



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Consent

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F.3.

7/17/2025

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### **Subject:**

Acceptance, RE: Binding Development Plan with Home Nation Cocoa, LLC. (25Z00005) (District 1)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and Development

### **Requested Action:**

In accordance with Section 62-1157, it is requested that the Board of County Commissioners accept, and the Chair sign, the Binding Development Plan.

### **Summary Explanation and Background:**

A BDP (Binding Development Plan) is a voluntary agreement presented by the property owner to self-impose limits upon development of a property in support of a change of zoning or conditional use permit. Pursuant to Section 62-1157, a BDP shall be recorded in the public records within 120 days of the Board's approval of the zoning request. Following staff and legal review, the BDP is presented to the Board in recordable form as a Consent Agenda item to finalize the zoning action.

On May 01, 2025, the Board approved a change of zoning classification from BU-1 to BU-2, with a BDP. The condition limits usage to Mobile Home Sales and allowing for BU-1 uses.

The attached BDP includes this condition.

### **Clerk to the Board Instructions:**

Upon recordation, please return two certified copies of the BDP to Planning and Development.

## Resolution 25Z00005

On motion by Commissioner Delaney, seconded by Commissioner Altman, the following resolution was adopted by a unanimous vote:

**WHEREAS, Wayne & Laura Bresette** (Kim Rezanka) request a zoning classification change from BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial.), on property described as Tax Parcel 8, as recorded in OR Book 3279, Pages 0735 and 0736 of the Public Records of Brevard County, Florida. **Section 07, Township 24, Range 36.** (2.47 acres) Located on the east side of US Hwy 1, approx. 875 ft. north of Cross Rd. (3740 N. Hwy 1, Cocoa); and

**WHEREAS**, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved; and

**WHEREAS**, the Board, after considering said application and the Planning and Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved with a BDP retaining all BU-1 uses, and limiting the BU-s use to mobile home sales; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from BU-1 to BU-2, be approved with a BDP, recorded on July 18, 2025, in ORB 10387, Pages 1253 - 1256, retaining all BU-1 uses, and limiting the BU-2 use to mobile home sales. The Planning and Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

**BE IT FURTHER RESOLVED** that this resolution shall become effective as of July 18, 2025.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

  
Rob Feltner, Chair  
Brevard County Commission  
As approved by the Board on July 17, 2025.

ATTEST:

  
RACHEL SADOFF, CLERK

(SEAL)

P&Z Board Hearing – April 14, 2025

Board of County Commissioners Hearings – May 01, 2025.

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development Preliminary Development Plan expires if a final development plan is not filed within three years. **The granting of this zoning does not guarantee physical development of the property. At the time of development, said**

**development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances.**



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

July 18, 2025

**M E M O R A N D U M**

**TO:** Recording

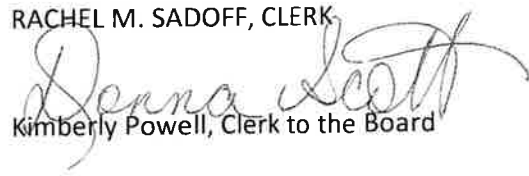
**RE:** Item F.3., Acceptance of Binding Development Plan with Home Nation Cocoa, LLC (25Z00005)

The Board of County Commissioners, in regular session on July 17, 2025, accepted and executed Binding Development Plan with Home Nation Cocoa, LLC, for property located on the south 250 feet bordering on U.S. Highway No. 1, of the west 400 feet of the south 9.31 acres of the north 12.31 acres Lot 1, except that property described in Deed Book 172, Page 3 and O.R. Book 42, Page 52 in Section 8, Township 24, Range 36; and that part of south 9 ½ acres of the north 12 ¾ acres of the NE ¼ of the NE ¼ lying east of U.S. Highway No. 1 in Section 7, Township 24, Range 36; and the north 80 feet bordering on U.S. Highway No. 1 of the west 400 feet of the south 9.31 acres of the north 12.31 acres of Lot 1, except that property described in Deed Book 172, Page 3 and O.R. Book 42, Page 52, in Section 8, Township 24, Range 36, and that part of the south 9 ½ acres of the north 12 ¾ acres of the NE ¼ of the NE ¼ lying east of U.S. Highway No. 1, in Section 7, Township 24, Range 36. Enclosed are original Binding Development Plan Agreement and Check No. 1485 for \$35.50.

