

Brevard County Board of County Commissioners

*2725 Judge Fran Jamieson Way
Viera, FL 32940*



Minutes

Thursday, September 1, 2022

5:00 PM

Zoning

Commission Chambers

A. CALL TO ORDER 5:02 PM

Present: Commissioner District 1 Rita Pritchett, Commissioner District 3 John Tobia, Commissioner District 4 Curt Smith, and Commissioner District 5 Kristine Zonka

ZONING STATEMENT

The Board of County Commissioners acts as a Quasi-Judicial body when it hears requests for rezoning and Conditional Use permits. Applicants must provide competent substantial evidence establishing facts, or expert witness opinion testimony showing that the request meets the Zoning Code and Comprehensive Plan criteria. Opponents must also testify as to facts or provide expert testimony; whether they like, or dislike, a request is not competent evidence. The Board must then decide whether the evidence demonstrates consistency and compatibility with the Comprehensive Plan and the existing rules in the Zoning Ordinance, property adjacent to the property to be rezoned, and the actual development of the surrounding area. The Board cannot consider speculation, non-expert opinion testimony, or poll the audience by asking those in favor or opposed to stand up or raise their hands. If a Commissioner has had communications regarding a rezoning or Conditional Use Permit request before the Board, the Commissioner must disclose the subject of the communication and the identity of the person, group, or entity, with whom the communication took place before the board takes action on the request. Likewise, if a Commissioner has made a site visit, inspection, or investigation, the Commissioner must disclose that fact before the Board takes action on the request. Each applicant is allowed a total of 15 minutes to present their request unless the time is extended by a majority vote of the Board. The applicant may reserve any portion of the 15 minutes for rebuttal. Other speakers are allowed five minutes to speak. Speakers may not pass their time to someone else in order to give that person more time to speak.

C. PLEDGE OF ALLEGIANCE

Commissioner Tobia led the assembly in the Pledge of Allegiance.

**F.1. Final Plat and Contract Approval, Re: Addison Center at Viera
Developer: The Viera Company**

The Board granted final plat approval; and authorized the Chair to sign the final plat and contract for Addison Center at Viera, Developer: The Viera Company, subject to minor changes, if necessary, receipt of all documents required for recording, developer is responsible for obtaining all other necessary jurisdictional permits.

Result: Approved

Mover: John Tobia

Seconder: Rita Pritchett

Ayes: Pritchett, Tobia, Smith, and Zonka

F.2. Legislative Intent and Permission to Advertise, Re: Ordinance Amending Chapter 62, Article VI, Section 62-1255, Regarding the Establishment of Zoning Classification, Section 62-1573, Institutional Use, and Section 62-2106, Mixed Use

The Board granted legislative intent and permission to advertise an ordinance amending Chapter 62, Article VI, Section 62-1255, regarding the establishment of zoning classification, Section 62-1573, Institutional Use, and Section 62-2106, Mixed Use.

Result: Approved
Mover: John Tobia
Seconders: Rita Pritchett
Ayes: Pritchett, Tobia, Smith, and Zonka

F.3. Acceptance, Re: Binding Development Plan with Charles K. Donaldson

The Board executed Binding Development Plan Agreement with Charles K. Donaldson, for property located in Official Records Book 9402 and Page 1920 of the Public Records of Brevard County, Florida, lying west of North Tropical Trail. A parcel of land lying in Section 22, Township 24 South, Range 36 East.

Result: Approved
Mover: John Tobia
Seconders: Rita Pritchett
Ayes: Pritchett, Tobia, Smith, and Zonka

F.4. Acceptance, Re: Binding Development Plan with DeRosa Holdings, LLC

The Board executed Binding Development Plan Agreement with DeRosa Holdings, LLC, for property located at a parcel of land being a portion of Block H of A. & B. Bruners Re-Subdivision of Blocks A, H. J. K., and Parts of Blocks C & I of A. L. Bruners Re-Sub of Burchfield & Bruners Addition to Crescent Beach.

Result: Approved
Mover: John Tobia
Seconders: Rita Pritchett
Ayes: Pritchett, Tobia, Smith, and Zonka

F.5. Resolution Acknowledging National Service Dog Month

The Board adopted Resolution No. 22-097, proclaiming September to be National Service Dog Month and encourages all citizens to celebrate genuine service dogs and be respectful to the adults, children, and veterans who lead more independent lives because of them.

Result: Adopted
Mover: John Tobia
Seconders: Rita Pritchett
Ayes: Pritchett, Tobia, Smith, and Zonka

H.1. Laura and Earl McCullough Request a Change of Zoning Classification from SR, with an Existing BSP, to RR-1, Retaining the Existing BSP (22Z00026) (Tax Account 2320550)

Jeffrey Ball, Planning and Zoning Manager, stated before getting started, he asked if anyone was present to discuss Items five, six, or seven, Jane Hart has a sign-in sheet for speakers that will be included in the packet to the Department of Employment Opportunity (DEO).

Chair Zonka called for a public hearing to consider a change of zoning classification from SR, with an existing Binding Site Plan (BSP), to RR-1, retaining the existing BSP, as requested by Laura and Earl McCullough.

Mr. Ball stated this Item is for Laura and Earl McCullough requesting a change of zoning classification from SR, with an existing BSP, to RR-1, retaining the existing BSP; the application number is 22Z00026, tax account number is 2320550; and it is located in District 2.

E. Timothy McCullough stated he is present with the insistence of his wife; they bought this property with the idea that his wife could perhaps have a horse; it has a 600-foot driveway off of Hall Road and to the left, approaching the house, there is a home with several acres of property; his property has 2.35 acres and is bounded by property that has about 25 acres on one side with horses and cattle, and neighbors to the rear of his house; no property is within 450-500 feet of their boundary line and there is no home within probably 600-700 feet of their home; they believe that this would not burden any of the surrounding properties; and it would provide more than ample property for a horse.

There being no further comments or objections, the Board approved the request for a change of zoning classification from SR, with an existing BSP, to RR-1, retaining the existing BSP for Laura and Earl McCullough.

