

H. PUBLIC HEARINGS

Planning and Zoning Board / Local Planning Agency
Monday, April 17, 2023, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, May 4, 2023, at 5:00 p.m.

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

1. **(22SS00013) Austin A. and Kailey R. Mahan** request a Small Scale Comprehensive Plan Amendment (22S.15), to change the Future Land Use designation from NC (Neighborhood Commercial) to CC (Community Commercial). The property is 0.77 acres, located on the north corner of U.S. Highway 1, and E.R. Smyth Drive, Mims. (3716 E.R. Smyth Dr., Mims) (Tax Account 3030132) (District 1) This item was automatically tabled by the applicant from the 1/09/23 P&Z/LPA meeting, and the 2/2/23 BCC meeting.

LPA Recommendation: Thomas/Luse - Approved. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved as recommended, and adopted Ordinance No. 23-07. The vote was unanimous.

2. **(22Z00054) Austin A. and Kailey R. Mahan** request a change of zoning classification from AU (Agricultural Residential) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is 0.77 acres, located on the north corner of U.S. Highway 1, and E.R. Smyth Drive, Mims. (3716 E.R. Smyth Dr., Mims) (Tax Account 3030132) (District 1) This item was automatically tabled by the applicant from the 1/09/23 P&Z/LPA meeting, and the 2/2/23 BCC meeting.

P&Z Recommendation: Bartcher/Sullivan - Approved with a BDP retaining all BU-1 uses, limiting the BU-2 use to kayak storage only, and limiting egress only to E.R. Smyth Drive, with ingress and egress to U.S. Highway 1. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved as recommended, with a BDP retaining all BU-1 uses, limiting the BU-2 use to kayak storage only, and limiting egress only to E.R. Smyth Drive, with ingress and egress to U.S. Highway 1. The vote was unanimous. The applicant failed to record the BDP before the 120-day deadline, and a 60-day extension; therefore, the application is considered withdrawn.

3. **(23Z00010) Matthew and Christine Morak** request a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential), on 2.22 acres, located on the north side of Burkholm Rd., approx. 0.38 mile east of U.S. Highway 1 (3660 Burkholm Rd., Mims) (Tax Account 2004738) (District 1)

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

BCC Action: Feltner/Tobia - Approved as recommended. The vote was unanimous.

4. **(23Z00011) Rebecca and Allen Potter** request a change of zoning classification from RR-1 (Rural Residential) and AU (Agricultural Residential) to all AU, on 3.53 acres, located on the east side of U.S. Highway 1, approx. 0.24 mile north of Barefoot Bay Blvd. (7660 U.S. Highway

1, Micco) (Tax Account 3006359) (District 3)

P&Z Recommendation: Hopengarten/Luse - Tabled to the 06/12/23 meeting, as the applicants failed to appear. The vote was unanimous.

BCC Action: Acknowledged tabling to the 07/13/23 meeting. No vote was taken.

5. **(22Z00056) Melanie Rondeau and Zackry Corter** request a change of zoning classification from GU (General Use) to RRMH-1 (Rural Residential Mobile Home), on 1 acre, located on the east side of Blounts Ridge Rd., approx. 835 ft. north of Patty Ln. (No assigned address. In the Mims area.) (Tax Account 2000693) (District 1)

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

BCC Action: Tobia/Goodson - Approved as recommended. The vote was unanimous.

6. **(22SS00017) Terrance P. and Peggy A. Mulreany** (Kelly Hyvonen) requests a Small Scale Comprehensive Plan Amendment (22S.20), to change the Future Land Use designation from NC (Neighborhood Commercial) and RES 4 (Residential 4) to CC (Community Commercial), on 8.89 +/- acres, located on the east side of Grissom Parkway, approx. 0.68 miles south of Canaveral Groves Boulevard. (No assigned address. In the Cocoa area.) (Tax Accounts 2400694, 2400695, 2400696, 2400697, 2400698, & 2400700 (District 1)

LPA Recommendation: Bartcher/Sullivan - Approved. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved as recommended, and adopted Ordinance No. 23-08. The vote was unanimous.

7. **(22Z00073) Terrance P. and Peggy A. Mulreany** (Kelly Hyvonen) requests a change of zoning classification from GU (General Use) to BU-2 (Retail, Warehousing, and Wholesale Commercial), on 8.89 +/- acres, located on the east side of Grissom Parkway, approx. 0.68 miles south of Canaveral Groves Boulevard. (No assigned address. In the Cocoa area.) (Tax Accounts 2400694, 2400695, 2400696, 2400697, 2400698, & 2400700 (District 1)

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

BCC Action: Feltner/Goodson - Approved as recommended. The vote was unanimous.