**Please record the Agreement in the Public Records and return the recorded instrument to this office.**

Your continued cooperation is always appreciated.

Sincerely,  
BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

for:   
Kimberly Powell, Clerk to the Board

/sj

Encls. (2)



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

July 18, 2025

**M E M O R A N D U M**

TO: Alice Randall, Zoning

RE: Item F.3., Binding Development Plan with Home Nation Cocoa, LLC (25Z00005)

The Board of County Commissioners, in regular session on July 17, 2025, accepted and executed Binding Development Plan with Home Nation Cocoa, LLC, for property located on the south 250 feet bordering on U.S. Highway No. 1, of the west 400 feet of the south 9.31 acres of the north 12.31 acres Lot 1, except that property described in Deed Book 172, Page 3 and O.R. Book 42, Page 52 in Section 8, Township 24, Range 36; and that part of south 9 ½ acres of the north 12 ¾ acres of the NE ¼ of the NE ¼ lying east of U.S. Highway No. 1 in Section 7, Township 24, Range 36; and the north 80 feet bordering on U.S. Highway No. 1 of the west 400 feet of the south 9.31 acres of the north 12.31 acres of Lot 1, except that property described in Deed Book 172, Page 3 and O.R. Book 42, Page 52, in Section 8, Township 24, Range 36, and that part of the south 9 ½ acres of the north 12 ¾ acres of the NE ¼ of the NE ¼ lying east of U.S. Highway No. 1, in Section 7, Township 24, Range 36. Enclosed for your necessary action are two certified copies of the recorded document.

Your continued cooperation is always appreciated.

Sincerely,  
BOARD OF COUNTY COMMISSIONERS  
RACHEL M. SADOFF, CLERK

*for: Donna Scott*  
Kimberly Powell, Clerk to the Board

/sj

Encls. (2)

**RACHEL M. SADOFF**  
CLERK OF THE CIRCUIT COURT & COMPTROLLER  
BREVARD COUNTY, FLORIDA

**POST OFFICE BOX 2767**  
**TITUSVILLE, FLORIDA 32781-2767**  
**(321) 637-2006**  
**WWW.BREVARDCLERK.US**

Transaction #: **3909948**  
Receipt #: **63686095**  
Cashier Date: **07/18/2025 04:48:09 PM**  
Cashier Branch: **Titusville - Six Story**



Print Date:  
**07/18/2025 04:48:13 PM**

CUSTOMER INFORMATION		TRANSACTION INFORMATION		PAYMENT SUMMARY	
KIMBERLY BONDER REZANKA PA 111 FURMAN RD MERRITT ISLAND, FL 32953	Date Received:	07/18/2025	Total Fees:	\$35.50	
	Source Code:	Titusville - Six Story	Total Payments:	\$35.50	
	Return Code:	Mail (U.S. Postal Service)	Balance Due:	\$0.00	
	Trans Type:	Recording			

1 Payments

<b>CHECK #1485</b>	\$35.50
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1 Recorded Items

<b>AGREEMENT</b>	BK/PG: 10387/1253 CFN: 2025144490 Date: 07/18/2025 04:48:08 PM
From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	4 \$35.50

1 Miscellaneous Items

**AGENT TRANSMITTAL**

Prepared by: Kimberly Bonder Rezanka  
Address: Lacey Rezanka  
6013 Farcenda Pl #101  
Melbourne, FL 32940

CFN 2025144490, OR BK 10387 PAGE  
1253, Recorded 07/18/2025 at 04:48 PM, Rachel M.  
Sadoff, Clerk of Courts, Brevard County  
# Pgs:4

## **BINDING DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this 17 day of July, 2025 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and HOME NATION COCOA, LLC, a Florida corporation (hereinafter referred to as "Developer/Owner").

