

On motion by Commissioner Nelson, seconded by Commissioner Anderson, the following resolution was adopted by a unanimous vote:

WHEREAS, KYLE LANE, INC. has requested a change of classification from BU-2 (Retail, Warehousing, and Wholesale Commercial) to AGR (Agricultural), on property described as: SEE ATTACHED

Section 36 Township 24 S, Range 35 E, and,

WHEREAS, a public hearing of the Brevard County Planning & 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 & Zoning Board recommended that the application be approved; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & 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 Binding Development Plan, whereby the owner would waive objections to future requests by adjacent property owners for waivers from buffer wall requirements along common property lines; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from BU-2 (Retail, Warehousing, and Wholesale Commercial) to AGR (Agricultural), on property described as be APPROVED with a Binding Development Plan, recorded in ORB 7270, Pages 183 through 188, dated 12/22/14, whereby the owner would waive objections to future requests by adjacent property owners for waivers from buffer wall requirements along common property lines, and that the zoning classification relating to the above described property be changed, and the Planning & Zoning 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 October 2, 2014.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida



by Mary Bolin Lewis, Chairman  
Brevard County Commission  
As approved by Brevard County Commission on October 2, 2014.

ATTEST:



SCOTT ELLIS, CLERK  
(SEAL)

(P&Z Hearing – September 8, 2014)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD 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.