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Tobia, Smith, and Zonka

H.2. 2354 Talmadge Drive, LLC (Aldon Bookhardt) Requests a Change of Zoning Classification from AU to RU-1-11 (22Z00028) (Tax Account 2103243)

Chair Zonka called for a public hearing to consider a change of zoning classification from AU to RU-1-11 as requested by 2354 Talmadge Drive, LLC (Aldon Bookhardt).

Jeffrey Ball, Planning and Zoning Manager, stated 2354 Talmadge Drive, LLC (Aldon Bookhardt) requests a zoning classification from AU to RU-1-11; the application number is 22Z00028, tax account number is 2103243; and it is located in District 1.

There being no comments or objections, the Board approved the request for a change of zoning classification from AU to RU-1-11 for 2354 Talmadge Drive, LLC (Aldon Bookhardt).

Result: Approved

Mover: Rita Pritchett

Secunder: Curt Smith

Ayes: Pritchett, Tobia, Smith, and Zonka

H.3. Carla Theadora Reece Requests a Change of Zoning Classification from RR-1 to AU (22Z00032) (Tax Account 2403816)

Chair Zonka called for a public hearing to consider a change of zoning classification from RR-1 to AU as requested by Carla Theadora Reece.

Jeffrey Ball, Planning and Zoning Manager, stated Carla Theadora Reese requests a change of zoning classification from RR-1 to AU; the application number is 22Z00032, tax account number is 2403816; and it is located in District 1.

There being no comments or objections, the Board approved the request for a change of zoning classification from RR-1 to AU for Carla Theadora Reese.

Result: Approved
Mover: Rita Pritchett
Secunder: John Tobia
Ayes: Pritchett, Tobia, Smith, and Zonka

H.4. Daren T. and Regina M. Dempsey Request a Change of Zoning Classification from AU to RU-1-13 (22Z00033) (Tax Account 2318342)

Chair Zonka called for a public hearing to consider a change of zoning classification from AU to RU-1-13 as requested by Daren T. and Regina M. Dempsey.

Jeffrey Ball, Planning and Zoning Manager, stated Daren T. and Regina M. Dempsey request a change in zoning classification from AU to RU-1-13; the application number is 22Z00033, tax account number is 2318342; and it is located in District 2.

Regina Dempsey stated they bought this property as 1.4 acres and because of the size of the house that is on the property, about 1,379 square feet, this zoning helps make that existing house conforming; they would be willing to sign a Binding Development Plan (BDP) that they would do two houses per acre; she thinks that eliminates a lot of the issues she has been listening to; and she mentioned there is an adjacent property that has less than one-quarter-acre lots on both sides.

Pamela Felski stated she is present to make a public comment opposing the change of zoning classification request; as a 20-year plus homeowner in that immediate area, the RU-1-13 classification is completely out of character with the existing neighborhood and area; the single-family residents surrounding that property are AU, EU, and EU-2; the change to RU-1-13 is inconsistent with the historical land use patterns in the area and is incompatible with the surrounding residences; and it would negatively impact the value of the adjacent AU properties as well as the EU properties that are across the street. She added the introduction of the RU-1-13 classification is simply not appropriate in this rural suburban area; on August 15, 2022, the Planning and Zoning Board unanimously recommended denial of a change of zoning classification from AU to RU-1-13; on August 11, 2022, the North Merritt Island Dependent Special District Board recommended to deny the RU-1-13 and recommended the SR, Suburban Residential zoning classification; since the owner, who is a builder, has stated that their desire is to have two residences on the 1.41 acre lot; a more appropriate change of zoning classification for this area might be SR, as it is the minimum lot size of one-half-acre, minimum floor area of 1,300 square foot; the SR zoning classification would provide what the owner is asking for and be more compatible with the surrounding area; and anything denser than that is simply not consistent with this whole area. She asked the Board to not consider the RU-1-13 zoning with a BDP restricting development to two houses; the existing house could be removed in the future and then they would be allowed to put six or seven houses on that lot; she asked please do not allow the possibility of a work-around in this very impactful situation; she asked to please deny the request for the RU-1-13 zoning classification; and she stated unless the Board is going to deny it, it would be greatly appreciated if this could be tabled until there is a District 2 representative.

Mary Gonzales stated she is also present to request Ms. Dempsey's property not be rezoned to RU-1-13; North Tropical Trail is strictly a residential corridor, most homes are large, and on one-half to two and one-half or more acres; the current zoning is large, AU, EU, or EU-2; there is no lot surrounding Ms. Dempsey's property that is less than .34 acres, per the Zoning Board staff; and those smaller lots are in the nearby subdivision and some of them are as large as .74 acres. She went on to say there is a property on the way into the subdivision that shares a lot line with Ms. Dempsey's property that is approximately three acres and it is zoned for horses; according to Administrative Policy 3 of the Future Land Use element, compatibility with the

surrounding area must be considered when changing the zoning for property; since there is no property that is zoned for more than two houses per acre and even has zoning for horses on the adjacent property, the five houses that Ms. Dempsey is requesting is incompatible with the surrounding area; the North Merritt Island Dependent Special District Board refused Ms. Dempsey's request when she stated that she wanted to just build one more house and it was suggested that she use an SR; at the Planning and Zoning meeting after that, it was said that SR was acceptable and it allowed the additional house to be built that she was requesting; and she could obtain a variance if she needed it. She added that Ms. Dempsey said no, it was not acceptable; the board talked to Ms. Dempsey, asked questions, and she said that she really intended to build three or more houses on that lot, not just one as she had said; this all makes it very incompatible with what is already there; according to Administrative Policy 4, the character of the area must not be materially or adversely affected by the proposed zoning or land use; and RU-1-13 is an entirely new code for North Tropical Trail and has never been there. She stated it would cause a substantial increase in density and permanently change the entire character of the area, as it would go from rural residential with horses allowed, to a density that is consistent with the city, not rural, not horse friendly, not open with large lots and large houses as it is now; once a new denser zoning code is allowed, there is no going back; it will materially and adversely affect the area; Administrative Policy 5 requires one to look at existing road systems to ensure there is no substantial or adverse traffic impacts, or material danger to public safety in the area; it is a rural two-lane road without sidewalks, which means the residents walk on the road for exercise and walk their dogs; and once multiple properties turn into houses on one-sixth-acre lots, traffic will increase greatly and it will put them all at additional risk. She continued saying Administrative Policy 7 states that the proposed land use may not cause any significant, adverse, or immitigable impact on significant water bodies; everything along Tropical Trail is just septic systems and new homes would be septic as well once rezoning is allowed with this density and substantially increase septic usage, and the lagoon is already stressed from septic runoff and this will only add to it; both advisory boards rejected the change as incompatible; the density called for would materially change the entire character of the neighborhood for the worse; and small houses on tiny lots would interfere with her rural way of life, disturb the quiet they already have, and it would diminish the enjoyment of the people already living in the area. She added it would cause Tropical Trail to become more dangerous because of the increased traffic and have an adverse impact on the Indian River Lagoon; she is also asking the Board to reject the RU-1-13, as it is too dense and it is just not compatible with anything there; and once it is done in that area, everything will change, not just that it is one little property, as it has never been there before, it would change the entire area.

