sewer if available.

Mr. Lancaster reiterated he's been told sewer is not available. Mr. Body stated according to the Public Works utilities map, sewer runs along the east side of Newfound Harbor, but not on the west side, so he would have to jack and bore to get to it. Mr. Lancaster replied it might be a deal breaker as far as cost, but he will look into it.

Mr. Glover stated he doesn't think it's fair to make the applicant to connect to sewer for a small guesthouse.

Mark Wadsworth called for a second to the motion by Peter Filiberto.

Harry Carswell seconded the motion.

Mark Wadsworth called for a vote on the motion as stated, and it passed 6:3, with Brian Woltz, Brian Hodgers, and Ben Glover voting nay.

2. Hitchin Beach Development Corp. (Richard Lee)

A CUP (Conditional Use Permit) for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in conjunction with a restaurant in a BU-1 (General Retail Commercial) zoning classification. The property is 2,000 square feet, located on the northeast corner of North Atlantic Avenue and Hayes Avenue. (6710 North Atlantic Avenue, Units A & B, Cape Canaveral) (19PZ00156) (Tax Account 2434945)

Richard Lee, 6710 North Atlantic Avenue, Cape Canaveral, stated he would like to serve beer and win at his Hawaiian café that opened in November.

No public comment.

Motion by Brian Hodgers, second by Bruce Moia, to approve the CUP for Alcoholic Beverages (beer & wine only) for On-Premises Consumption in conjunction with a restaurant in a BU-1 (General Retail Commercial) zoning classification. The motion passed unanimously.

Upon consensus, the meeting adjourned at 3:11 p.m.