## 14PZ-00070 Legal Description:

From a Quit Claim Deed recorded in ORB 5783, Page 755, Brevard County Public Records. A parcel of land lying in the E ½ of the SE ¼ of Section 36, Township 24S, Range 35E, Brevard County, FL, and being more particularly described as follows: Commence at the E ¼ corner of Section 36, Township 24S, Range 35E, and run S89deg48'29"W, along the N. line of the E ½ of the SE ¼ of said Section 36, a distance of 666.67 ft., said line also being the centerline of Parrish Rd, as recorded in County Commissioners Minutes Book 19, Page 216; thence run S00deg19'29"W, a distance of 33.00 ft. to a point on the S. right-of-way line of said Parrish Rd., said point also being the point of beginning of this parcel; thence continue S00deg19'29"W, a distance of 1290.53 ft.; thence run S89deg48'25"W, a distance of 666.10 ft.; thence run N00deg18'03"E, a distance of 1290.54 ft., to a point on the S. right-of-way line of Parrish Rd; thence run N89deg48'29"E, parallel to and 33 ft. S. by right angle measurement of the N. line of the E ½ of the SE ¼ of Section 36, a distance of 30 ft.; thence run S00deg18'03"W, a distance of 300 ft.; thence run N89deg48'20"E, a distance of 300 ft.; thence run N00deg18'03"E, a distance of 300 ft., to a point on the S. right-of-way line of Parrish Rd, said point being 33 ft. S., by right angle measurement of the N. line of the E ½ of the SE ¼ of said Section 36; thence run N89deg48'29"E, along the S. right-of-way line of Parrish Rd, a distance of 336.67 ft. to the point of beginning. Containing 17.67 acres, more or less. Less and except the following: That portion of the E ½ of the SE ¼ of Section 36, Township 24S, Range 35E, Brevard County, FL, as described as follows: Commence at the E ¼ corner of said Section 36; thence run S89deg48'29"W, along the N. line of the E ½ of the SE ¼ of said Section 36, said line also being the centerline of Parrish Rd., as recorded in County Commissioners Minutes Book 19, Page 216, for 666.67 ft.; thence run S00deg19'29"W, for 33 ft. to the S. right-of-way line of said Parrish Rd to the point of beginning; thence continue S00deg19'29"W, for 300 ft.; thence run S89deg48'29"W, for 336.51 ft.; thence run N00deg18'03"E, for 300 ft., to the S. right-of-way line of said Parrish Rd; thence run S89deg48'29"E, along the S. right-of-way line of said Parrish Rd, for 333.57 ft., to the point of beginning. Containing 2.31 acres, more or less. Less and except the following: That portion of the E ½ of the SE ¼ of Section 36, Township 24S, Range 35E, Brevard County, FL, described as follows: Commence at the E ¼ corner of said Section 36; thence run S89deg48'29"W, along the N. line of the E ½ of the SE ¼ of said Section 36, said line also being the centerline of Parrish Rd, as recorded in County Commissioners Minutes Book 19, Page 216, for 666.67 ft.; thence run S00deg19'29"W, for 33 ft. to the S. right-of-way line of said Parrish Rd.; thence continue S00deg19'29"W, for 300 ft. to the point of beginning; thence continue S00deg19'29"W, for 353.92 ft.; thence run N89deg40'31"W, for 163.18 ft.; thence run N18deg15'48"E, for 10.51 ft.; thence run S89deg40'31"E, for 149.95 ft.; thence run N00deg19'29"E, for 343.83 ft.; thence run N89deg48'20"E, for 10 ft. to the point of beginning. Containing 0.12 acres, more or less. Less and except the following: That portion of the E ½ of the SE ¼ of Section 36, Township 24S, Range 35E, Brevard County, FL, described as follows: Commence at the E ¼ corner of said Section 36; thence run S89deg48'29"W, along the N. line of the E ½ of the SE ¼ of said Section 36, said line also being the centerline of Parrish Rd, as recorded in County Commissioners Minutes Book 19, Page 216, for 666.67 ft.; thence run S00deg19'29"W, for 33 ft. to the south right-of-way line of said Parrish Rd; thence continue S00deg19'29"W, for 886.34 ft.; thence run N89deg40'31"W, for 215.02 ft., to the point of beginning; thence run S02deg37'13"W, for 114.17 ft.; thence run N85deg59'51"W, for 78.95 ft.; thence run N02deg37'13"E, for 114.17 ft.; thence run S85deg59'51"E, for 78.95 ft., to the point of beginning. Containing 0.21 acres, more or less. Less and except the following: That portion of the E ½ of the SE ¼ of Section 36, Township 24S, Range 35E, Brevard County, FL, described as follows: Commence at the E ¼ corner of said Section 36; thence run S89deg48'29"W, along the north line of the E ½ of the SE ¼ of said Section 36; said line also being the centerline of Parrish Rd, as recorded in County Commissioners Minutes Book 19, Page 216, for 666.67 ft.; thence run S00deg19'29"W, for 33 ft. to the S. right-of-way line of said Parrish Rd; thence continue S00deg19'29"W, for 921.44 ft.; thence run N89deg40'31"W, for 266.25 ft., to the point of beginning of the centerline of a 30-foot wide guy wire easement; thence run N18deg28'51"E, for 356.12 ft. to the end of said centerline. Containing 0.22 acres, more or less. Less and except the following: That portion of the E ½ of the SE ¼ of Section 36, Township 24S, Range 35E, Brevard County, FL, described as follows: Commence at the E ¼ corner of said Section 36; thence run S89deg48'29"W, along the N. line of the E ½ of the SE ¼ of said Section 36, said line also being the centerline of Parrish Rd, as recorded in County Commissioners Minutes Book 19, Page 216, for 666.67 ft.; thence run S00deg19'29"W, for 33 ft. to the south right-of-way line of said Parrish Rd; thence continue S00deg19'29"W, for 921.44 ft.; thence run N89deg40'31"W, for 266.25 ft., to the point of beginning of the centerline of a 30-foot wide guy wire easement; thence run S41deg05'53"E, for 361.74 ft. to the end of said centerline. Containing 0.20 acres, more or less. Less and except the following: That portion of the E ½ of the SE ¼ of Section 36, Township 24S, Range 35E, Brevard County, FL, described as follows: Commence at the E ¼ corner of said Section 36; thence run S89deg48'29"W, along the N. line of the E ½ of the SE ¼ of said Section 36, said line also being the centerline of Parrish Rd, as recorded in County Commissioners Minutes Book 19, Page 216, for 666.67 ft.; thence run S00deg19'29"W, for 33 ft. to the south right-of-way line of said Parrish Rd; thence continue S00deg19'29"W, for 921.44 ft.; thence run N89deg40'31"W, for 266.25 ft., to the point of beginning of the centerline of a 30-foot wide guy wire easement; thence run S77deg44'09"W, for 362.32 ft. to the end of said centerline. Containing 0.23 acres, more or less. (14.38 acres total) Located on the south side of Parrish Rd., approx. 0.12 mile west of Range Rd. (2704 Kyle Lane, Cocoa)