Jeff Duncan stated the Board may want to refer to page 194 of the zoning packet or he can provide some hard copies; he has a map printed out with a highlighted section that he is going to speak to; using the Brevard County Zoning and Future Land Use website to determine the actual zoning for each parcel of land, if one looks at Merritt Island from State Road 528 north to the Nasa Causeway, and Courtenay Parkway west to the Indian River, the only instance of the RU-1-13 zoning being employed is for the River Island Estates development, which is 2.3 miles away from 4850 North Tropical Trail property; and aside from the River Island Estates development, there are no examples of the RU-1-13 zoning being utilized in the previously mentioned section of Merritt Island which encompasses the property in question; the map he drew up has a highlighted yellow section that is a huge swath of land that he is speaking to and there is not any single stand-alone properties that previously have the zoning that is being applied for. He added he recognizes that there is a large-scale townhome development going in on Courtenay Parkway and Porcher Road at this time, however, it is not a reasonable comparison because the townhome development is a commercial property, not residential; septic aspects, if approved for RU-1-13 zoning which would allow for a minimum lot size of .2 acres per house, and the 4850 North Tropical Trail property is 1.41 acres in size, that could result in as many as seven houses; this lot is currently on septic, as they all are in this area,

which means there could be six more houses with septic tanks about .3 miles from the Indian River Lagoon and the waters of Manatee Cove Park, which is across the street; the absence of any RU-1-13 zoning being utilized for a stand-alone property demonstrates the unprecedented and out-of-character nature for the requested zoning; and at the August 11, 2022 Merritt Island Dependent Special District board meeting, they voted to deny the RU-1-13 zoning and recommended SR zoning. He went on to say on August 15, 2022 he was at the Planning and Zoning Board meeting and they voted unanimously to deny the zoning to RU-1-13; he and his wife are on record that if the zoning request was for two houses maximum at the 4850 North Tropical Trail property, they would concur with the change, however, they do not feel that the possibility of seven houses across the street from them would be appropriate or within the character of North Merritt Island; he and his wife would not be in concurrence with the BDP or anything of that nature, as they would rather the vehicle that limits the property to two houses be via zoning; and he hopes the Board will give this information from him and other speakers in the previous board meetings recommendations due consideration and disapprove this zoning change because it clearly demonstrates that the requested zoning change is not appropriate for Merritt Island. He stated he and his wife are recently retired and they have saved all of their lives and worked for this; they love Florida, North Brevard, and especially North Merritt Island, so after a lot of searching they knew they wanted to be in North Merritt Island, specifically for the rural nature of this area; they found a lot, negotiated it, bought it, and built their dream house, forever house, and plan to be there until they die; they invested an enormous sum of money in their house and it was a dream come true; and it was a culmination of years of work, getting up early, staying up late, and doing what it takes to get the job done, and for the possibility of this zoning to come up across the street, is a very negative outcome if it goes that way.

Commissioner Pritchett stated she did a little extra studying since District 2 does not have a Commissioner, and what she is hearing everyone say is that they would be stressing if there were more than two houses; she looked at it and thinks it is actually a pretty big lot, 1.4 acres, and it looks like two lots would fit on it; she is thinking if Ms. Dempsey is willing to do a BDP with only one house on each lot, when it is split, she would probably be good with it; a BDP is a contract stating what must be done and it cannot be violated; and she looked at SR zoning and the only problem with that is there is a minimum of 100 square feet in the front, so she could only do one house on that.

Ms. Dempsey remarked they are trying to keep the existing home there, as it is a little historic home; and they are in permitting right now to move a shed so the setbacks would be okay for the other property to have one house.

Commissioner Pritchett remarked that this lot is actually big enough to put four or five of the EU zonings in there; and she is comfortable if there is only two lots and two houses and a BDP for that.

Ms. Dempsey stated it would be an aerobic septic tank, as it is required on Merritt Island; and she stated they build custom homes, not track homes.

Commissioner Pritchett stated it fits with the pattern of what is going in the neighborhood; and if she does the BDP, it takes care of a lot of the heartburn that the neighbors are having.

Ms. Dempsey stated the adjacent property is North Grove and it is zones EU; and they are quarter-acre lots and there is a tennis court in between her property and that subdivision and another subdivision with quarter-acre lots.

Commissioner Tobia stated he thinks that is a great idea; since it looks like the current house is not in compliance because of the square footage, he agrees with the BDP of two lots, he asked Commissioner Pritchett if her motion would be to change the zoning to RU-1-13 so the existing home could get in compliance.

Chair Zonka asked Tad Calkins, Planning and Development Director, if the BDP goes with the lots.

Mr. Calkins replied the BDP runs with the land.

Chair Zonka asked him about the concern of whether or not they bulldozed the house in front, they could not build five houses.

Mr. Calkins replied correct.

Chair Zonka commented she thinks that was a concern if they changed the building scheme.

Mr. Calkins stated he wanted to make sure the motion is for there to be two units, one unit on one lot and a maximum of two lots; and he asked if that is what he understood.

Commissioner Pritchett replied yes, a maximum of two lots and one unit on each.

Commissioner Zonka asked if the applicant was agreeable to that; she announced to the audience that there is no back-and-forth with the audience; and she encouraged the audience to talk to staff after the meeting if they had questions.

There being no further comments or objections, the Board approved the request for a change of zoning classification from AU to RU-1-13 with a BDP for a maximum of two lots with one home on each for Daren T. and Regina M. Dempsey.