8. **(22SS00014) Norman Leigh Sherman, Jr., and Karen Denise Turowski** request a Small Scale Comprehensive Plan Amendment (22S.18) to change the Future Land Use designation from AGRIC (Agricultural) to RES 1:2.5 (Residential 1:2.5). The property is 4.40 acres total, located on the southeast corner of Pine Needle St. and Hog Valley Rd. (4791 Pine Needle St., Mims) (Tax Accounts 2002089 & 2002090) (District 1)

LPA Recommendation: Bartcher/Sullivan - Approved. The vote was unanimous.

BCC Action: Feltner/Goodson - Approved as recommended, and adopted Ordinance No. 23-09. The vote was unanimous.

9. **(23Z00016) Norman Leigh Sherman and Karen Denise Turowski** request a change of zoning classification from RRMH-1 (Rural Residential Mobile Home) to AU (Agricultural

Residential), on property described as Lot 4.02, Block 2, Indian River Park, as recorded in ORB 9701, Pages 600 - 603, of the Public Records of Brevard County, Florida. **Section 22, Township 20G, Range 34.** (3.53 +/- acres) Located on the south side of Pine Needle St., approx. 300 ft. east of Hog Valley Rd. (4791 Pine Needle St., Mims) (Tax Account 2002089) (District 1)

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

BCC Action: Feltner/Goodson - Approved as recommended. The vote was unanimous.

- 10. (23Z00006) David C. Ramage and Cynthia R. Ramage Trust** (Jack Kirschenbaum) request a change of zoning classification from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial), on 4.83 acres, located on the east side of U.S. Highway 1, approx. 0.23 mile north of E. Main St. (2615 U.S. Highway 1, Mims) (Tax Account 2103340) (District 1)

P&Z Recommendation: Bartcher/Sullivan - Approved with a BDP retaining all BU-1 uses, limiting the BU-2 use to a mini-warehouse with outdoor RV and boat storage only, and limiting the storage of RV's and boats to the rear of the property. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved as recommended, with a BDP, recorded on 08/30/23, in ORB 9876, Pages 476 – 480, retaining all BU-1 uses, limiting the BU-2 use to a mini-warehouse with outdoor RV and boat storage only, and limiting the storage of RV's and boats to the rear of the property, to wit: the outdoor storage shall be behind the building. The vote was unanimous.

- 11. (23Z00009) Ranger Storage, LLC** (Jim Trauger) requests an amendment to an existing BDP (Binding Development Plan) in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification, on 2.21 +/- acres, located on the south side of Freeman Lane, approx. 480 ft. east of Waelti Dr. (3335 Freeman Lane, Melbourne) (Tax Account 2601558) (District 4)

P&Z Recommendation: Bartcher/Thomas - Approved with a BDP retaining all BU-1 uses and limiting the BU-2 use to indoor RV and boat storage. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved with a BDP, recorded on 08/30/23, in ORB 9876, Pages 382 – 389, retaining all BU-1 uses and limiting the BU-2 use to indoor RV and boat storage. The vote was unanimous.

- 12. (23SS00002) FMKT Mel Owner, LLC** (Bruce Moia) requests a *Small Scale Comprehensive Plan Amendment (23S.02)*, to change the Future Land Use designation from PI (Planned Industrial) and CC (Community Commercial), to all CC, on 11.48 acres, located on the east side of N. Wickham Rd., approx. .20 miles south of Pineda Ct. (In the Melbourne area.) (Tax Account 3011945) (District 4)

P&Z Recommendation: Sullivan/Thomas - Approved. The vote was unanimous.

BCC Action: Feltner/Goodson - Approved as recommended, and adopted Ordinance No. 23-10. The vote was unanimous.

13. (23Z00008) FMKT Mel Owner, LLC (Bruce Moia) requests a change of zoning classification from BU-1 (General Retail Commercial) and BU-2 (Retail, Warehousing, and Wholesale Commercial) to PUD (Planned Unit Development) on 11.48 acres, located on the east side of N. Wickham Rd., approx. .20 miles south of Pineda Ct. (In the Melbourne area.) (Tax Account 3011945) (District 4)

P&Z Recommendation: Sullivan/Thomas - Approved. The vote was unanimous.

BCC Action: Feltner/Tobia - Approved as recommended. The vote was unanimous.

14. (23Z00007) Mehran Ghaeenzadeh (Scott Glaubitz) 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), with removal of the existing BDP, on 8.87 acres, located on the south side of W. New Haven Ave., approx. 250 ft. east of New York St. (3865 W. New Haven Ave., Melbourne) (Tax Account 2800735) (District 5)

P&Z Recommendation: Hopengarten/Luse - Tabled to the 06/12/23 meeting for Authorization to Act from property owner. The vote was unanimous.

BCC Action: Acknowledged tabling to the 07/13/23 meeting. No vote was taken.