

H. PUBLIC HEARINGS

Local Planning Agency / Planning and Zoning Board
Monday, July 12, 2021, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, August 5, 2021, at 5:00 p.m.

Both at the
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida

1. **CBH Properties Melbourne, LLC** (Bruce Moia) requests a change of zoning classification from BU-1 (General Retail Commercial) with an existing BDP (Binding Development Plan) to BU-2 (Retail, Warehousing, and Wholesale Commercial) and an amendment to the existing BDP. The property is 1.15 acres, located on the east side of N. Wickham Rd., approx. 0.13 mile south of Jordan Blass Dr. (6315 N. Wickham Rd., Melbourne) (21Z00012) (Tax Account 3022324) (District 4)

P&Z Recommendation: Filiberto/Buchanan - Tabled to the 07/26/21 LPA meeting due to lack of quorum. The vote was unanimous. (David Bassford abstained; therefore, a quorum was not maintained)

2. **Joshua E. Motta and Virginia L. Rymer** request a change of zoning classification from GU (General Use) to AU (Agricultural Residential). The property is 2.23 acres, located on the west side of Fishtail Palm Ave., approx. 181 feet north of Cabbage Palm St. (5340 Fishtail Palm Ave., Cocoa) (21Z00017) (Tax Account 2314015) (District 1)

P&Z Recommendation: Bartcher/Filiberto - Approved. The vote was unanimous.

BCC Action: Lober/Zonka - Approved as recommended. The vote was unanimous, with Commissioner Tobia absent.

3. **Timothy and Diane Lystlund** request a Small Scale Comprehensive Plan Amendment (21S.03) to change the Future Land Use designation from RES 1 (Residential 1) to RES 2 (Residential 2). The property is 0.55 acres, located on the west side of Hibiscus Ave., approx. 240 ft. south of Jonquil Lane. (9555 Hibiscus Ave., Micco) (21PZ00026) (Tax Account 3009665) (District 3)

LPA Recommendation: Filiberto/Buchanan - Approved. The vote was unanimous.

BCC Action: Lober/Zonka - Tabled to the 11/04/21 BCC Zoning meeting. The vote was unanimous, with Commissioner Tobia absent.

Board of County Commissioners Action of 11/04/21: Tobia/Lober - Approved. The vote was unanimous.

4. **Timothy and Diane Lystlund** request a change of zoning classification from RU-1-7 (Single-Family Residential) to SR (Suburban Residential). The property is 0.55 acres, located on the west side of Hibiscus Ave., approx. 240 ft. south of Jonquil Lane. (9555 Hibiscus Ave., Micco) (21Z00014) (Tax Account 3009665) (District 3)

P&Z Recommendation: Filiberto/Buchanan - Approved. The vote was unanimous.

BCC Action: Lober/Smith - Tabled to the 11/04/21 BCC Zoning meeting. The vote was unanimous, with Commissioner Tobia absent.

BCC Action of 11/04/21: Tobia/Lober - Approved. The vote was unanimous.

- 5. Schwab Construction Group, Inc.** (Daniel Lee Schwab) requests a change of zoning classification from BU-1 (General Retail Commercial) to RU-2-15 (Medium Density Multi-Family Residential). The property is 0.94 acres, located on the southeast corner of Palmetto Ave. and Burnwood Dr. (141 Burnwood Dr. and 165 Palmetto Ave., Merritt Island) (21Z00015) (Tax Account 2426535) (District 2)

P&Z Recommendation: Bartcher/Buchanan - Approved. The vote was unanimous.

BCC Action: Lober/Smith - Approved as recommended. The vote was unanimous, with Commissioner Tobia absent.

- 6. 395 East, LLC** (Alex Berkovich) requests a change of zoning classification from SEU (Suburban Estate Use) to EU (Estate Use Residential). The property is 6.33 acres, located on the southwest corner of Curry Dell Lane and S. Courtenay Pkwy. (No assigned address. In the Merritt Island area.) (21Z00018) (Tax Account 2511450) (District 2)

P&Z Recommendation: Hodgers/Bartcher - Approved with a BDP limited to no more than four single-family residences; residences not to exceed two stories; no ingress/egress to Curry Dell Lane; utilization of the advanced septic systems; and a maximum height of structures not to exceed 35 feet. The vote was 5:1, with Filiberto voting nay.

BCC Action: Lober/Smith - Approved with a BDP, recorded on 11/12/21, in ORB 9324, Pages 583 - 591, including but not limited to the following conditions: development shall be limited to a maximum of four single-family residences; guesthouses shall be prohibited; maximum height of structures not to exceed 35 feet; single-family residences shall connect to sewer at time of permitting. If sewer is unavailable at time of permitting, all homes shall utilize the advanced septic systems providing no less than 65% nitrogen removal; ingress/egress from Curry Dell Lane shall be prohibited; ingress/egress shall be by newly constructed driveway to both S. Tropical Trail and N. Courtenay Parkway. The vote was unanimous, with Commissioner Tobia absent.

- 7. 4090 Aurora Pines, LLC** (Bruce Moia) requests a Small Scale Comprehensive Plan Amendment (21S.04) to change the Future Land Use designation from RES 4 (Residential 4) to RES 6 (Residential 6). The property is 6.21 acres, located on the north side of Aurora Rd., approx. 677 ft. west of Turtlemound Rd. (4090 Aurora Rd., Melbourne) (21PZ00030) (Tax Account 2702879) (District 5)

P&Z Recommendation: Filiberto/Buchanan - Tabled to the 07/26/21 LPA meeting due to lack of quorum. The vote was unanimous. (David Bassford abstained; therefore, a quorum was not maintained)

- 8. 4090 Aurora Pines, LLC** (Bruce Moia) requests a change of zoning classification from TR-3 (Mobile Home Park) to TR-1-A (Single-Family Mobile Home). The property is 6.21 acres,

located on the north side of Aurora Rd., approx. 677 ft. west of Turtle Mound Rd. (4090 Aurora Rd., Melbourne) (21Z00016) (Tax Account 2702879) (District 5)

P&Z Recommendation: Filiberto/Buchanan - Tabled to the 07/26/21 LPA meeting due to lack of quorum. The vote was unanimous. (David Bassford abstained; therefore, a quorum was not maintained)

9. **Gary E. and Joanna L. Mills** request a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential). The property is 1.26 +/- acres, located on the south side of Arlington Ave., approx. 0.25 mile west of Cushman Dr. (4257 Arlington Ave., Mims) (21Z00013) (Tax Account 2001899) (District 1)

P&Z Recommendation: Bartcher/Buchanan - Approved. The vote was unanimous.

BCC Action: Lober/Smith - Approved as recommended. The vote was unanimous, with Commissioner Tobia absent.