### **RECITALS**

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in **Exhibit "A"** attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested the BU-2 zoning classification, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.

2. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

3. The use of the Property shall be limited to all uses permitted within the BU-1 commercial zoning classification and to mobile home sales.

4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.

5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.

6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on \_\_\_\_\_. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.

8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7, above.


9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.




IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

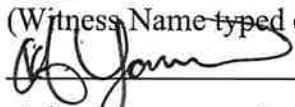
  
Rachel M. Sadoff, Clerk of Court  
(SEAL)


  
Rob Feltner, Chairman  
As approved by the Board on JUL 17 2025

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

Home Nation Cocoa, LLC  
3737 US Highway 1  
Cocoa, FL 32926

Shauna Rhodes  
Shauna Rhodes  
(Witness Name typed or printed)  
  
Andreen Lankeston  
(Witness Name typed or printed)

  
MEMBER/MANAGER  
(Title)  
ROXANNE COMINO  
(Name typed, printed or stamped)

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence, this 16 day of June, 2025, by Roxanne Comino for Home Nation Cocoa, LLC, who is personally known to me/presented \_\_\_\_\_ as identification.

My commission expires: 10/11/2026

  
Notary Public

SEAL

Commission No.:

Samantha Best  
(Name typed, printed or stamped)



**EXHIBIT "A"**

**LEGAL DESCRIPTION:**

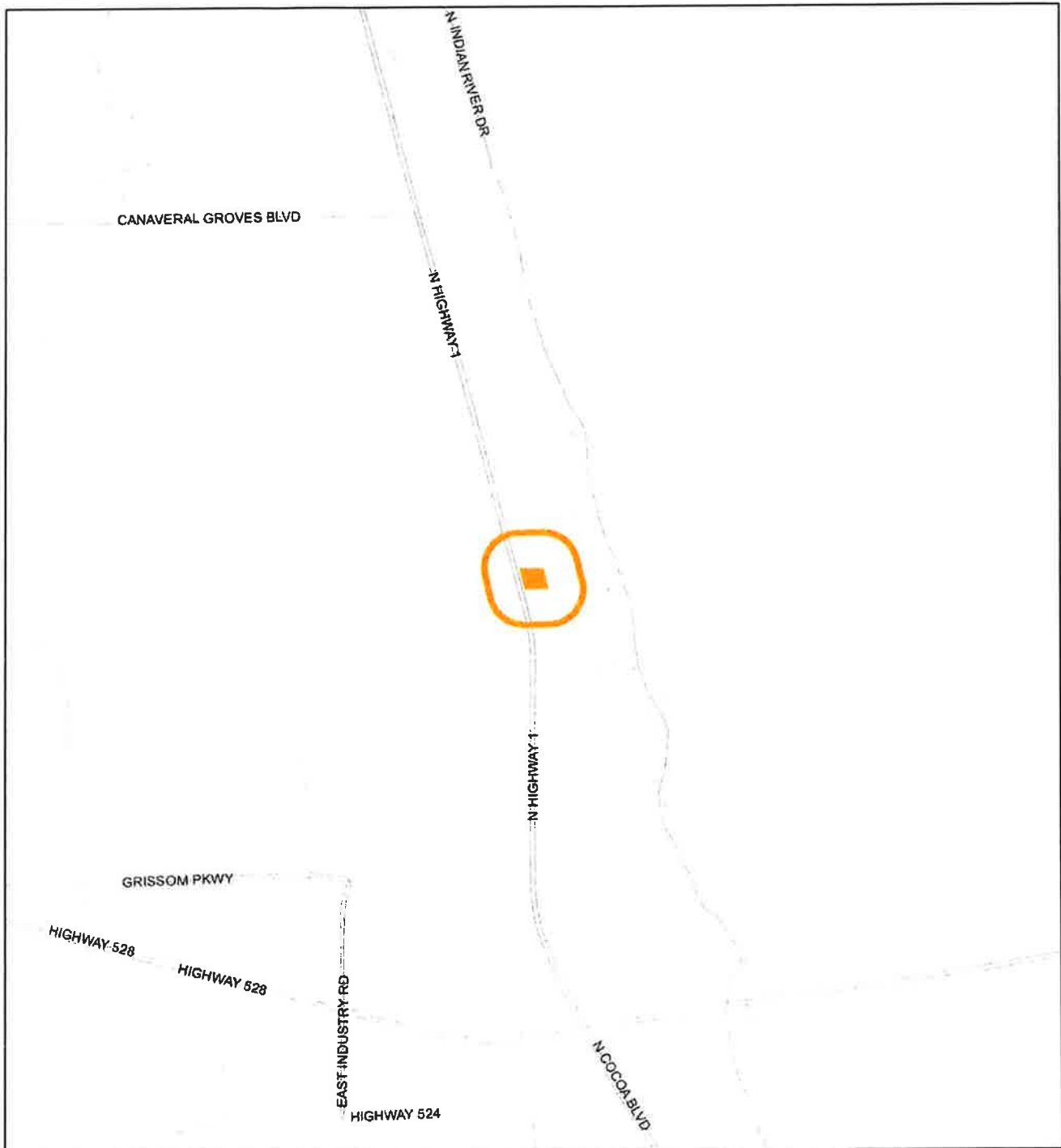
The South 250 feet bordering on U.S. Highway No. 1, of the West 400 feet of the South 9.31 acres of the North 12.31 acres of Lot 1, except that property described in Deed Book 172, Page 3 and O.R. Book 42, Page 52 in Section 8, Township 24, Range 36; and that part of South 9 ½ acres of the North 12 ¾ acres of the NE ¼ of the NE ¼ lying East of U.S. Highway No. 1 in Section 7, Township 24, Range 36.