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Tobia, Smith, and Zonka

H.5. Robert Clay and Ethyl May Kirk (Chad Genoni) Request a Small Scale Comprehensive Plan Amendment (22S.10), to Change the Future Land Use Designation from REC to RES 4 (22SS00007) (Tax Account 3018268)

Chair Zonka called for a public hearing to consider a request from Robert Clay and Ethyl May Kirk (Chad Genoni) for a Small Scale Comprehensive Plan Amendment (22S.10) to change the Future Land Use designation from REC to RES 4.

Jeffrey Ball, Planning and Zoning Manager, stated Robert Clay and Ethyl May Kirk (Chad Genoni) request a Small Scale Comprehensive Plan Amendment (22S.10) to change the Future Land Use designation from REC to RES 4; the application number is 22SS00007, the tax account number is 3018268; and it is located in District 1.

Commissioner Pritchett stated just so Kim Rezanka has an easier time here, they all three go together and this one is kind of adding access; by the time H.7. comes up she knows a BDP has already been put in place with the amount of units; and after going through these, she is quite comfortable with them.

Commissioner Smith asked Ms. Rezanka if she had called him on any of these.

Ms. Rezanka replied no, not on these.

Chair Zonka explained Commissioner Smith asked because he would want to disclose if he had, in case anyone was wondering.

There being no further comments or objections, the Board approved the request for a Small Scale Comprehensive Plan Amendment (22S.10) to change the Future Land Use designation from REC to RES 4 for Robert Clay and Ethyl May Kirk (Chad Genoni); and adopted Ordinance No. 22-26, setting forth the fourteenth Small Scale Comprehensive Plan Amendment (22S.10) to change the Future Land Use designation from REC to RES 4 (22SS00007).

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Tobia, Smith, and Zonka

H.6. Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni) Request a Small Scale Comprehensive Plan Amendment (22S.11), to Change the Future Land Use Designation from RES 2 to RES 4 (22SS00008) (Tax Accounts 2102878 & 2102882)

Chair Zonka called for a public hearing to consider a request from Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni) for a Small Scale Comprehensive Plan Amendment (22S.11) to change the Future Land Use designation from RES 2 to RES 4.

Jeffrey Ball, Planning and Zoning Manager, stated Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni) request a Small Scale Comprehensive Plan Amendment (22S.11) to change the Future Land Use designation from RES 2 to RES 4; the application number is 22SS00008, the tax account numbers are 2102878 and 2102882; and it is located in District 1.

There being no comments or objections, the Board approved the request for a Small Scale Comprehensive Plan Amendment (22S.11) to change the Future Land Use designation from RES 2 to RES 4 for Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni); and adopted Ordinance 22-27, setting forth the fifteenth Small Scale Comprehensive Plan Amendment (22S.11) to change the Future Land Use designation from RES 2 to RES 4 (22SS00008).

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Tobia, Smith, and Zonka

H.7. Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni) Request a Change of Zoning Classification from AU, SR, RU-1-11, and GML, with an Existing BDP on SR and RU-1-11 Portions, to RU-1-7, Removing the Existing BDP, and Adding a New BDP (22Z00029) (Tax Accounts 2102878, 2102918, 2102919, 2102882, 3018268, & 2113544)

Chair Zonka called for a public hearing to consider a request from Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni) for a change of zoning classification from AU, SR, RU-1-11 and GML, with an existing Binding Development Plan (BDP) on SR and RU-1-11 portions, to RU-1-7, removing the existing BDP, and adding a new BDP.

Jeffrey Ball, Planning and Zoning Manager, stated Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni) request a change of zoning classification from AU, SR, RU-1-11 and GML, with an existing BDP on SR and RU-1-11 portions, to RU-1-7, removing the existing BDP, and adding a new BDP; the application number is 22Z00029, the tax account numbers are 2102878, 2102918, 2102919, 2102882, 3018268, and 2113544; and it is located in District 1.

There being no comments or objections, the Board approved the request for a change of zoning classification from AU, SR, RU-1-11 and GML, with an existing BDP on SR and RU-1-11 portions, to RU-1-7, removing the existing BDP, and adding a new BDP for Paul J. Marion, Kimberly Ann LaMattina, Kayla Marie Losat, and Jessica Lynn Ripper; and Robert Clay Kirk and Ethylmay Kirk (Chad Genoni).

Result: Approved

Mover: Rita Pritchett

Seconder: John Tobia

Ayes: Pritchett, Tobia, Smith, and Zonka

H.8. Lynda L. Lyles (Nita Salmon) Requests Removal of an Existing BDP in an AU Zoning Classification (22Z00035) (Tax Account 3010233)

Chair Zonka called for a public hearing to consider a request from Lynda L. Lyles (Nita Salmon) for removal of an existing Binding Development Plan (BDP) in an AU zoning classification.

Jeffrey Ball, Planning and Zoning Manager, stated Lynda L. Lyles (Nita Salmon) requests the removal of an existing BDP in an AU zoning classification; the application number is 22Z00035; the tax account number is 3010233; and it is located in District 3.

Nita Salmon stated she is representing Ms. Lyles; she stated they are looking to remove an existing BDP that was put into place 20 years ago; right now, the intent is just to remove that; the current BDP is only allowing one residence on 20 acres; Ms. Lyles wants to subdivide the two 10-acre tracts; and there is a flag lot application. She added Ms. Lyles wants to sell the back half to their caretaker, which will allow one resident in the back and maintain the one in the front; and there are no other changes.