The North 80 feet bordering on U.S. Highway No. 1, of the West 400 feet of the South 9.31 acres of the North 12.31 acres of Lot 1, except that property described in Deed Book 172, Page 3, and O.R. Book 42, Page 52, in Section 8, Township 24, Range 36, and that part of the South 9 ½ acres of the North 12 ¾ acres of the NE ¼ of the NE ¼ lying East of U.S. Highway No. 1, in Section 7, Township 24, Range 36.

# LOCATION MAP

Bresette, Wayne & Laura

25Z00005



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/26/2025

— Buffer

— Subject Property

# ZONING MAP

Bresette, Wayne & Laura

25Z00005



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/26/2025

- Subject Property
- Parcels
- Zoning

P&Z – April 04, 2025

BOCC-Zoning – May 01, 2025

**(25Z00005) Home Nation Cocoa LLC (Kim Rezanka)** requests change of zoning classification from BU-1 to BU-2. The property is 2.47 acres, located on the east side of US Hwy 1, approx. 875 ft. north of Cross Rd. (3740 N. Hwy 1, Cocoa) (Tax Account 2410956) (District 1)

**P&Z Recommendation: Saunders/Orriss – Approved. The vote was unanimous.**

**BCC ACTION: Delaney/Altman – Approved the request for a zoning classification change from BU-1 to BU-2, with a Binding Development Plan (BDP), limiting usage to Mobile Home Sales and allowing for BU-1 uses. The vote was unanimous.**



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 837-2001  
Fax: (321) 264-6972  
Kimberly.Powell@brevardclerk.us

May 2, 2025

**MEMORANDUM**

**TO:** Billy Prasad, Planning and Development Director    Attn: Trina Gilliam

**RE:** Board Actions on Planning and Zoning Board Recommendations

The Board of County Commissioners, in regular session on May 1, 2025, took action on Planning and Zoning Board Recommendations.

Your continued cooperation is always appreciated.

Sincerely,

**BOARD OF COUNTY COMMISSIONERS**  
RACHEL M. SADOFF, CLERK

A handwritten signature in blue ink, reading "Kimberly Powell", is written over the printed name and title.