Pamela Hughes stated her and her husband own land directly east and abutting this property; the whole entire area has BDP's, and currently, what she knows in the approximate area, 72 acres are adjacent, including Ms. Lyles' land; her BDP limits it to two houses, which is fine as she will only have one and it is her forever house; it is approximately 50-feet to the line of the

property for sale; and her concern is that, if the BDP's are taken away and just use AU, and say there are only going to be two 10-acre properties, that is not exactly what would be binding. She added anyone could come along after they sell the property and say they did not agree to that and put 20, 40, or 60 houses on that 10-acre; that is of concern to her, as Ms. Lyles' 20 acres presents an opportunity for significant building on that parcel; Ms. Lyles has told her that she only wishes to sell the east 10 acres to Dr. Monty Williams, who proclaims that he plans to only build one house, nothing more; she has seen many large things that he has put on that 10 acres that looks like it is more for putting things in for storage; and if it is true he is only going to build one house, she is fine with that. She stated the situation that was discussed at the Planning and Zoning Board meeting was that, instead of just taking the BDP away and having the AU classification, any time in the future it could be changed; she spoke at the Planning and Zoning meeting and suggested the BDP be placed on each of the 10 acres, and there would be no problem; given that all of the owners around the property have BDP's, making it AU just puts them in risk of losing their way of life; and they are all there because they like that way of life. She mentioned they have been told that Fleming Grant Road, which is their access, is looking at putting 150 new houses about a mile up the road; and when thinking about how many cars and traffic and everything that is going to happen and impact their way of life, that is tantamount to them at this time.

Marlene Hughes asked Commissioner Tobia to please repeat the motion he made before she begins.

Commissioner Tobia replied he thinks it meets many of the requirements; it was to grant the removal of the current BDP and replace it with a BDP that limits development to two lots.

Ms. Hughes remarked she did not quite understand that, as she thought he was saying to grant the removal of the BDP.

Commissioner Tobia replied yes, to grant the removal of the BDP and in its place another BDP that had two lots; and the person would be able to build two lots.

Ms. Hughes asked if the existing BDP would carry to both lots if Ms. Lyles were to sell 10 acres; currently, her 20-acre lot holds one BDP, one house, two horses, and a tree farm; and she asked if she sells the 10 acres...

Commissioner Tobia interjected and stated the BDP follows the land.

Ms. Hughes asked if there would be any reason to change anything on her BDP to carry to the other 10 acres.

Chair Zonka commented she is not sure what she is asking.

Ms. Hughes asked how many acres it takes for a tree farm to exist, because in her BDP, it says it is for a tree farm only; and she is not sure if that is a 10-acre or 20-acre minimum; and if the Board is willing to take that BDP and move it over to the other 10 acres that gets sold, she would not have a problem with Ms. Lyles dividing her lot into two separate living spaces.

Chair Zonka remarked she does not think that is what the applicant was desiring to do, so they will need to talk about it with the applicant.

Ms. Hughes responded she is right, currently Ms. Lyles just wants to remove the whole BDP but the Board is going to suggest or make a motion to remove it but replace it with another BDP of the similar, exact thing for the two separate lots, once she divides her lots.

Chair Zonka replied the Board would talk about it with the applicant; she is not sure the applicant is going to agree to what Commissioner Tobia suggested; but it will be clear once the applicant comes back up.

Ms. Hughes stated that at the Planning and Zoning meeting there was a reference made that three houses were sharing that one road and that is not correct; it is just two houses, she and Pamela Hughes, sharing the Hitch N Post Lane access; the resident at 5005 has her own flag stem for her own access to her property; and that is pretty much all she wanted to say, as she is for Ms. Lyles dividing her property but not for the removal of the BDP.

Chair Zonka stated she knows Ms. Lyles was just requesting the removal of the BDP; and she asked if she was amicable to the insertion of another BDP in its place, or just the removal.

Ms. Salmon stated the intent was just to put a residence on the back 10 acres, so she is a little confused now just from the way it was being said and she was not before; the original BDP is on 20 acres, so she thinks it has to be removed to sell the property, get the flag lot, and have the additional 10 acres for his residence; it meets the land use for whatever the County provided, which was never his intent; the driveway that she is talking about has nothing to do with any of it, as his flag lot would come off of Fleming Grant Road and would not deal with that little road that separates his property from their properties.

Chair Zonka stated it is her impression that Ms. Salmon is just trying to go through the process in order to move forward; and she asked Mr. Calkins if she was eligible to put another BDP in place if she cannot separate those lots until this BDP is removed, and if that is what the trouble is.

Mr. Calkins replied the BDP that is in place encumbers the 20 acres and limits it to one home; he advised that is the limiting factor here, plus the limiting of the two horses and the tree farm aspect; he thinks what the applicant is asking for is for that to go away; they have a flag stem application in-house that is preliminarily approved, and it shows two 10-acre lots, a flag stem lot and the lot up front; and he understands Commissioner Tobia is asking there to be two lots, which is what he has in the flag stem application, and then it be one home on each lot, and not have the limitation of the tree farm, the horses, and other aspects of it.

Chair Zonka stated she just wants to make sure the Board can do that with that application in place.

Mr. Calkins replied affirmatively; he stated it would be a new BDP with the new provisions; and the old BDP would be removed and then it would be a new BDP in its place.

Chair Zonka commented she just wanted clarity from the applicant of that, because that is not what she is asking; she told the Board what the intentions were, but she was not asking for a new BDP in place; and she asked if it was okay if the Board puts that restriction on there.

Ms. Salmon replied yes, although she does not clearly understand that part of it; but she mentioned if the property is sold, then it is not one BDP, there would be two separate ones, one for each lot.

Mr. Calkins remarked he thinks that would be okay as long as the 20-acres was encumbered with the BDP; it would be a BDP on one lot and a BDP on the other lot limiting it to one home on each.

Ms. Salmon remarked they would agree with that although she is not overly thrilled with it.

Chair Zonka commented that it takes care of the neighbor's concerns.

Ms. Salmon replied yes, he is only wanting to do the one house anyway; she stated the Future Land Use was something the County developed, saying it was going to be more, which is always going to be a potential in the future; whoever buys the property after him would come back and go through the same thing; it was 20 years ago that this started and they were just hoping to get the interference out of the way; and it does not have any impact on anybody for anything, but if this is the only way to accomplish it, then yes.

Chair Zonka mentioned it sounds like she is able to achieve what it is she is trying to do out there; she thinks that is probably the most important thing; and it also puts the neighbors' minds at ease as well.

There being no further comments or objections, the Board approved the request to remove the existing BDP in an AU zoning classification and replace it with a BDP limiting the development to two lots with one house on each lot.

Result: Approved

Mover: John Tobia

Seconder: Curt Smith

Ayes: Pritchett, Tobia, Smith, and Zonka

H.9. A Text Amendment to the Comprehensive Plan Adding the Coastal High Hazard Area Map to the Coastal Management Element X, and Correcting Scrivener's Error in the Glossary Element XVI

Chair Zonka called for a public hearing to consider a text amendment to the Comprehensive Plan, adding the Coastal High Hazard Area map to the Coastal Management Element X; and correcting scrivener's error in the Glossary Element XVI.

Jeffrey Ball, Planning and Zoning Manager, stated Item H.9. is a text amendment to the Comprehensive Plan, adding the Coastal High Hazard Area map to the Coastal Management Element X, and correcting scrivener's error in the Glossary Element XVI; this request is to add three maps that the Florida Department of Economic Opportunity (DEO) requested of the County regarding the peril flood, which has been included; the other item is to correct a scrivener's error in the glossary to change the word 'and' to an 'or' under the conditions, under the definition of 'should'.

There being no comments or objections, the Board conducted the public hearing, amending Section 62-501, entitled Contents of the Plan; specifically amending 62-501, Part X, entitled Coastal Management Element, and Part XVI, entitled the Glossary; providing for internal consistency with these amendments; providing legal status; providing a severability clause; providing an effective date; and authorized the Chair to execute the transmittal letter.

Result: Approved

Mover: Curt Smith

Seconder: John Tobia

Ayes: Pritchett, Tobia, Smith, and Zonka

**H.10. Brian G. and Debra S. Lawson; and David and Alicia McCabe (Kim Rezanka)
Request a Change of Zoning Classification from GU to RR-1 with a BDP
(22Z00005) (Tax Accounts 2314706, 2314720, 2322365, 2322366, 2314737,
3018241, 2314738, 2314709)**

Chair Zonka called for a public hearing to consider a request by Brian G. and Debra S. Lawson and David and Alicia McCabe (Kim Rezanka) for a change of zoning classification from GU to RR-1 with a Binding Development Plan (BDP).

Jeffrey Ball, Planning and Zoning Manager, stated Brian G. and Debra S. Lawson and David and Alicia McCabe (Kim Rezanka) request a change of zoning classification from GU to RR-1 with a BDP; application number is 22Z00005, tax account numbers 2314706, 2314720, 2322365, 2322366, 2314737, 3018241, 2314738, 2314709; and it is located in District 1.

Tad Calkins, Planning and Development Director, stated he would provide an update, as there has been a lot of movement on this application; he thinks it is at a good place where the applicant, at one point, was asking for AU(L), but now that is not their request; he is recommending and proposing the Board approve the RR-1 zoning classification with a BDP; the BDP would be limited to the property that is not homesteaded; the property that would be exempt is tax account 2314737, and that it would apply to the remaining acreage there and limit the development of that to three units; and he believes that the applicant is in agreement with that.

Commissioner Pritchett remarked she knew Mr. Calkins had to do a lot of work at the last minute, but if the applicant is agreeable to the BDP on the parcel, she thinks this is going to be a good project.

There being no comments or objections, the Board approved the request by Brian G. and Debra S. Lawson and David and Alicia McCabe (Kim Rezanka) changing the zoning classification from GU to RR-1 with a BDP limited to the property that is not homesteaded; the property that would be exempt is tax account 2314737; and that it would apply to the remaining acreage there, limiting the development of that to three units.

Result: Approved

Mover: Rita Pritchett

Secunder: John Tobia

Ayes: Pritchett, Tobia, Smith, and Zonka

K. PUBLIC COMMENTS

Sandra Sullivan stated, unfortunately, last night there was a City Council meeting in Satellite Beach where they approved to move forward with violating the deed restrictions on two parks which the County had given to the City; for a little background, in December of 2020 she was before this Commission and asked the Commission if it would do a legal opinion pertaining to, at that time, putting forth that parking management plan; there was a legal opinion that determined that plan would be a violation; so the motion last night was to violate the deed restrictions of the County and move ahead with differential parking; and it was said to pacify one of the Commissioners, they would start at \$25, but the discussion was very clear that there would be substantial increases on that rate for Brevard County residents. She added they proposed \$50 for non-County residents, and no charge for the City residents; this was already determined to be a violation; there is also another previous legal opinion on those covenants that when they approve the development plan for the view with the sky bridge and to the former County park, that was also a violation representing private-use on a public-use park; there are other agreements that govern that park which used to be an unincorporated area prior to 1999,

and annexed into the City when they did the FCT Agreement with a promise that it would be managed as conservation lands; the letter written to the County was generations of Brevard County residents would be forever indebted to the County for its cooperation with the City; unfortunately, the City betrayed that trust to the public with an intention to put a hotel with intensity use on a site which has limited human activity; and the County park in the Federal agreement, LW 541, shows that park is part of the conservation lands in the survey attached to that agreement. She suggested to the Board that this moving ahead is what is called a trial balloon to see if the County allows them to violate the agreement so that they can move forward with further violating the agreement with non-public use of that site; and she asked the Board to invoke the 'shall revert back to the County' under the reverter clause which is mandatory, not optional.

L.5. John Tobia, Commissioner District 3, Re: Board Report

Commissioner Tobia expressed his thanks to Sandra Sullivan for showing up to that meeting; he had the County Attorney's office go back and ask for the full footage, and watched some of it; he wanted to dovetail off of a little bit of what Ms. Sullivan said, as he was appalled with what the City was doing; there is a term in politics where the tail wags the dog, and this is exactly what happened; and the motion made by a councilwoman was to proceed with the beach parking committee's suggestion, and here is where it is very important, regardless of the deed restrictions. He added these folks know that there are deed restrictions and it was in the motion; in fact, he went as far as pulling up the agenda report and it is clearly stated in the agenda report that there are deed restrictions and applying \$25 annual parking fee for the City residents to be slid across from ad valorem, to be paid for by the City; there was a mention of potentially charging \$50 for out-of-County visitors; there are three costs, the deed restrictions or the cost has to be the same, as there can be no differential; the City claims they would be charging \$25 but they are not, as they are backfilling that with the plan; and they are very transparent about disregarding the deed. He stated the City is charging County residents \$25, so the County would pay and the City would not; they are charging out-of-County residents \$50, so there are three pricing structures; and he spoke to Eden Bentley when this idea first came up and she said that this scheme did not fly.