Kimberly Powell, Clerk to the Board

Encl. (1)

cc: Alice Randall, Zoning  
County Attorney

## PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. Casabella Development, LLC. Goodson/Delaney. Continued the request for zoning classification change from BU-1-A to RU-2-6 to July 17, 2025, Zoning Meeting. (24Z00064)
- Item H.2. Wayne & Laura Bresette. Delaney/Altman. Approved the request for a zoning classification change from BU-1 to BU-2. with a Binding Development Plan (BDP), limiting usage to Mobile Home Sales and allowing for BU-1 uses. (25Z00005)
- Item H.3. Troy Holdings, LLC. Goodson/Adkinson. Approved the request for a zoning classification change from BU-1-A to BU-2, with removal of the BDP and a new BDP applied. (25Z00001)
- Item H.4. Ryan and Sarah Lawhon. Delaney/Altman. Adopted Ordinance No. 25-05, setting forth the seventh Small Scale Comprehensive Plan Amendment (25S.01), to change the Future Land Use Map (FLUM) designation from RES 1:2.5 to RES 1. (25SS00001)
- Item H.5. Ryan and Sarah Lawhon. Delaney/Altman. Approved the request for a zoning classification change from GU and SR with a BDP to RR-1 with removal of the BDP. (25Z00002)
- Item H.6. Bhawani 2023 LLC. Goodson/Feltner. Approved the request for a Conditional Use Permit (CUP) for Alcoholic Beverages for On-Premises Consumption (4COP) in conjunction with a 3,719 square foot bar with a restaurant and outdoor patio. (25Z00004)



**AFFIDAVIT OF NO MORTGAGE**

ROXANNE COMINO at Home Nation Cocoa, LLC, after  
being duly sworn, deposes and says:

1. I am the representative of the owner of the real property as more particularly described in Exhibit "A" attached hereto
2. There are no mortgages on the Property

Dated May 12, 2025.

Home Nation Cocoa, LLC  
3737 US Highway 1  
Cocoa, FL 32926

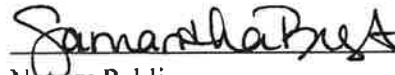
By: 

Its: MEMBER/MANAGER

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence ,  
this 12 day of May, 2025, by Roxanne Comino, for Home Nation Cocoa, LLC, who is  
personally known to me/presented \_\_\_\_\_ as identification.

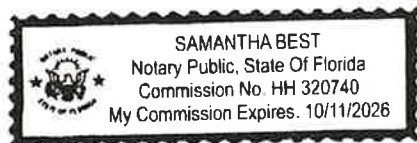
My commission expires: \_\_\_\_\_

  
Notary Public

SEAL

Commission No.:

Samantha Best  
(Name typed, printed or stamp)





IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all  
as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

\_\_\_\_\_  
Rachel M. Sadoff, Clerk of Court  
(SEAL)

\_\_\_\_\_  
Rob Feltner, Chair

As approved by the Board on \_\_\_\_\_

(Please note: You must have two witnesses and a notary for each signature required. The notary  
may serve as one witness.)

WITNESSES:

Home Nation Cocoa, LLC

3737 US Highway 1

Cocoa, FL 32926

\_\_\_\_\_  
*[Signature]*

\_\_\_\_\_  
Andrea Lankton

(Witness Name typed or printed)

\_\_\_\_\_  
*[Signature]*

\_\_\_\_\_  
Blake Garrett

(Witness Name typed or printed)

\_\_\_\_\_  
*[Signature]*

\_\_\_\_\_  
MEMBER/MANAGER

(Title)

\_\_\_\_\_  
ROXANNE COMINO

(Name typed, printed or stamped)

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence,  
this 12 day of May, 2025, by Roxanne Comino for Home Nation Cocoa, LLC, who is personally  
known to me/presented \_\_\_\_\_ as identification.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
*[Signature]*  
Notary Public

SEAL

Commission No.:

\_\_\_\_\_  
*[Signature]*

(Name typed, printed or stamped)