*The Board recessed at 5:54 p.m. and reconvened at 6:09 p.m.

Commissioner Tobia expressed his thanks to Chair Zonka for helping staff again; he continued to say what is at risk here is Florida Department of Environmental Protection (FDEP) does not view parking spaces as being public for grant funding purposes where different groups of people are charged different parking fees; the County could potentially be affecting the grant funding so it is extremely important; in addition, the Council imposed a threat to the Board which leaves Brevard County residents as victims; and he read aloud "If you want to take us to court for this, we will probably look at increasing our fees for County residents significantly for other facilities that we give you now for the same residents' costs that our residents pay. So if that is the way they want to go, I want to say that this is the movement that we will take."

Commissioner Pritchett asked who said that.

Commissioner Tobia replied he preferred not to name names, but it was a male figure that made that threat; so, while knowingly infringing upon deed restrictions, the Council is betting on the fact that the County will not sue them; he has been very clear that he is not for this and he has been abiding by the Sunshine law, as he bets the rest of the Board is, which is why he is bringing it up at the meeting; he cannot understand why he is not the one that they were speaking of, so he wanted to find out where the rest of the Board is; and another City Council

member stated "If there are three County Commissioners that do not have an issue with it, they are not going to sue us because there has to be an affirmative vote of the Commission in order to initiate a lawsuit. So at this point, based on what we understand the situation to be, they are not going to sue us." He stated here is the question, if Satellite Beach violates the contract, knowing full well what they are doing, and proceeds with an item against the County Attorney, and the County Attorney staff has opined, and threatening FDEP grants, he would like to hear from the Board so the City of Satellite Beach can know where it is on that; and if the Board has no intent of doing that, please state it on the record; they have just asked the staff to go forward with this, but have not made a vote on it, but he would rather let them know not to waste staff time on doing this; he has met with a City Councilwoman and Courtney Barker, Satellite Beach City Manager, and he was extremely clear where he was; and he wants to save some and not have a lawsuit with Satellite Beach.

Commissioner Smith asked if they brought their attorney into the discussion.

Commissioner Tobia replied not that he saw; he just wanted to see where the Board is with this one; there is no need to do an injunction now because they have not yet voted on it, but they have sent staff forward with it; if the Board is fine with this, that is fine, the Board does not need to do anything, but if it wants to save them a little time and aggravation and let them know it agrees with what the former County Attorney opined to, it is probably worth doing; but he thought the threat was a little over the top.

Christi Schverak, Interim County Attorney, stated if there is a differential on what people are paying for parking, the County would have a basis to proceed with legal action under the deed restriction for Hightower Park, which could include an action for injunction; her understanding is there is not a draft ordinance prepared yet, so the Board cannot really look at what they are putting in play; but if there is a differential in parking, that would seem to violate the deed restriction and could be a basis for legal action if the Board authorized it.

Chair Zonka questioned if the charging for parking is not in violation.

Attorney Schverak replied correct, they can charge for parking, with everyone at the same amount, and that would not violate the deed restriction; it is the non-uniform manner of doing it that would be the problem.

Frank Abbate, County Manager, stated he can quote right out of the deed "Any user fees required by the city must be applied uniformly with no differential in amount charged to the public."

Commissioner Tobia stated this is from the City of Satellite Beach and he read aloud "When City residents come to get their permits, the City will be moving the cost of the permit from the general fund to the beach parking fund since the residents already pay for the beach maintenance with their taxes." He stated this is the way they are saying that the City will be paying \$25, the County will be paying \$25, and he does not know how they are saying out-of-County would be paying \$50, but even at a minimum, what the City residents are paying according to this, and the way they are going to fund it, and what the rest of the County would be paying is different; and this is dated November 18, 2020, although he thinks it is wrong, and he will give it to the clerk.

Mr. Abbate stated what Commissioner Tobia is referring to is a letter that was sent to him back in 2020 when they were initially thinking about doing the parking; he thinks that letter was from the City Manager because she had brought up the subject; there were different terms

because he believes at that point they were thinking of doing a \$50 fee; he believes the one he read was a \$25 fee last night; but he thinks the terms that Commissioner Tobia is talking about is the same strategy that they may be planning to use at this point.

Chair Zonka stated the legal question would be if it is still considered uniform if they are shifting.

Attorney Schverak stated that would be exactly the point; what they are doing with the out-of-County residents matters; if they are charging out-of-County residents \$50 that is different than a \$25 fee, so that is a differential right there; and if they were to charge everybody \$25 across the board, then the only legal question would be whether the rebate would violate the deed restriction.

Commissioner Tobia stated on the agenda from last night, it says the City staff's opinion is that the City's strategy of using City tax revenue to pay the annual permits of City residents meets the terms of the deed restrictions.

Chair Zonka asked if that was from their attorney.

Commissioner Tobia replied he did not know; he was reading from their agenda and he does not know who wrote it, but it is directly word-for-word off of what was presented to the City last night; it goes on to say "considering we have not been able to get an opinion from the County Attorney's office", and the County Attorney does not work for them; the County has let them know, they have seen the opinions, and they know that, by the County's definition, it does not meet it; the County does not have to justify why; and he thinks it is overreach and really presumptive that the other three Commissioners are going to sit idly by on their hands and not do anything, but he has made it extremely clear that he would move forward because the County could potentially lose a great amount of dollars. He added he would like the other Commissioners to speak up on the record to help some folks that may be confused as to where they may stand; he stated if the other Commissioners stand with it, that is fine, but he does not want them to waste their staff's or attorney's time to end up in what is going to be an injunction; there are two new Commissioners coming up and it is not known where they may stand; and that may be their play, to get this done prior to that; but an injunction could still be done.

Commissioner Smith stated he would rather wait until getting a proposal from them; what was said in the meeting may be inflammatory, but at the same time, the Board does not know for sure that is where they are going; he cautioned the Board to just wait until something in writing is received; and then the County Attorney's office can bisect it and give their advice; and it can go from there.

Chair Zonka remarked she certainly did not want to be in violation of any deed.

Commissioner Pritchett asked Commissioner Tobia if the City of Satellite Beach is getting ready to raise all of their constituent's taxes to give them all a parking pass and if they are taking it out of their taxes.

Commissioner Tobia replied Satellite Beach raises taxes every year, over and over again; sometimes they are so blatant, saying they do not increase the millage, but the property values went up 20 percent; he has no idea if they are going to raise them or not; they may not violate this, but he wants to stop this in the tracks; and he does not want them to waste the staff's time on this. He added if it is in violation of the deed and the County has it in writing, it could find out what the County could potentially lose; and he does not want to threaten anything, but he would rather nip it in the bud.

Commissioner Smith remarked he thinks Commissioner Tobia has served notice.

Commissioner Tobia stated he is already on the record saying if the deed restriction is violated, according to what the County Attorney has put down in writing, the Board will have his vote to go forward with an injunction to stop it; if it is heard from one or two other Commissioners, they may figure it is not worth their time going forward; but they were very clear and presumptive to the other Commissioners that they were not going to do a darn thing.

Commissioner Pritchett remarked she is with Commissioner Tobia and if they do something to break what they are not supposed to do, she will sign up with him on that; it is interesting to her that they would risk their citizens hearing that they are going to charge them extra taxes to get a parking pass, when most of them are not going to park there; they are also putting out the word that if anyone else comes, they are really not welcome, as they are going to charge them a lot of money to park, more than everyone else; and that is not a very good thing to put out there. She added if they do something to violate the deed, she will be with him because she is not going to do anything to harm what the County has going; it is not a good place to be making money; she can see trying to maintain a park, but this does not sit well; and she understands.

Chair Zonka stated she has never been a fan of paid parking; she understands the purpose because they would want to make sure the facilities are up to par, maintenance done, and that there is a good product; she is not even necessarily opposed to there being a charge for parking, as she lives in Indialantic and she pays everywhere except the County park; she does not want to support anything that is in violation of the deed; and she does not think that anyone on this Board would.

Commissioner Tobia stated they seemed to believe that was the case...

Chair Zonka interjected not if the County Attorney is saying it is in violation.

Commissioner Tobia commented they were well aware of that; the only thing they were not well aware of is what Chair Zonka is saying here; he would normally ask her to write a letter letting them know that if they violate deed restrictions, the County will do something, but he thinks they are probably watching this; and he thinks the Board has been very clear to where that letter does not need to go out.

Chair Zonka mentioned she does not know if she did not follow the prior County Attorney's opinion on it or that it ever got that far, as far as this Board goes.

Commissioner Tobia stated he would give the Board some homework, and to go online and watch it; he wishes he could put it on the screen; he would feel insulted if he were the rest of the Board, as at the meeting it was said that the Board would basically lay over and not do a darn thing about it; he appreciates everyone's support; and he is not even fighting the parking fees, but the differential and the threat of losing funding from FDEP is scary to him.

Chair Zonka asked if Commissioner Tobia had an update on the scrub jay situation in Malabar.

Commissioner Tobia stated he thinks there is a hearing at the end of November.

Christi Schverak, Interim County Attorney, stated she knows there is not anything happening imminently.

Chair Zonka asked if it was still closed off and if people are still flipping-off the camera.

Commissioner Tobia remarked he has not watched those videos; and he noted that the meeting is November 21, 2022 at 10 a.m. in Titusville.

L.1. Frank Abbate, County Manager, Re: Board Report

Frank Abbate, County Manager, stated that for the Malabar scrub, he did speak to Parks and Recreation staff and they are continuing to do the fire line related activities that are necessary for safety and health; he had a good discussion yesterday about making sure those efforts, no matter what position Malabar is taking, because that is the County's obligation under the lease arrangement and for the safety of the public; and they know the County is continuing those efforts.

L.3. Rita Pritchett, Commissioner District 1, Re: Board Report

Commissioner Pritchett commented she probably should not do this but she is hoping Florida TODAY is listening and they can make an adjustment; after the last meeting when the Board was talking about doing the Consumer Price Index (CPI) changes in the Charter, she saw the article that was put out and they had used a picture of Commissioner Smith and Commissioner Tobia kind of enjoying things; they made it sound like the Board thought it was a joke; it was a cute picture of them, but she is going to plead to them to maybe get a little bit more of that information in; and even with this \$20 extra a week for the Board, what is going to do for the future Commissioners is raise the salary up some. She added the way that inflation is going, and everybody in the County right now is getting a \$1 an hour raise for the next six years; it is just where the County is going; it has to catch up with the inflation numbers; it is appropriate and she wants to leave that to the next group that comes up; Commissioner Tobia's proposal that is going to be voted on soon for the charter, later on, that will go on and the Board will vote for it now because, for some reason, when people try to get this up to par, they kind of get beat up a bit; and she is proud of them for taking the hit with the Board and that will get done and set up for the future coming along. She mentioned there were a lot of nice comments as well; it was nice seeing some of the County staff defending the Board quite adamantly; and she just wanted to mention that in case they are listening and adjusting that would be very appreciated.

Chair Zonka stated it is a bit of an eye roll when someone comments that \$57,000 in 1992 is the same as it is today.

Commissioner Pritchett mentioned it was nice having a doctor on the Board tonight to go up and take care of an emergency situation; and she thanked Chair Zonka for doing that.

Chair Zonka stated the employee upstairs is doing just fine, thankfully; and she thanked staff for letting the Board know to come up and take a look; and she was happy to help.

L.6. Curt Smith, Commissioner District 4, Vice Chair, Re: Board Report

Commissioner Smith gave a shout-out to a fine young man by the name of Lance Stern; he was at the Melbourne Chamber of Commerce breakfast this morning and he was the student of the month; he is a senior at West Shore High School and he is a real asset to the community; he also gave a shout out to his parents, his dad Gary, and his mom who happens to be Chair Zonka's Chief of Staff, Danielle Stern; they have done a terrific job with this young man, as he is a real testament to hard work and keeping his nose to the grindstone; and he has a terrific personality as well.

Chair Zonka mentioned he is brilliant, kind, musically talented, an athlete, and he is the whole package; and he is a very good person and kind of a testament to his parents, who have done an amazing job.

Upon consensus of the Board, the meeting adjourned at 6:30 p.m.

ATTEST:

RACHEL M. SADOFF, CLERK

KRISTINE ZONKA, CHAIR
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA