



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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H.3.

5/7/2026

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### Subject:

HQW, LLC & HQW Homeowner's Association, Inc. request a zoning classification change from EU-1 and AU with a BDP to RVP and AU with a CUP and removal of the BDP. (26Z00005) (Tax Account 2408695, 2460010) (District 1)

### Fiscal Impact:

None

### Dept/Office:

Planning and Development

### Requested Action:

It is requested that the Board of County Commissioners conduct a public hearing to consider a zoning classification change from EU-1 (Estate Use) and AU (Agricultural Residential) with a BDP to RVP (Recreational Vehicle Park) and AU (Agricultural Residential) with a CUP (Conditional Use Permit), for boarding of horses and horses for hire, and removal of the BDP.

### Summary Explanation and Background:

The applicant is requesting to rezone a vacant property from EU-1 (Estate Use Residential) & AU (Agricultural Residential) to RVP (Recreational Vehicle Park) and AU with a CUP (Conditional Use Permit) and removal of existing BDP, as the applicant would like to have an equestrian-friendly RV park. The applicant is proposing to configure it as a 24.34-acre recreational vehicle park and 8.24 acres with a barn for the boarding of horses, along with a horse-riding trail as an amenity to park patrons. The property is a combined total of 32.89 acres. The applicant provided a sketch plan that depicts 36 recreational vehicle lots or spaces. This plan is binding as it relates to the proposed CUP; however, it has not undergone comprehensive review for land development regulation compliance.

The maximum potential of the site is 240 RV lots and 3 single-family residences. Per Section 62-1406(6)(b): For recreational vehicle park properties located outside of neighborhood commercial or community commercial land use designations on the Future Land Use Map, there shall be a maximum of ten recreational vehicle sites or lots per acre, or the maximum designated residential density, whichever is less.

The proposed (RVP) recreational vehicle park zoning classification encompasses lands devoted to recreation vehicle, tent, park trailer, and cabin uses together with such ancillary structures as allowed to promote a recreational type of atmosphere for both park owners and/or their guests. Minimum Park size shall be five acres. Recreational vehicle sites shall have a minimum area of 2,000 square feet and shall have a minimum width of 30 feet and a minimum depth of 60 feet.

As defined, spaces or lots may be used by a recreational vehicle or equivalent facilities constructed in or on automotive vehicles, tents, or other short-term housing devices. Cabins or park trailers used for short-term rentals may comprise no more than 20 percent of the permitted space or lots and shall not exceed a maximum of 1,000 square feet each in size.

The proposed AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

Pursuant to Section 62-1913, Brevard County Code of Ordinances, boarding of horses and horses for hire requires a minimum lot area of five acres shall be required for boarding of horses and horses for hire, and all structures for the permanent or temporary housing of horses shall meet the setback requirements for such structures in the AU and AGR zoning classifications. A conditional use permit shall not be required where the number of horses does not exceed four per acre (in this case, 32 hours total). The applicant is requesting the CUP for boarding horses and horses for hire as they want the ability to have more than 32 horses. Based on the applicant's responses and the configuration of the subject property, staff have determined that the request is consistent with the applicable criteria for approval of a CUP. For more information regarding the application of the CUP criteria to the subject property, please see Addendum #1, attached.

Pursuant to Section 62-1901(b), Brevard County of Code of Ordinances, "As part of the approval of the conditional use permit, the board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood."

Within a 500-foot radius, the abutting three properties to the southwest of the subject property have agricultural exemptions per the Brevard County Property Appraiser Office (BCPAO). Those properties are used for grazing land. The abutting property to the west has an agricultural exemption for grazing land in association with the boarding of up to 8 horses, per BCPAO. In addition, two properties to the south have an agricultural exemption for grazing land. To receive agricultural exemption, those properties were determined to be bona fide agricultural. As such, certain land development regulations are superseded by Florida Statute Section 570.86.

North of the subject property is six (6) total parcels. Two (2) parcels, 0.9 and 2.4 acres, undeveloped, with zoning classification AU and NC FLU designation. Additionally, there are two (2) parcels, 1.14 acres, with zoning classification BU-1 and BU-2, 1.12 acres with zoning classification BU-2, both parcels have CC FLU designation. The fifth parcel is 1.45 acres, developed in 1950 as a sewer and water facility for City of Cocoa with AU zoning classification and NC FLU designation. The last parcel is 1.93 acres, undeveloped with AU zoning classification and NC FLU designation. South of the subject property is four (4) parcels. The first parcel is 5.23 acres, developed with a single-family residence with AU zoning classification and RES 15 FLU designation. Next is a 4.84-acre parcel, grazing land, with AU zoning classification and RES 15 FLU designation. The last two (2) parcels are 16.22 and 8.57 acres, grazing land, AU zoning classification with RES 15 FLU designation. East of the subject property is three (3) parcels. The first parcel is 14.76 acres, developed with a warehouse, distribution and trucking terminal, BU-1, BU-2 & AU zoning classification with NC, CC & RES 15 FLU designations. The last two (2) parcels are 2.82 and 4.14 acres, developed with single-family residences, AU

zoning classification with RES 15 FLU designation. West of the subject property is two (2) parcels. One parcel is 18.61 acres, grazing land, with AU zoning classification and NC FLU designation. The second parcel is 5.11 acres, undeveloped, AU zoning classification with RES 15 FLU designation.

The Board may consider whether the request is consistent and compatible with the surrounding area. In addition, the Board may wish to consider the potential impacts of the boarding of horses and horses for hire, or any of the more intense agricultural uses permitted in AU, on surrounding properties.

The Board may also consider whether a new Binding Development Plan (BDP) is advisable to limit the number of recreational vehicle (RV) lots or spaces to those depicted on the concept plan, or to another appropriate density, taking into consideration existing density limitations in the area and the applicant's request to remove the current BDP.

On April 13, 2026, the Planning and Zoning Board heard the request and unanimously recommended approval with a BDP limiting the development to 36 recreational vehicle sites and 8 cabins.

**Clerk to the Board Instructions:**

Upon receipt of resolution, please execute and return a copy to Planning and Development.

## **ADMINISTRATIVE POLICIES OF THE FUTURE LAND USE ELEMENT**

Administrative Policies in the Future Land Use Element establish the expertise of staff with regard to zoning land use issues and set forth criteria when considering a rezoning action or request for Conditional Use Permit, as follows:

### **Administrative Policy 1**

The Brevard County zoning official, planners and the Director of the Planning and Development, however designated, are recognized as expert witnesses for the purposes of Comprehensive Plan amendments as well as zoning, conditional use, special exception, and variance applications.

### **Administrative Policy 2**

Upon Board request, members of the Brevard County planning and zoning staff shall be required to present written analysis and a recommendation, which shall constitute an expert opinion, on all applications for zoning, conditional uses, comprehensive plan amendments, vested rights, or other applications for development approval that come before the Board of County Commissioners for quasi-judicial review and action. The Board may table an item if additional time is required to obtain the analysis requested or to hire an expert witness if the Board deems such action appropriate. Staff input may include the following:

#### **Criteria:**

- A. Staff shall analyze an application for consistency or compliance with comprehensive plan policies, zoning approval criteria and other applicable written standards.
- B. Staff shall conduct site visits of property which are the subject of analysis and recommendation. As part of the site visit, the staff shall take a videotape or photographs where helpful to the analysis and conduct an inventory of surrounding existing uses. Aerial photographs shall also be used where they would aid in an understanding of the issues of the case.
- C. In cases where staff analysis is required, both the applicant and the staff shall present proposed findings of fact for consideration by the Board.
- D. For development applications where a specific use has not been proposed, the worst case adverse impacts of potential uses available under the applicable land use classification shall be evaluated by the staff.

### **Administrative Policy 3**

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

#### **Criteria:**

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use.

- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through analysis of:
  - 1. historical land use patterns;
  - 2. actual development over the immediately preceding three years; and
  - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

#### **Administrative Policy 4**

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

##### **Criteria:**

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types of intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, et cetera), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.
- B. In determining whether an established residential neighborhood exists, the following factors must be present:
  - 1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.
  - 2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.
  - 3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

#### **Administrative Policy 5**

In addition to the factors specified in Administrative Policies 2, 3, and 4, in reviewing a rezoning, conditional use permit or other application for development approval, the impact of the proposed use or uses on transportation facilities either serving the site or impacted by the

use(s) shall be considered. In evaluating whether substantial and adverse transportation impacts are likely to result if an application is approved, the staff shall consider the following:

**Criteria:**

- A. Whether adopted levels of services will be compromised;
- B. Whether the physical quality of the existing road system that will serve the proposed use(s) is sufficient to support the use(s) without significant deterioration;
- C. Whether the surrounding existing road system is of sufficient width and construction quality to serve the proposed use(s) without the need for substantial public improvements;
- D. Whether the surrounding existing road system is of such width and construction quality that the proposed use(s) would realistically pose a potential for material danger to public safety in the surrounding area;
- E. Whether the proposed use(s) would be likely to result in such a material and adverse change in traffic capacity of a road or roads in the surrounding area such that either design capacities would be significantly exceeded or a de facto change in functional classification would result;
- F. Whether the proposed use(s) would cause such material and adverse changes in the types of traffic that would be generated on the surrounding road system, that physical deterioration of the surrounding road system would be likely;
- G. Whether projected traffic impacts of the proposed use(s) would materially and adversely impact the safety or welfare of residents in existing residential neighborhoods.

**Administrative Policy 6**

The use(s) proposed under the rezoning, conditional use or other application for development approval must be consistent with, (a), all written land development policies set forth in these administrative policies; and (b), the future land use element, coastal management element, conservation element, potable water element, sanitary sewer element, solid waste management element, capital improvements element, recreation and open space element, surface water element, and transportation elements of the comprehensive plan.

**Administrative Policy 7**

Proposed use(s) shall not cause or substantially aggravate any, (a), substantial drainage problem on surrounding properties; or (b), significant, adverse and unmitigatable impact on significant natural wetlands, water bodies or habitat for listed species.

**Administrative Policy 8**

These policies, the staff analysis based upon these policies, and the applicant's written analysis, if any, shall be incorporated into the record of every quasi-judicial review application for development approval presented to the Board including rezoning, conditional use permits, and vested rights determinations.

Section 62-1151(c) of the Code of Ordinances of Brevard County directs, "The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare.

The minutes of the planning and zoning board shall specify the reasons for the recommendation of approval or denial of each application."

#### **CONDITIONAL USE PERMITS (CUPs)**

In addition to the specific requirements for each Conditional Use Permit (CUP), Section 62-1901 provides that the following approval procedure and general standards of review are to be applied to all CUP requests, as applicable.

- (b) Approval procedure. An application for a specific conditional use within the applicable zoning classification shall be submitted and considered in the same manner and according to the same procedure as an amendment to the official zoning map as specified in Section 62-1151. The approval of a conditional use shall authorize an additional use for the affected parcel of real property in addition to those permitted in the applicable zoning classification. The initial burden is on the applicant to demonstrate that all applicable standards and criteria are met. Applications which do not satisfy this burden cannot be approved. If the applicant meets its initial burden, then the Board has the burden to show, by substantial and competent evidence, that the applicant has failed to meet such standards and the request is adverse to the public interest. As part of the approval of the conditional use permit, the Board may prescribe appropriate and reasonable conditions and safeguards to reduce the impact of the proposed use on adjacent and nearby properties or the neighborhood. A nearby property, for the purpose of this section, is defined as any property which, because of the character of the proposed use, lies within the area which may be substantially and adversely impacted by such use. In stating grounds in

support of an application for a conditional use permit, it is necessary to show how the request fulfills both the general and specific standards for review. The applicant must show the effect the granting of the conditional use permit will have on adjacent and nearby properties, including, but not limited to traffic and pedestrian flow and safety, curb-cuts, off-street loading and parking, off-street pickup of passengers, odors, glare and noise, particulates, smoke, fumes, and other emissions, refuse and service areas, drainage, screening and buffering for protection of adjacent and nearby properties, and open space and economic impact on nearby properties. The applicant, at his discretion, may choose to present expert testimony where necessary to show the effect of granting the conditional use permit.

(c) General Standards of Review.

- (1) The planning and zoning board and the board of county commissioners shall base the denial or approval of each application for a conditional use based upon a consideration of the factors specified in Section 62-1151(c) plus a determination whether an application meets the intent of this section.
  - a. The proposed conditional use will not result in a substantial and adverse impact on adjacent and nearby properties due to: (1), the number of persons anticipated to be using, residing or working under the conditional use; (2), noise, odor, particulates, smoke, fumes and other emissions, or other nuisance activities generated by the conditional use; or (3), the increase of traffic within the vicinity caused by the proposed conditional use.
  - b. The proposed use will be compatible with the character of adjacent and nearby properties with regard to use, function, operation, hours of operation, type and amount of traffic generated, building size and setback, and parking availability.
  - c. The proposed use will not cause a substantial diminution in value of abutting residential property. A substantial diminution shall be irrebuttably presumed to have occurred if abutting property suffers a 15% reduction in value as a result of the proposed conditional use. A reduction of 10% of the value of abutting property shall create a rebuttable presumption that a substantial diminution has occurred. The Board of County Commissioners carries the burden to show, as evidenced by either testimony from or an appraisal conducted by an M A I certified appraiser, that a substantial diminution in value would occur. The applicant may rebut the findings with his own expert witnesses.
- (2) The following specific standards shall be considered, when applicable, in making a determination that the general standards specified in subsection (1) of this section are satisfied:



- a. Ingress and egress to the property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire and catastrophe, shall be: (1), adequate to serve the proposed use without burdening adjacent and nearby uses, and (2), built to applicable county standards, if any. Burdening adjacent and nearby uses means increasing existing traffic on the closest collector or arterial road by more than 20%, or 10% if the new traffic is primarily comprised of heavy vehicles, except where the affected road is at Level of Service A or B. New traffic generated by the proposed use shall not cause the adopted level of service for transportation on applicable roadways, as determined by applicable Brevard County standards, to be exceeded. Where the design of a public road to be used by the proposed use is physically inadequate to handle the numbers, types or weights of vehicles expected to be generated by the proposed use without damage to the road, the conditional use permit cannot be approved without a commitment to improve the road to a standard adequate to handle the proposed traffic, or to maintain the road through a maintenance bond or other means as required by the Board of County Commissioners.
- b. The noise, glare, odor, particulates, smoke, fumes or other emissions from the conditional use shall not substantially interfere with the use or enjoyment of the adjacent and nearby property.
- c. Noise levels for a conditional use are governed by Section 62-2271.
- d. The proposed conditional use shall not cause the adopted level of service for solid waste disposal applicable to the property or area covered by such level of service, to be exceeded.
- e. The proposed conditional use shall not cause the adopted level of service for potable water or wastewater applicable to the property or the area covered by such level of service, to be exceeded by the proposed use.
- f. The proposed conditional use must have existing or proposed screening or buffering, with reference to type, dimensions and character to eliminate or reduce substantial, adverse nuisance, sight, or noise impacts on adjacent and nearby properties containing less intensive uses.
- g. Proposed signs and exterior lighting shall not cause unreasonable glare or hazard to traffic safety, or interference with the use or enjoyment of adjacent and nearby properties.
- h. Hours of operation of the proposed use shall be consistent with the use and enjoyment of the properties in the surrounding residential community, if any. For commercial and industrial uses adjacent to or near residential uses, the hours of operation shall not adversely affect the use and enjoyment of the residential character of the area.
- i. The height of the proposed use shall be compatible with the character of the area, and the maximum height of any habitable structure shall be not more than 35 feet higher than the highest residence within 1,000 feet of the property line.

- j. Off-street parking and loading areas, where required, shall not be created or maintained in a manner which adversely impacts or impairs the use and enjoyment of adjacent and nearby properties. For existing structures, the applicant shall provide competent, substantial evidence to demonstrate that actual or anticipated parking shall not be greater than that which is approved as part of the site plan under applicable county standards.

### **FACTORS TO CONSIDER FOR A REZONING REQUEST**

Section 62-1151(c) sets forth factors to consider in connection with a rezoning request, as follows:

"The planning and zoning board shall recommend to the board of county commissioners the denial or approval of each application for amendment to the official zoning maps based upon a consideration of the following factors:

- (1) The character of the land use of the property surrounding the property being considered.
- (2) The change in conditions of the land use of the property being considered and the surrounding property since the establishment of the current applicable zoning classification, special use or conditional use.
- (3) The impact of the proposed zoning classification or conditional use on available and projected traffic patterns, water and sewer systems, other public facilities and utilities and the established character of the surrounding property.
- (4) The compatibility of the proposed zoning classification or conditional use with existing land use plans for the affected area.
- (5) The appropriateness of the proposed zoning classification or conditional use based upon a consideration of the applicable provisions and conditions contained in this article and other applicable laws, ordinances and regulations relating to zoning and land use regulations and based upon a consideration of the public health, safety and welfare."

These staff comments contain references to zoning classifications found in the Brevard County Zoning Regulations, Chapter 62, Article VI, Code of Ordinances of Brevard County. These references include brief summaries of some of the characteristics of that zoning classification. Reference to each zoning classification shall be deemed to incorporate the full text of the section or sections defining and regulating that classification into the Zoning file and Public Record for that item.

These staff comments contain references to sections of the Code of Ordinances of Brevard County. Reference to each code section shall be deemed to incorporate this section into the Zoning file and Public Record for that item.

These staff comments contain references to Policies of the Brevard County Comprehensive Plan. Reference to each Policy shall be deemed to incorporate the entire Policy into the Zoning file and Public Record for that item.

These staff comments refer to previous zoning actions which are part of the Public Records of Brevard County, Florida. These records will be referred to by reference to the file number. Reference to zoning files are intended to make the entire contents of the cited file a part of the Zoning file and Public Record for that item.

## DEFINITIONS OF CONCURRENCY TERMS

**Maximum Acceptable Volume (MAV):** Maximum acceptable daily volume that a roadway can carry at the adopted Level of Service (LOS).

**Current Volume:** Building permit related trips added to the latest TPO (Transportation Planning Organization) traffic counts.

**Volume with Development (VOL W/DEV):** Equals Current Volume plus trip generation projected for the proposed development.

**Volume/Maximum Acceptable Volume (VOL/MAV):** Equals the ratio of current traffic volume to the maximum acceptable roadway volume.

**Volume/Maximum Acceptable Volume with Development (VOL/MAV W/DEV):** Ratio of volume with development to the Maximum Acceptable Volume.

**Acceptable Level of Service (CURRENT LOS):** The Level of Service at which a roadway is currently operating.

**Level of Service with Development (LOS W/DEV):** The Level of Service that a proposed development may generate on a roadway.



BOARD OF COUNTY COMMISSIONERS

## Planning and Development Department

2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940  
(321)633-2070 Phone / (321)633-2074 Fax  
<https://www.brevardfl.gov/PlanningDev>

### STAFF COMMENTS

26Z00005

**HQW, LLC. & HQW Homeowner's Association, Inc.**

**EU-1 (Estate Use Residential) & AU (Agricultural Residential) with Binding Development Plan (BDP) to RVP (Recreational Vehicle Park) & AU with a CUP (Conditional Use Permit) and removal of the existing BDP**

Tax Account Number: 2408695, 2460010  
Parcel I.D.: 24-35-34-00-2  
24-35-34-00-47  
Location: 5405 Highway 520, Cocoa, FL 32955. (District 1)  
Acreage: 32.89 acres

Planning & Zoning Board: 04/13/2026  
Board of County Commissioners: 05/07/2026

### Consistency with Land Use Regulations

- Current zoning can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal can be considered under the Future Land Use Designation, Section 62-1255.
- The proposal would maintain acceptable Levels of Service (LOS) (XIII 1.6.C)

|                                                        | CURRENT                       | PROPOSED                                       |
|--------------------------------------------------------|-------------------------------|------------------------------------------------|
| <b>Zoning</b>                                          | EU-1 & AU                     | RVP & AU w/CUP                                 |
| <b>Potential*</b>                                      | 50 Single-family residences** | 240 RV Lots and 3 single-family residences *** |
| <b>Can be Considered under the Future Land Use Map</b> | YES<br>RES 15                 | YES<br>RES 15                                  |

\* Zoning potential for concurrency analysis purposes only, subject to applicable land development regulations.

\*\*Current BDP limits the development of the property to 50 residential units.

\*\*\* Applicant is proposing 36 RV lots & a barn for horses Background and Purpose of Request

The applicant is requesting to rezone a vacant property from EU-1 (Estate Use Residential) & AU (Agricultural Residential) to RVP (Recreational Vehicle Park) & AU with a CUP (Conditional Use Permit) and removal of existing BDP, as the applicant would like to have an equestrian-friendly RV park. The applicant is proposing to configure it as a 24.34-acre recreational vehicle

park and 8.24 acres with a barn for the boarding of horses, along with a horse-riding trail as an amenity to park patrons. The property is a combined total of 32.89 acres. The applicant provided a concept plan that depicts 36 RV lots or spaces. This concept plan is for illustrative purposes and is non-binding; it has not undergone review for land development regulation compliance.

The maximum potential of the site is 240 RV lots & 3 single-family residences. Per Section 62-1406(6)(b): For recreational vehicle park properties located outside of neighborhood commercial or community commercial land use designations on the Future Land Use Map, there shall be a maximum of ten recreational vehicle sites or lots per acre, or the maximum designated residential density, whichever is less.

The proposed (RVP) recreational vehicle park zoning classification encompasses lands devoted to recreation vehicle, tent, park trailer, and cabin uses together with such ancillary structures as allowed to promote a recreational type of atmosphere for both park owners and/or their guests. Minimum Park size shall be five acres. Recreational vehicle sites shall have a minimum area of 2,000 square feet and shall have a minimum width of 30 feet and a minimum depth of 60 feet.

As defined, spaces or lots may be used by a recreational vehicle or equivalent facilities constructed in or on automotive vehicles, tents, or other short-term housing devices. Cabins or park trailers used for short-term rentals may comprise no more than 20 percent of the permitted space or lots and shall not exceed a maximum of 1,000 square feet each in size.

The proposed AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

The applicant is requesting the CUP for boarding of horses and horses for hire as they want the ability to have more than 32 horses. Without the CUP, only 32 horses would be permitted based on the acreage of 8 acres times 4 horses per acre, which equals 32 horses.

Pursuant to Section 62-1913, Brevard County Code of Ordinances, Boarding of horses and horses for hire requires a minimum lot area of five acres shall be required for boarding of horses and horses for hire, and all structures for the permanent or temporary housing of horses shall meet the setback requirements for such structures in the AU and AGR zoning classifications. A conditional use permit shall not be required where the number of horses does not exceed four per acre.

Within a 500-foot radius, the abutting three properties to the southwest of the subject property have agricultural exemptions per the Brevard County Property Appraiser Office (BCPAO). Those properties are used for grazing land. The abutting property to the west has an agricultural exemption for grazing land in association with the boarding of up to 8 horses, per the BCPAO. In addition, two properties to the south have an agricultural exemption for grazing

land. To receive the agricultural exemption, those properties were determined to be bona fide agricultural. As such, certain land development regulations are superseded by Florida Statute Section 570.86.

The subject parcel contains mapped St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.

Section 62-3694(c)(3)(b), Brevard County Code of Ordinances, has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Highway 520 is an MQR at this location.

Section 62-3694(c)(3)(b), Brevard County Code of Ordinances, further provides that for projects involving multiple properties, assembled under a single site plan, wetland impacts on parcels without direct frontage on a mitigation-qualified roadway may only be permitted if the parcels are combined such that the proposed wetland impacts occur on a parcel with direct frontage on the mitigation-qualified roadway. The assembled properties must also be deed-restricted for commercial or industrial use.

In accordance with the two references above from Section 62-3694 (c)(3)(b), the proposed development involves two properties, with only one having direct frontage on Highway 520. In order to impact wetlands on both properties, they would be required to be combine together and include a deed restriction for commercial and industrial use only.

#### **Zoning History:**

- AU was the original zoning classification when the Brevard County Zoning Code was established on May 22, 1958.
- **Z-4249:** CUP for security trailer adopted June 16, 1977.
- **Z-8195:** CUP for boarding of horses and horses for hire adopted September 26, 1988.
- **Z-8405:** CUP for temporary security trailer with CUP for horses and horses for hire adopted May 22, 1989.
- **Z-9159:** Zoning change from AU to EU-1 adopted June 8, 1993 with a BDP subject to a maximum of 50 units.
- **Z-10800(44):** Removed the CUP for the boarding of horses and horses for hire, approved May 1, 2003.

The subject property retains the original RES 15 FLU designation established by the 1988 Brevard County Comprehensive Plan.

The subject property is located on the south side of Highway 520, a state-maintained roadway between Highway 524 to the West and Lake Poinsett Rd. to the East.

There are no current code enforcement complaints on the subject property.

#### **Surrounding Area**

|              | <b>Existing Land Use</b>                                             | <b>Zoning</b>  | <b>Future Land Use</b> |
|--------------|----------------------------------------------------------------------|----------------|------------------------|
| <b>North</b> | Undeveloped, water & sewer facility                                  | AU, BU-1, BU-2 | NC, CC                 |
| <b>South</b> | Single-family residence, grazing land                                | AU             | RES 15                 |
| <b>East</b>  | Warehouse, distribution & trucking terminal, single-family residence | BU-1, BU-2, AU | NC, CC, RES 15         |
| <b>West</b>  | Grazing land, undeveloped                                            | AU             | NC, RES 15             |

North of the subject property is six (6) total parcels. Two (2) parcels, 0.9 and 2.4 acres, undeveloped, with zoning classification AU and NC FLU designation. Additionally, there are two (2) parcels, 1.14 acres, with zoning classification BU-1 and BU-2, 1.12 acres with zoning classification BU-2, both parcels have CC FLU designation. The fifth parcel is 1.45 acres, developed in 1950 as a sewer and water facility for City of Cocoa with AU zoning classification and NC FLU designation. The last parcel is 1.93 acres, undeveloped with AU zoning classification and NC FLU designation.

South of the subject property is four (4) parcels. The first parcel is 5.23 acres, developed with a single-family residence with AU zoning classification and RES 15 FLU designation. Next is a 4.84-acre parcel, grazing land, with AU zoning classification and RES 15 FLU designation. The last two (2) parcels are 16.22 and 8.57 acres, grazing land, AU zoning classification with RES 15 FLU designation.

East of the subject property is three (3) parcels. The first parcel is 14.76 acres, developed with a warehouse, distribution and trucking terminal, BU-1, BU-2 & AU zoning classification with NC, CC & RES 15 FLU designations. The last two (2) parcels are 2.82 and 4.14 acres, developed with single-family residences, AU zoning classification with RES 15 FLU designation.

West of the subject property is two (2) parcels. One parcel is 18.61 acres, grazing land, with AU zoning classification and NC FLU designation. The second parcel is 5.11 acres, undeveloped, AU zoning classification with RES 15 FLU designation.

BU-1 classification allows retail commercial land uses on minimum 7,500 square foot lots. The BU-1 classification does not permit warehousing or wholesaling.

BU-2 zoning classification permits retail, wholesale and warehousing commercial land uses for a minimum of 7,500 square foot lots. Possible incompatibilities are due to the intensive nature of commercial activities permitted by the BU-2 classification and possible noise, light, traffic and other nuisance factors potentially associated with BU-2 activities.

AU zoning classification encompasses lands devoted to agricultural pursuits and single-family residential development of spacious character on 2.5-acre lots, with a minimum lot width and depth of 150 feet. The minimum house size in AU is 750 square feet. The AU classification

also permits the raising/grazing of animals, fowl, beekeeping, plant nurseries, and the packing and processing of commodities raised on site. Conditional uses in AU include hog farms, zoological parks, and land alteration.

**FLUE Policy 1.4** –The Residential 15 Future land use designation. The Residential 15 land use designation affords the second highest density allowance, permitting a maximum density of up to fifteen (15) units per acre, except as otherwise may be provided for within this element.

#### Future Land Use

The subject property's EU-1 and AU zoning classification can be considered consistent with the Residential 15 (RES 15) Future Land Use designation provided on the FLUM series contained within Chapter XI – Future Land Use Element of Brevard County's Comprehensive Plan. The proposed RVP and AU zoning classification can be considered consistent with the existing RES 15 FLUM designation.

The Board should evaluate the compatibility of this application within the context of Administrative Policies 2 – 8 of the Future Land Use Element.

#### **Analysis of Administrative Policy #3 - Compatibility between this site and the existing or proposed land uses in the area:**

Compatibility shall be evaluated by considering the following factors, at a minimum:

##### **Criteria:**

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foreseeably be affected by the proposed use:

**The applicant intends to develop 36 RV sites with a barn for the boarding of horses. The proposed use may have hours of operation, lighting, odor, noise levels, traffic, or site activity that might affect the existing neighbor. The proposed rezoning will need to comply with Brevard County's Performance Standards defined by Sections 62-2251 through 62-2272.**

**The board should consider whether the proposed use is compatible within the area.**

- B. Whether the proposed use(s) would cause a material reduction (five per cent or more) in the value of existing abutting lands or approved development.

**Only a certified MAI (Master Appraiser Institute) appraisal can determine if material reduction has or will occur due to the proposed request.**

- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:



1. historical land use patterns:

**The historical land use patterns in the surrounding area can be categorized as vacant land, agricultural pursuits, or single-family residences situated on parcels ranging from approximately 0.9 to 27 acres.**

**There are three FLU designations within the 0.5-mile search radius: Residential 15 (RES 15), Neighborhood Commercial (NC), and Community Commercial (CC). The prominent FLU is RES 15**

**There are eleven zoning classifications within a 0.5-mile radius of the subject parcel: RU-1-9, AU, BU-1, BU-2, TR-1, SR, RU-1-11, RU-2-10(4), RU-2-10(6), TRC-1 and PUD. The prominent zoning classification in the area is AU on the south side of Highway 520 and RU-1-9 on the north side of Highway 520.**

**There are multiple parcels with AU zoning classification located within a 0.5-mile radius of the subject property. There are approximately 12 parcels with AU zoning classification abutting the subject property on all sides.**

2. actual development over the immediately preceding three years; and

**There has been one single-family residence developed on an approximate 1.33-acre parcel within 0.6 miles southwest of the subject property over the preceding three years.**

3. development approved within the past three years but not yet constructed.

**There has been no development approved within the past three years that has not been constructed within a 0.5 mile of the subject property.**

- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.

**No material violation of relevant policies has been identified.**

#### **Analysis of Administrative Policy #4 - Character of a neighborhood or area.**

Character of a neighborhood or area shall be a factor for consideration whenever a rezoning or any application involving a specific proposed use is reviewed. The character of the area must not be materially or adversely affected by the proposed rezoning or land use application. In evaluating the character of an area, the following factors shall be considered:

##### **Criteria:**

- A. The proposed use must not materially and adversely impact an established residential neighborhood by introducing types or intensity of traffic (including but not limited to volume, time of day of traffic activity, type of vehicles, etc.), parking, trip generation, commercial activity or industrial activity that is not already present within the identified boundaries of the neighborhood.

**Based on staff analysis, the proposed use will provide a recreational activity that is already present approximately 0.7 miles east of the subject property, within the area. The proposal is not anticipated to cause a decrease in LOS in the area.**

- B. In determining whether an established residential neighborhood exists, the following factors must be present:
1. The area must have clearly established boundaries, such as roads, open spaces, rivers, lakes, lagoons, or similar features.

**Staff analysis has determined that the area is not an established residential neighborhood. However, there are clearly established roads and residential lot boundaries.**

2. Sporadic or occasional neighborhood commercial uses shall not preclude the existence of an existing residential neighborhood, particularly if the commercial use is non-conforming or pre-dates the surrounding residential use.

**The proposal will not preclude the existence of an existing residential neighborhood.**

3. An area shall be presumed not to be primarily residential but shall be deemed transitional where multiple commercial, industrial or other non-residential uses have been applied for and approved during the previous five (5) years.

**The area has sparse residential and commercial development with predominantly vacant land on the south side of Highway 520.**

## **FLUE Administrative Policy 7**

Proposed use(s) shall not cause or substantially aggravate any (a) substantial drainage problem on surrounding properties; or (b) significant, adverse and unmitigable impact on significant natural wetlands, water bodies or habitat for listed species.

The subject parcel contains mapped St. Johns River Water Management District (SJRWMD) wetlands and hydric soils. A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal. Section 62-

3694(c)(3)(b) has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Highway 520 is an MQR at this location.

Section 62-3694(c)(3)b also provides that for a project encompassing multiple properties assembled under one site plan development order, wetland impacts for those properties without direct frontage on the mitigation qualified roadway may be permitted only if the properties are combined so that any proposed wetland impact is contained within a property with direct frontage on the mitigation qualified roadway. The assemblage shall be deed restricted for commercial or industrial use.

### **Preliminary Concurrency**

The closest concurrency management segment to the subject property is S.R. 520 located between S.R. 524 to Friday Rd., which has a Maximum Acceptable Volume (MAV) of 38,430 trips per day, a Level of Service (LOS) of D, and currently operates at 42.41% of capacity daily. The maximum development potential from the proposed rezoning has minimal change to the percentage of MAV. The corridor is anticipated to operate at 42.51% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

Staff has preliminarily determined that if the property was developed at the maximum potential of 240 RV lots, the roadway would not be anticipated to have a decrease in LOS. With the roadway currently operating at 42.41% of capacity daily, the maximum potential would increase traffic by 250 trips, per ITE Trip Generation 12<sup>th</sup> Edition. The roadway would operate at 43.07% of daily capacity, an increase of 0.65%.

No school concurrency information has been provided as the development potential of this site falls below the minimum number of new residential lots that would require a formal review.

The subject property has access to centralized sewer from Brevard County Utilities and centralized water from the City of Cocoa Utilities.

### **Environmental Constraints**

#### **Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Wetlands and Hydric Soils
- Protected and Specimen Trees

### **For Board Consideration**

The Board may wish to consider if the request is consistent and compatible with the surrounding area.

In addition, the Board may wish to consider the potential impacts of the boarding of horses and horses for hire, or any of the more intense agricultural uses permitted in AU, on surrounding properties.

The Board may also consider whether a new Binding Development Plan (BDP) is advisable to limit the number of recreational vehicle (RV) lots or spaces to those depicted on the concept plan, or to another appropriate density, taking into consideration existing density limitations in the area and the applicant's request to remove the current BDP.

**NATURAL RESOURCES MANAGEMENT DEPARTMENT**  
**Zoning Review & Summary**  
**Item No. 26Z00005**

**Applicant:** John Holmquist (Owner: HQW LLC)

**Zoning Request:** EU-1 and AU to RVP and AU with a CUP

**Note:** to develop an equestrian-friendly RV park

**Zoning Hearing:** 04/13/2026; **BCC Hearing:** 05/07/2026

**Tax ID No.(s):** 2408695 & 2460010

- This is a preliminary review based on best available data maps reviewed by the Natural Resources Management Department (NRM) and does not include a site inspection to verify the accuracy of the mapped information.
- In that the rezoning process is not the appropriate venue for site plan review, specific site designs submitted with the rezoning request will be deemed conceptual. Board comments relative to specific site design do not provide vested rights or waivers from Federal, State or County regulations.
- **This review does not guarantee whether or not the proposed use, specific site design, or development of the property can be permitted under current Federal, State, or County Regulations.**

**Summary of Mapped Resources and Noteworthy Land Use Issues:**

- Wetlands and Hydric Soils
- Protected and Specimen Trees

**Land Use Comments:**

**Wetlands and Hydric Soils**

The subject parcel contains mapped St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Malabar sand, 0 to 2 percent slopes; EauGallie sand; Anclote sand, frequently ponded, 0 to 1 percent slopes; and Holopaw sand, frequently ponded, 0 to 1 percent slopes); indicators that wetlands may be present on the property. **A wetland delineation will be required prior to any land clearing activities, site plan design, or building permit submittal.**

Section 62-3694(c)(3)(b) has allowances for wetland impacts for commercial uses along "Mitigation Qualified Roadways" (MQRs). Highway 520 is an MQR at this location. If wetlands are found, the applicant shall complete High Function and Landscape Level wetlands assessments prior to the allowance of any impacts. Board approval may be required for impacts. Any permitted wetland impacts must meet the requirements of Section 62-3694(e), including avoidance of impacts, and will require no net loss mitigation in Brevard County in accordance with Section 62-3696.

Section 62-3694(c)(3)b also provides that for a project encompassing multiple properties assembled under one site plan development order, wetland impacts for those properties

without direct frontage on the mitigation qualified roadway may be permitted only if the properties are combined so that any proposed wetland impact is contained within a property with direct frontage on the mitigation qualified roadway. The assemblage shall be deed restricted for commercial or industrial use.

### **Protected and Specimen Trees**

Protected and Specimen trees likely exist on the parcel. The applicant shall perform a tree survey prior to any site plan design in order to incorporate valuable vegetative communities or robust trees into the design. Per Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, Section 62-4341(18), Specimen and Protected Trees shall be preserved or relocated on site to the Greatest Extent Feasible. Greatest Extent Feasible shall include, but not be limited to, relocation of roads, buildings, ponds, increasing building height to reduce building footprint or reducing Vehicular Use Areas. The applicant is advised to refer to Article XIII, Division 2, entitled Land Clearing, Landscaping, and Tree Protection, for specific requirements for preservation and canopy coverage requirements and buffer requirements.

**Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**



BOARD OF COUNTY COMMISSIONERS

**Planning and Development Department**

2725 Judge Fran Jamieson Way  
Building A, Room  
114 Viera,  
Florida 32940

(321)633-2070 Phone / (321)633-2074 Fax  
<https://www.brevardfl.gov/PlanningDev>

**Addendum #1 26Z00005 HQW LLC and HQW HOA Inc.**

The applicant has requested to rezone the subject property from EU-1 and AU with a Binding Development Plan (BDP) to RVP and AU with a Conditional Use Permit (CUP), along with the removal of the existing BDP. As part of the request, the applicant is seeking a CUP for the boarding of horses and horses for hire pursuant to Section 62-1913 of the Brevard County Code.

Section 62-1913 requires a minimum lot area of five (5) acres for the boarding of horses and horses for hire. Additionally, all structures used for the permanent or temporary housing of horses must comply with the applicable setback requirements for such structures within the AU and AGR zoning classifications. A CUP is not required where the number of horses does not exceed four (4) per acre; however, the applicant has elected to pursue a CUP to allow flexibility in the number of horses permitted on the property.

Within the submitted CUP worksheet, the applicant indicates that the surrounding properties are predominantly zoned AU and asserts that the proposed use will not negatively impact adjacent properties. Access to the site is proposed via S.R. 520 and will be required to comply with applicable Florida Department of Transportation (FDOT) regulations. The applicant further states that potential impacts such as noise, glare, and odor will be minimal and mitigated through site design, including existing tree lines and buffering. It was noted that the property contains a substantial pine tree buffer, which will assist in minimizing off-site impacts. The applicant has also indicated compliance with applicable noise regulations.

Based on the applicant's responses and the configuration of the subject property, staff have determined that the request is consistent with the applicable criteria for approval of a CUP. The subject property will retain approximately 8.5 acres of AU zoning. As depicted on the non-binding concept plan, the applicant proposes to construct a barn to accommodate horses associated with the recreational vehicle use of the property. Additionally, manure generated on-site is proposed to be reused as fertilizer on the property.

The proposed use will be subject to the performance standards outlined in Sections 62-2251 through 62-2273 of the Brevard County Code. The requested zoning classification and associated use are consistent with established development patterns in the surrounding area. The property benefits from direct access to S.R. 520 and is located approximately one (1) mile from Interstate 95. Based on the information provided, the applicant has demonstrated the ability to comply with applicable provisions of the Brevard County Code.





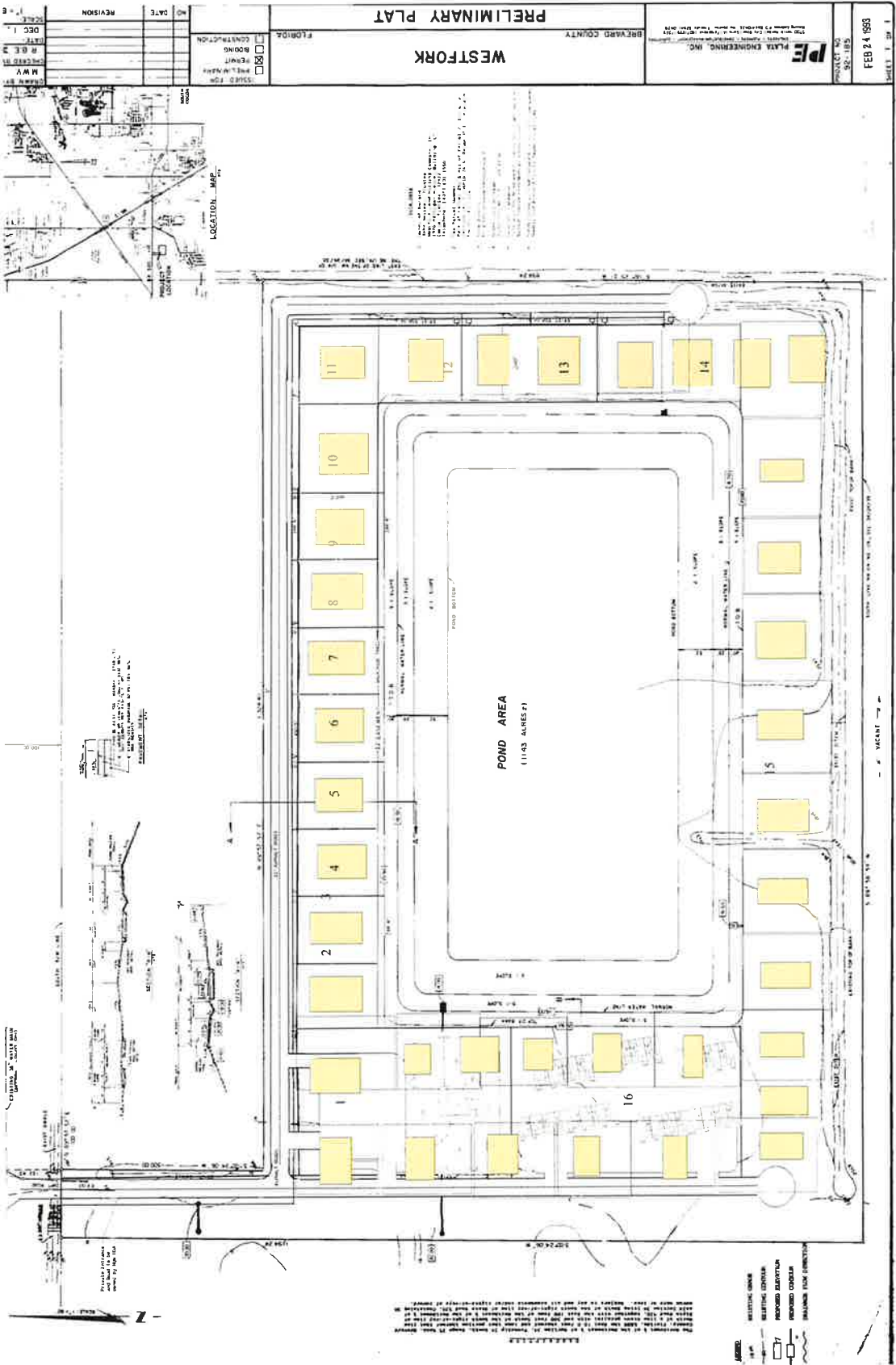


# FIREFLY POND RV & EQUESTRIAN

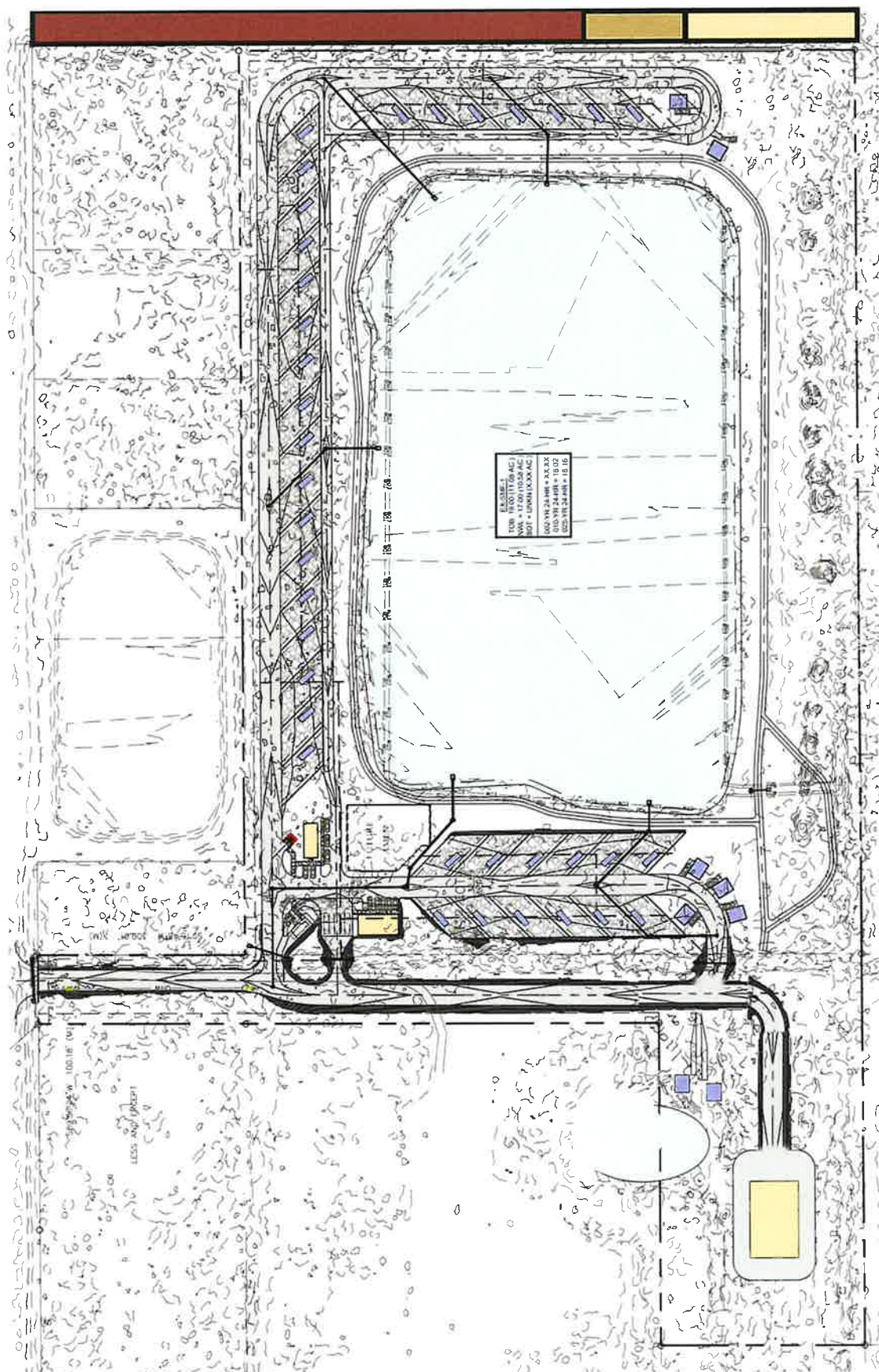




# CURRENT ZONING



The site plan illustrates a residential development with 16 lots, each containing a yellow house icon. The lots are arranged in a grid-like pattern around a central rectangular area. The plan is titled 'WESTFORK' and 'PRELIMINARY PLAT'. A north arrow is located in the upper right corner. The plan also shows parking spaces, access roads, and a central rectangular area that could be a pool or a common area. The overall layout is rectangular, with the lots and central area occupying most of the space.







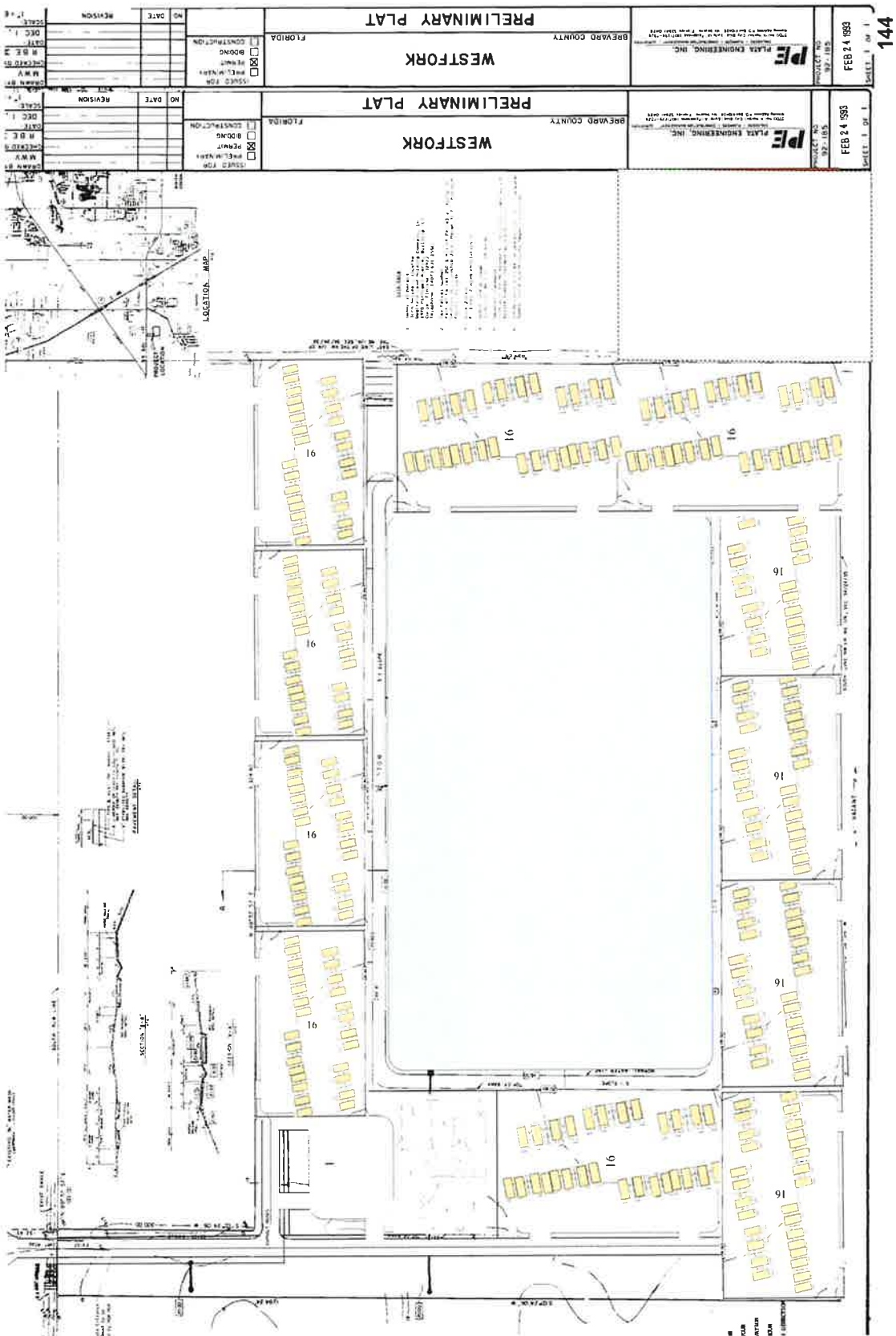
# FIREFLY POND RV & EQUESTRIAN







# FUTURE LAND USE R-15



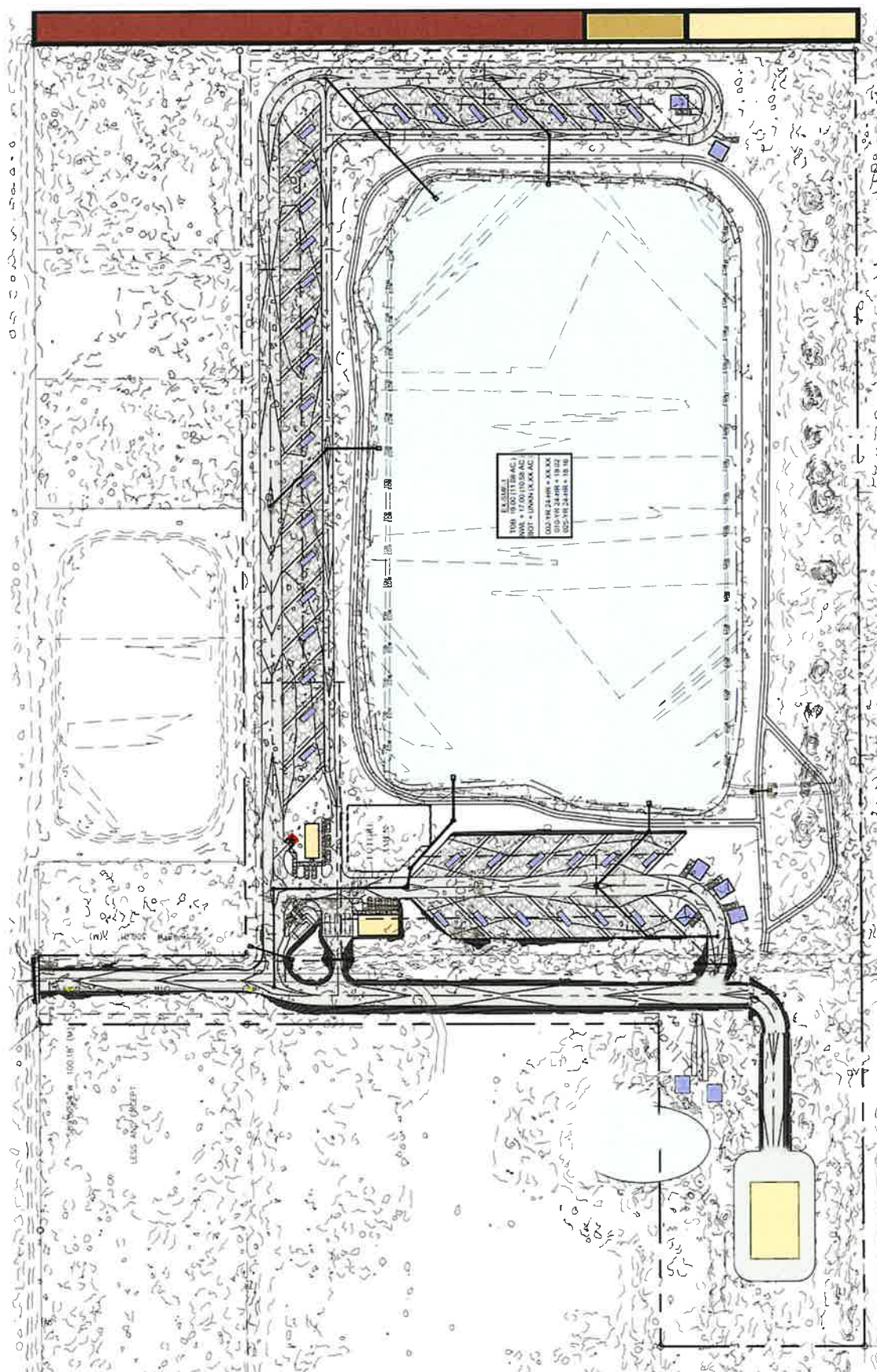


TABLE 1. SUMMARY OF DATA

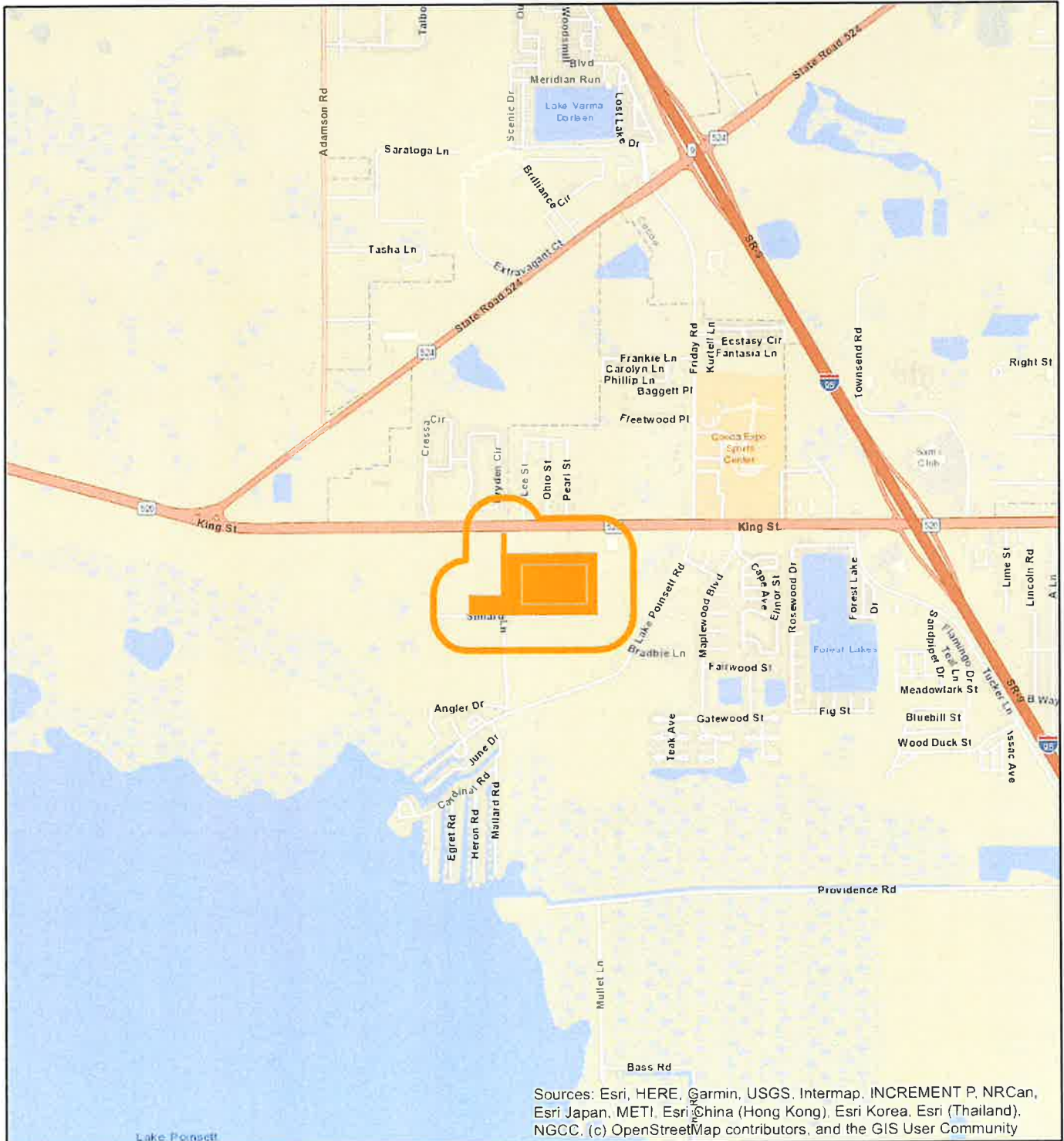




# LOCATION MAP

## HQW HOMEOWNERS ASSOCIATION INC

26Z00005



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

Buffer Distance: 500 feet

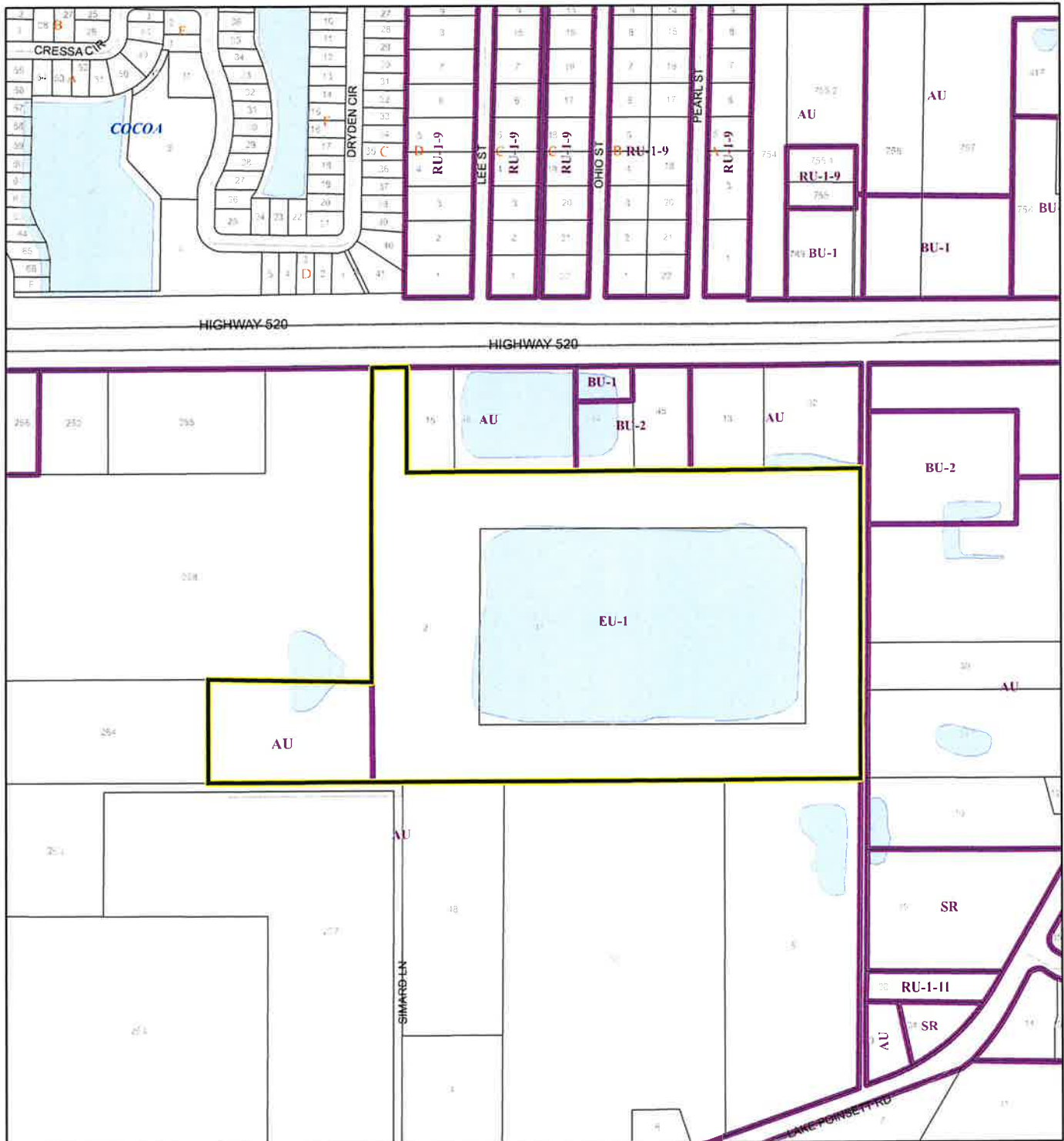
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 2/6/2026

- Buffer
- Subject Property

# ZONING MAP

Hqw HOMEOWNERS ASSOCIATION INC  
26Z00005



1:4,800 or 1 inch = 400 feet

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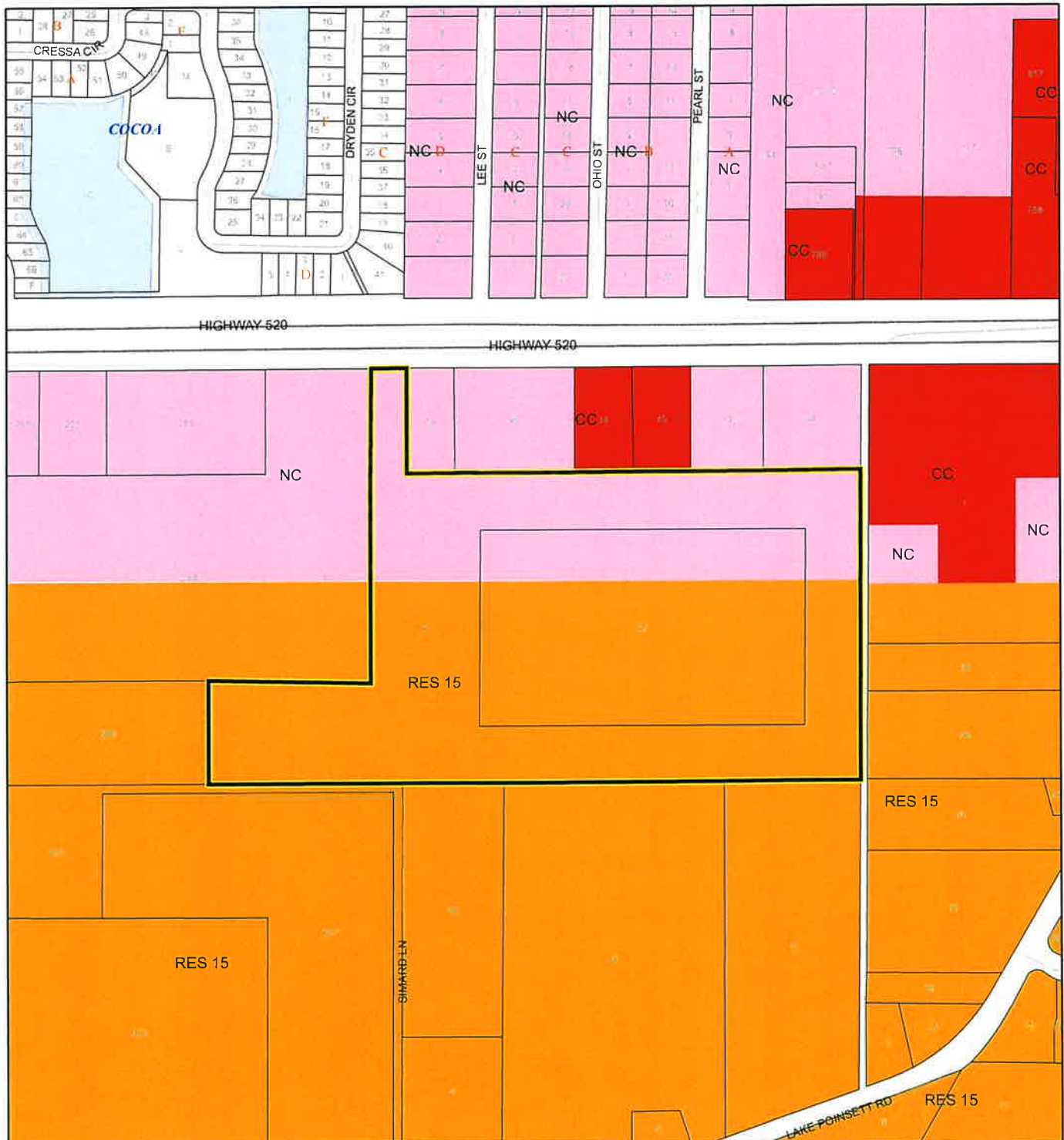
Produced by BoCC - GIS Date: 2/6/2026

- Subject Property
- Parcels
- Zoning

# FUTURE LAND USE MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

— Subject Property  
 □ Parcels

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# AERIAL MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2025

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 Subject Property

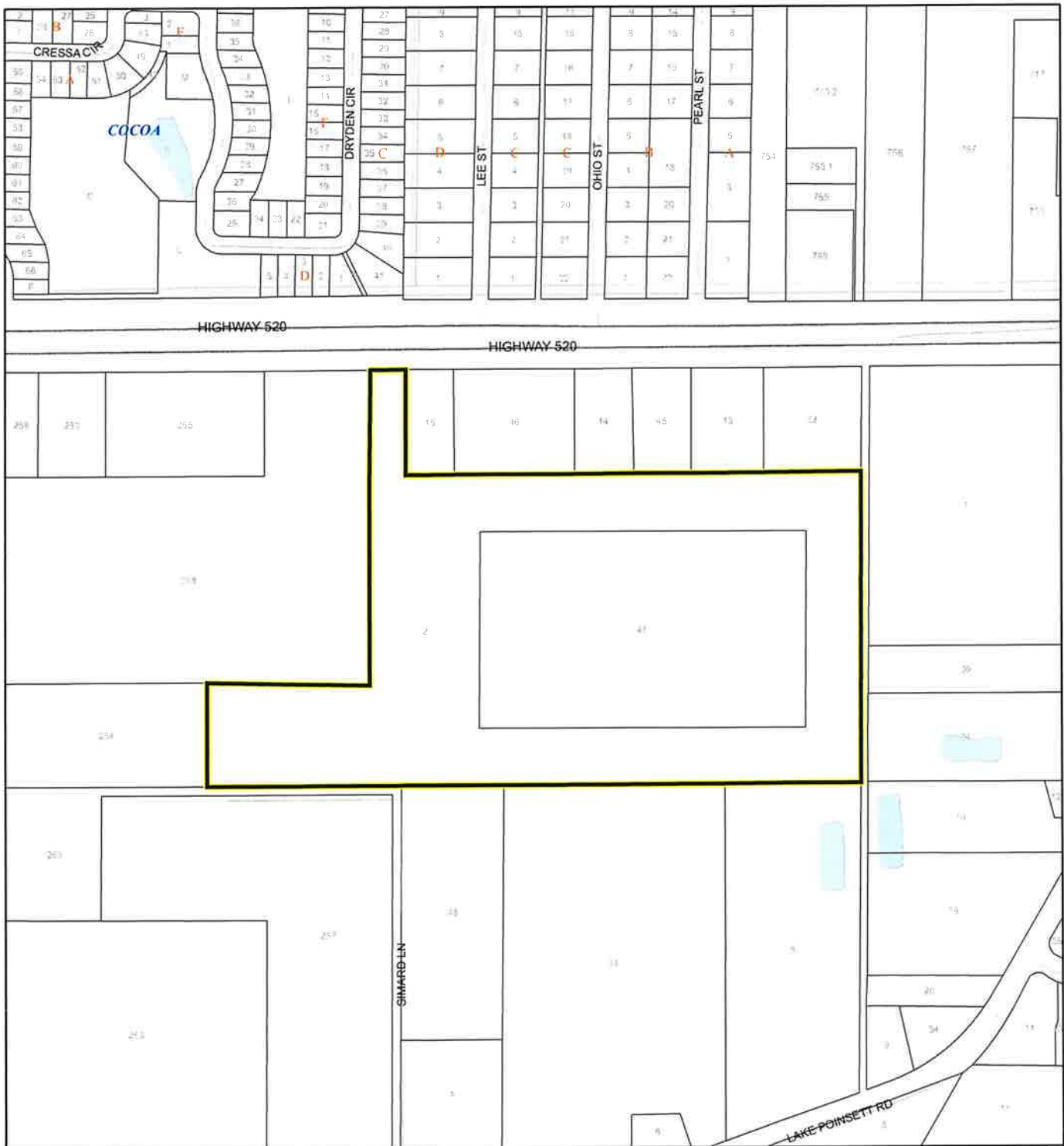
 Parcels



# NWI WETLANDS MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

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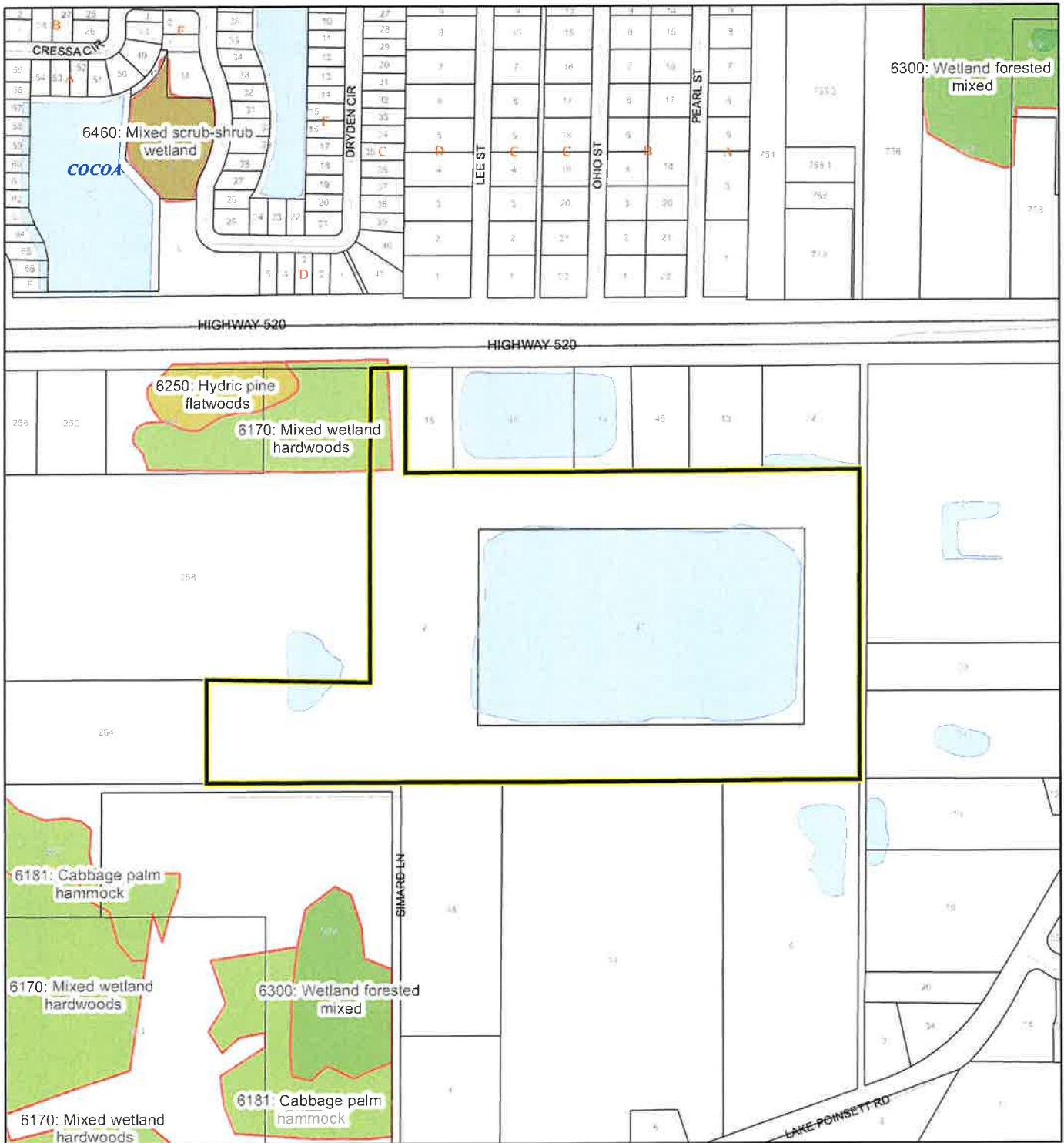
## National Wetlands Inventory (NWI)

- |                                   |                 |
|-----------------------------------|-----------------|
| Estuarine and Marine Deepwater    | Freshwater Pond |
| Estuarine and Marine Wetland      | Lake            |
| Freshwater Emergent Wetland       | Other           |
| Freshwater Forested/Shrub Wetland | Riverine        |
| Subject Property                  |                 |
| Parcels                           |                 |

# SJRWMD FLUCCS WETLANDS - 6000 Series MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

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## SJRWMD FLUCCS WETLANDS

- Wetland Hardwood Forests - Series 6100
- Wetland Coniferous Forest - Series 6200
- Wetland Forested Mixed - Series 6300
- Vegetated Non-Forested Wetlands - Series 6400
- Non-Vegetated Wetland - Series 6500

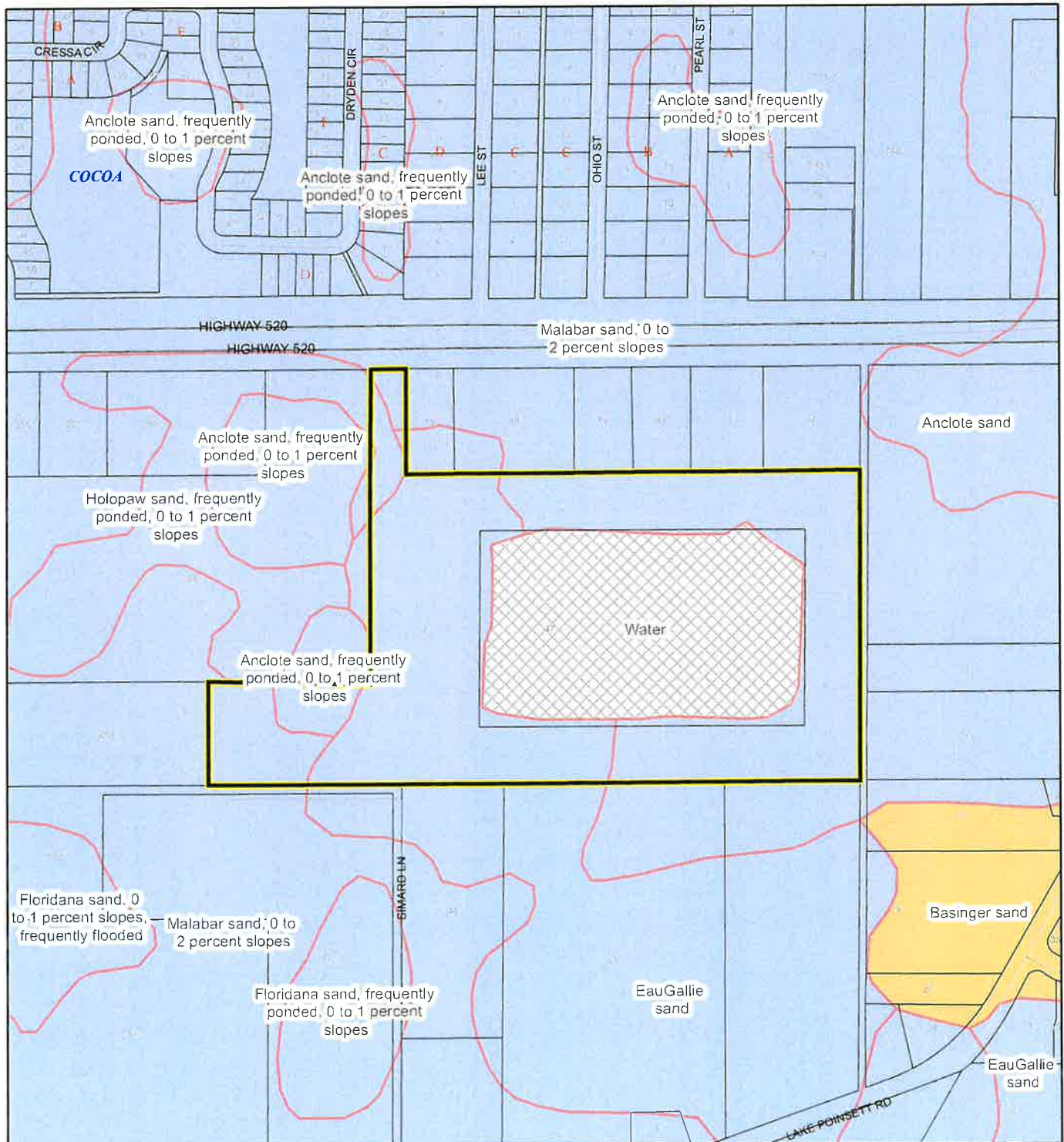
Subject Property

Parcels

# USDA SCSSS SOILS MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

## USDA SCSSS Soils

- Aquifer and Hydric
- Aquifer
- Hydric
- None

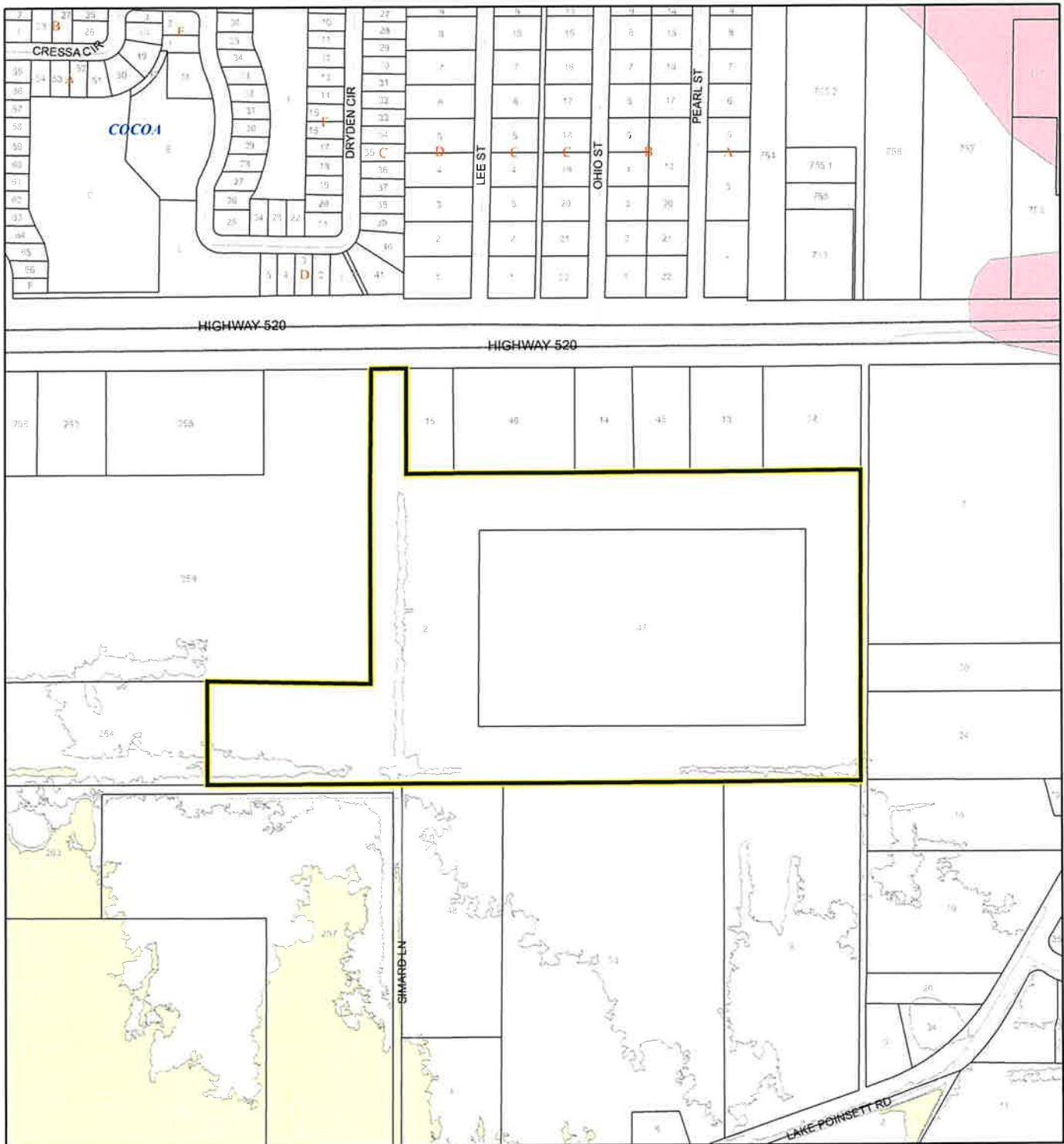
- Subject Property
- Parcels



# FEMA FLOOD ZONES MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

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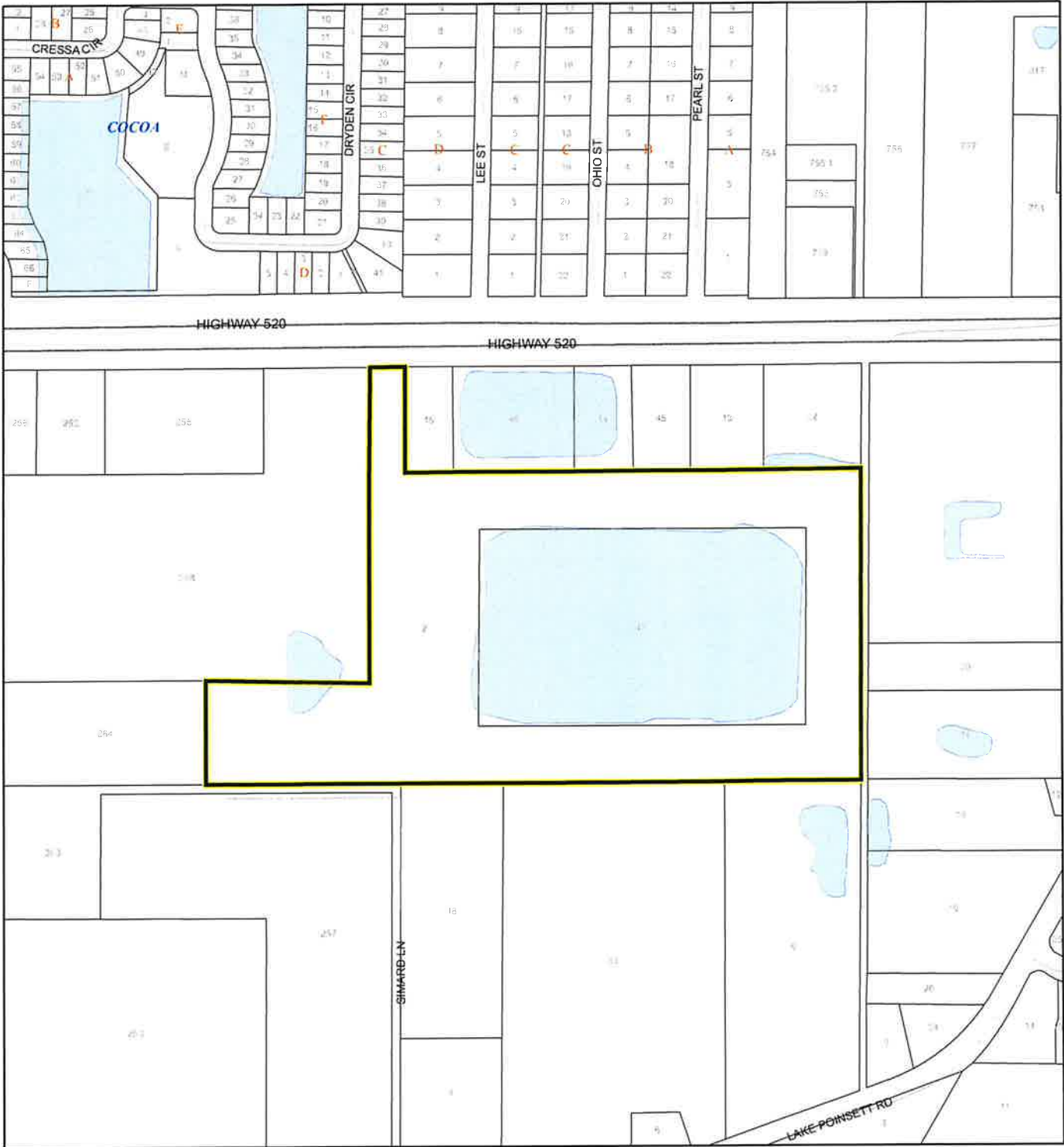
## FEMA Flood Zones

|                  |            |   |
|------------------|------------|---|
| A                | AO         | X |
| AE               | Open Water |   |
| AH               | VE         |   |
| Subject Property | Parcels    |   |

COASTAL HIGH HAZARD AREA MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



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— Subject Property

□ Parcels

**Coastal High Hazard Area**

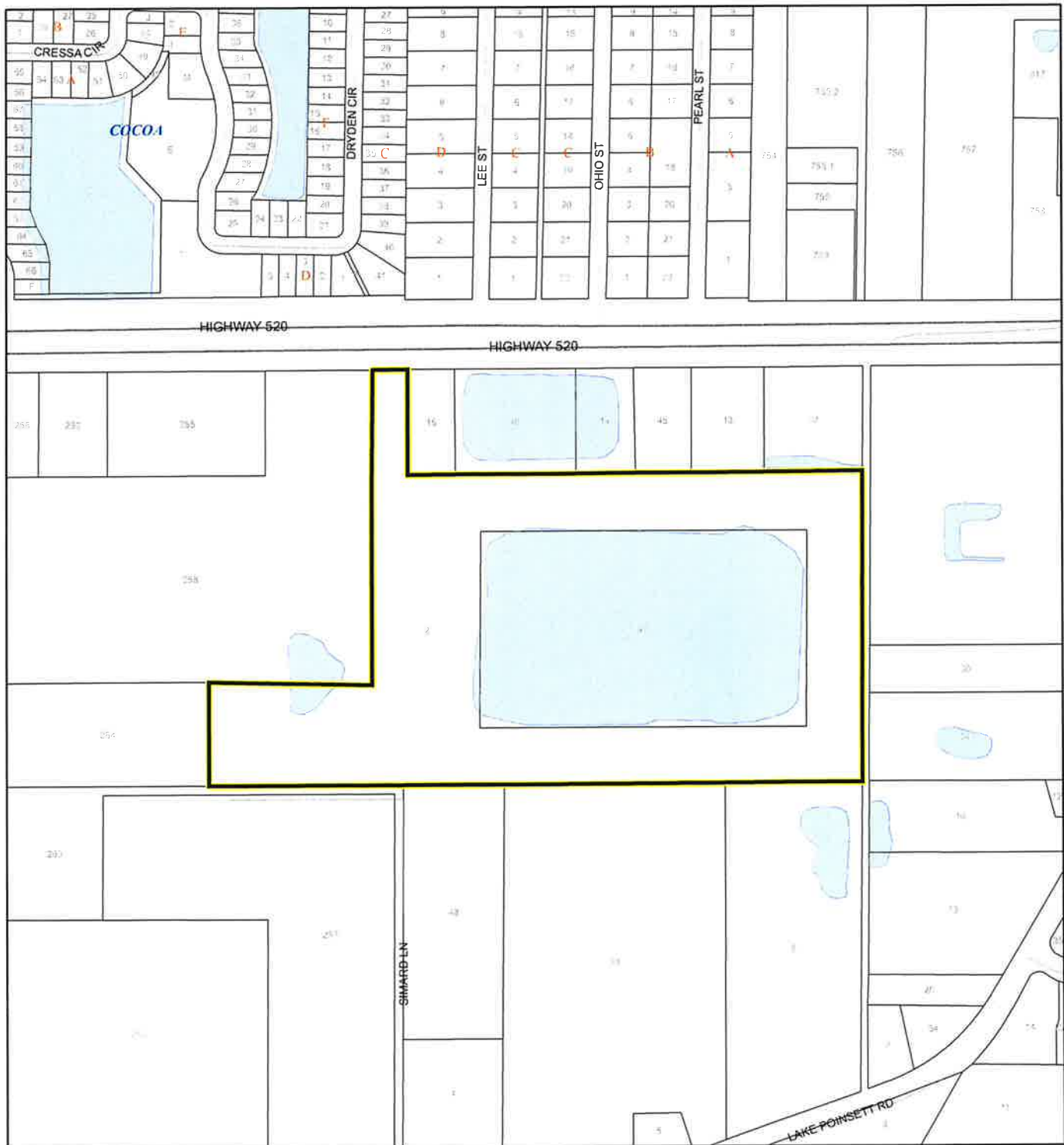
■ SurgeZoneCat1



# INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

— Subject Property

□ Parcels

## Septic Overlay

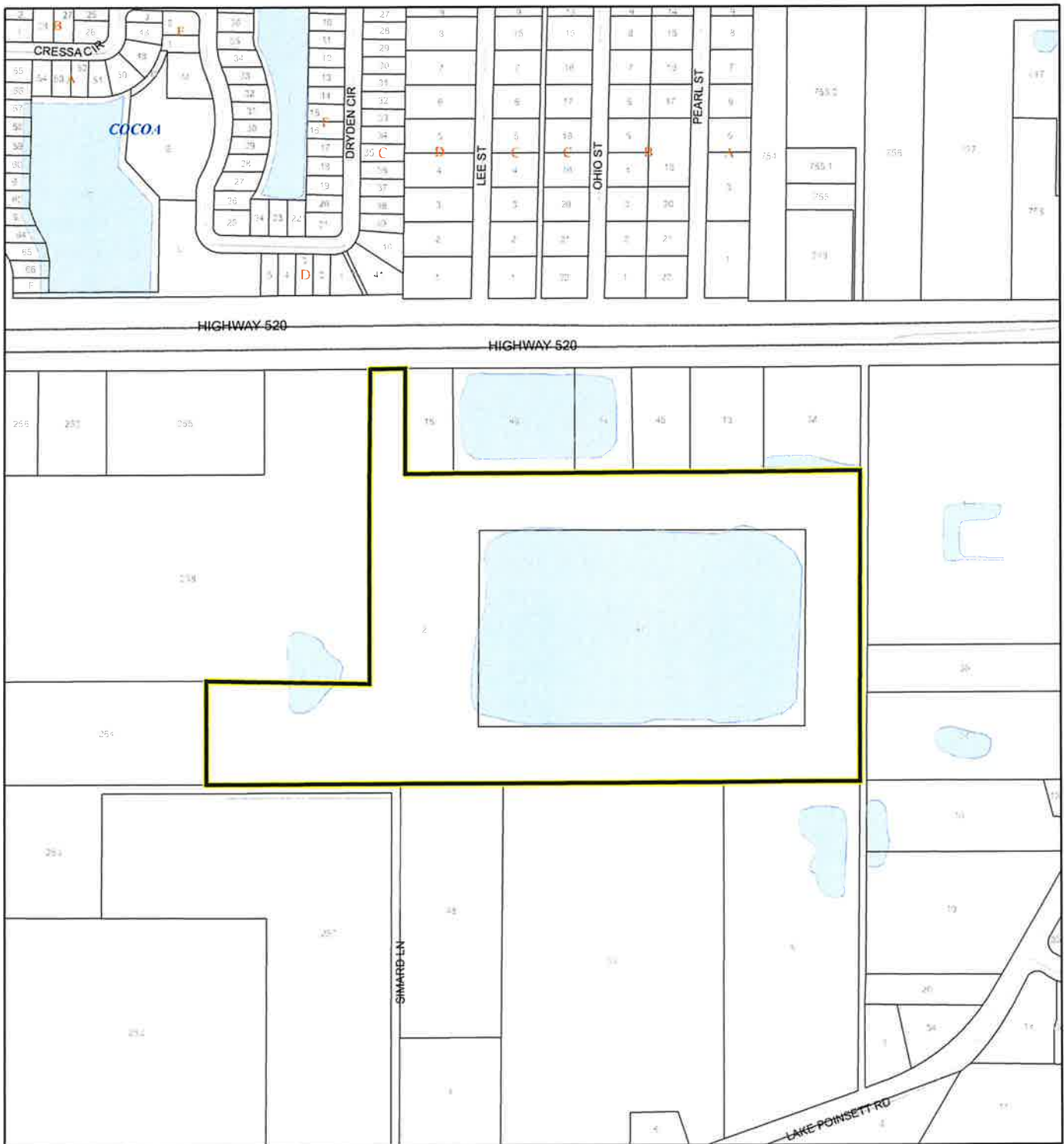
40 Meters

60 Meters

All Distances

# EAGLE NESTS MAP

HQW HOMEOWNERS ASSOCIATION INC  
26Z00005



1:4,800 or 1 inch = 400 feet

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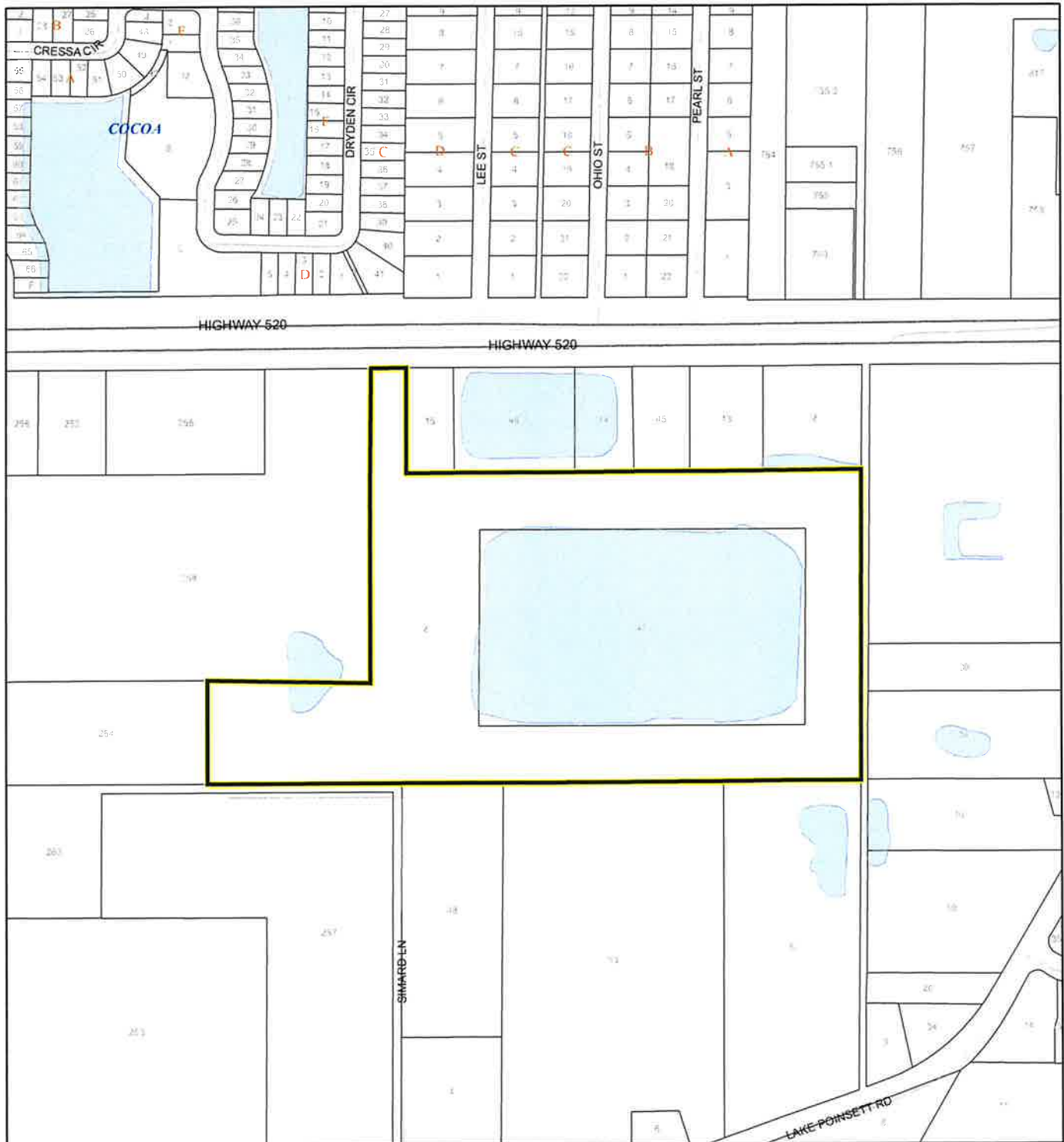
Produced by BoCC - GIS Date: 2/6/2026

-  Subject Property
-  Parcels
-  Eagle Nests FWS

# SCRUB JAY OCCUPANCY MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

— Subject Property

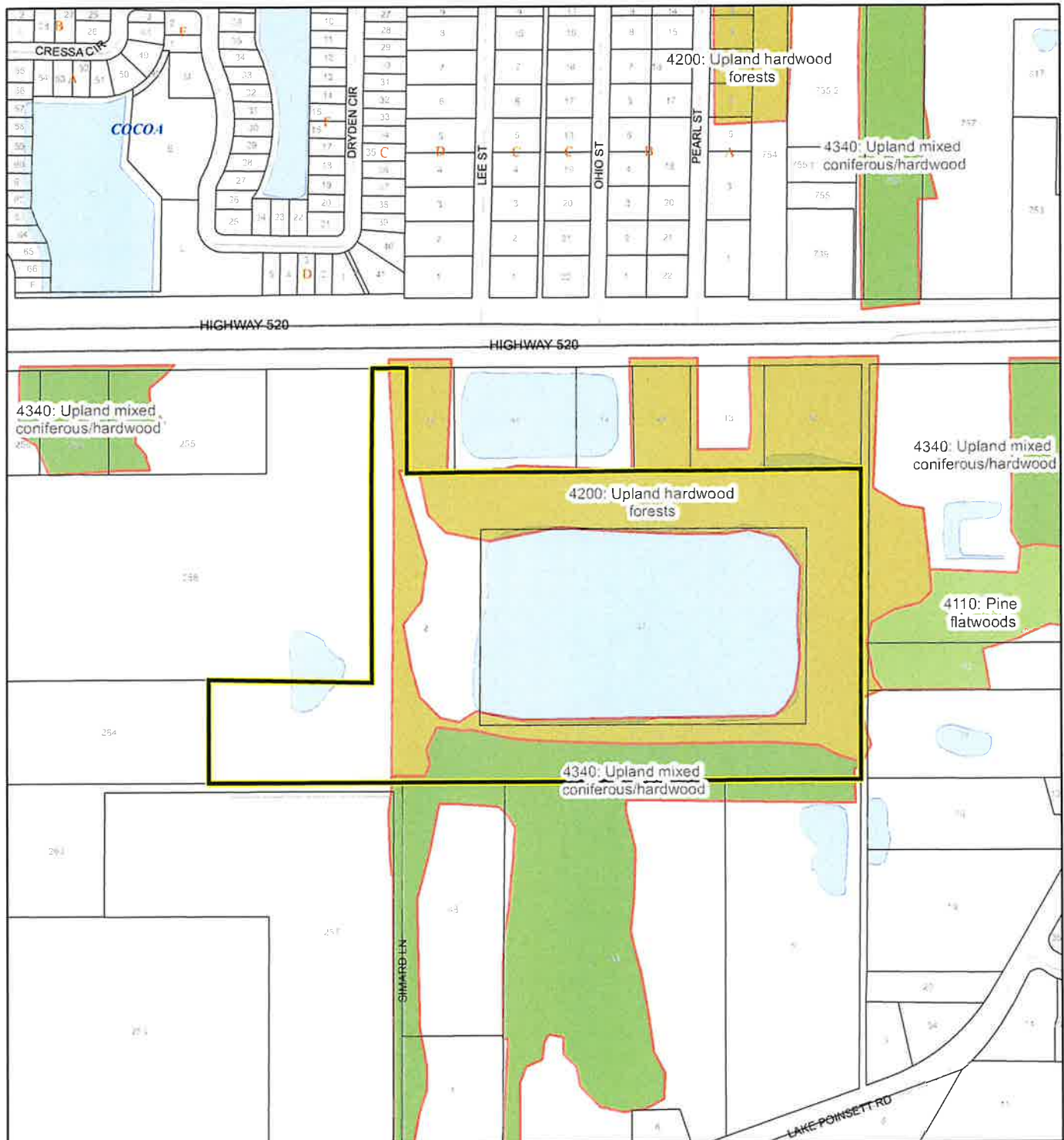
□ Parcels

▨ Scrub Jay Occupancy

# SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

HQW HOMEOWNERS ASSOCIATION INC

26Z00005



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 2/6/2026

## SJRWMD FLUCCS Upland Forests

- Upland Coniferous Forest - 4100 Series
- Upland Hardwood Forest - 4200 Series
- Upland Mixed Forest - 4300 Series
- Tree Plantations - 4400 Series

Subject Property

Parcels



## PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 13, 2026**, at **3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D2); Jerrad Atkins (D1); John Hopengarten (D1); Ruth Amato (D1); Ron Bartcher (D2); Robert Wise (D2); Neal Johnson (D4); Ana Saunders (D5); and Melissa Jackson (D5).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; Alex Esseeesse, Deputy County Attorney; and Alice Randall, Operations Support Specialist.

### EXCERPT OF COMPLETE MINUTES

**H.4. HQW, LLC & HQW Homeowner's Association, Inc. request a zoning classification change from EU-1 (Estate Use) and AU (Agricultural Residential) with a BDP to RVP (Recreational Vehicle Park) and AU (Agricultural Residential) with a CUP (Conditional Use Permit) and removal of the BDP. (26Z00005) (Tax Account 2408695, 2460010) (District 1)**

Trina Gilliam read item H.4. into the record.

John Holmquist spoke to the application. My brother and I acquired the property a couple years ago and we were trying to figure out the highest and best use. The property currently has a binding site plan of 40 single family homes which crowds around this 12-acre pond. We feel that that is not the highest and best use of this property. People that are looking for this environment already have Viera to go to and many other places where you can be in a neighborhood that's put together like this. What we would like to do is change the north, east, and west sides of the pond to RVP as shown by the civil engineer plans. Then return the southern portion of the property to agriculture. The southern portion of the property would be equestrian area and large pet friendly for the RV park. The RV Park, because we are seeking SBA funding has a 30-day maximum stay. Once we clear that after speaking with Commissioner Delaney, she suggested that we move it to a seasonal type of changeover as soon as possible because she's had issues before with a snowbird mentality coming down and wanting to stay put for more than a one-month period. We have done all the due diligence. There are no wetlands. It's all high and dry. Our environmental study came back clean. So that's why we're requesting the zoning as put forth by our final survey here.

### PUBLIC COMMENT

Bradley Sinclair started with I've never met Mr. Holquist. My wife and I own 25 acres to the west. We've owned it since 2000. I know a lot about the history of this lake that Mr. Holquist may not even know. And I first want to say I don't have any objection to him developing it. It's his property and can do whatever he wants with it. But when they dug that lake, they dug it so deep that they hit the aquifer and for years where they'd been trying to sell it and I was trying to buy it, over the years and the east side was all wetlands because the lake was overflowing all the time and going in that direction. So, at some point in the past, I'm not good with time, 5 10 years ago, one of the owners of the property dug a ditch, southwest corner they dug a ditch there to drain the lake to lower the water level so that it wasn't overflowing, so that eventually the wetlands would dry up. He had surveyed and that it was wetlands and so then eventually I guess maybe it was re-surveyed, and again I've never met this gentleman, and I'm not trying to put the kibosh on his development, but I'm concerned about water because that's low land out there, it's close to Lake Poinsette. I don't know where this ditch goes to,



where this water drains to. I don't know how much water is going there. But I noticed in the survey they had that they considered stormwater retention; I don't think you can put more water in that lake and then having to drain it out and then it goes out down the road, and I guess eventually Lake Poinsett, I don't know where it goes. If you look at it from an aerial, you can tell because the water's blue. It's a beautiful lake. It's not green like most of them are. So, there's constantly water flowing. That's one concern I have. Second one is sewer. I know there's sewer available along 520, and I'm assuming that they would be required to hook up to sewer. And if that's the case, that's great. I just glanced at this before I came, and I saw that you could put 240 RV lots in there. I know he's only asking for 36 but you know, I know how this stuff happens. You get 36 and then well, you want to add some more and add some more and add some more. And I don't know where you're going to put 240. I don't know if they're including the lake acreage to put 240 in there or not, but that would be a problem. And our property has an easement. Our only driveway to get into our property runs across their property and it's the easement coming in from 520 and our water comes in there. I'm kind of looking forward to if he does develop it, I'm sure he's going to put a nice driveway in there, so I'll have a nice driveway, but our water line runs under the driveway and that's been broken in the past over a couple times, not by him, but other people and it lost a lot of water and cost a lot of money.

Jason Matas stated his property butts right up to the back corner of this gentleman's property. This would be a bad idea 100%. You're going to do septic tanks for every one of those people. I mean you're going to have sewage going into the ground right there. You have got to cut down all those trees, all that wildlife. That's going to be gone. I've spoken with every single person that touches that property that backs up to it. Nobody wants that there. You got you're going to have RV parks. So, you're going to have multiple people from who knows where coming into Brevard County. Who knows who these people are. Not saying they're all going to be bad people, but they could be doing who knows what. Jumping our fences. Jim Skaggs couldn't make it, but he's got a bunch of cattle. He's got 16 acres on the south side of that property. So, you're going to have people messing with his cattle. You know people could jump the fence, breaking into people's houses. It's not going to be a good idea. It just wouldn't be a good idea. It's going to lower the property value by 100% on all of our houses.

John Pattillo stated he butts up to the east side of where this property is. I guess there's not much more to say than hasn't already been said. Zoning is there for a reason and the fact that we can just come up here and say let's change the zoning makes it more of a suggestion, not a zoning restriction. Is there going to be sewage or is there going to be septic? My concern is there is an aquifer there. We already have aquifer problems throughout the whole entire state of Florida. Everybody's bordering the aquifers. People are still using the old black tank deodorant and some of them contained formaldehyde, which was made illegal by the EPA, but people are still using them. I have an RV. I've stayed in a ton of RV parks my whole life and it's not something we want in our backyard. You know, we have a zone. We moved there because of the zoning restrictions. I think all of us here want privacy. It needs to be a zoning restriction in my word.

Skip Parrish stated he is essentially across the street from part of this property. I am not inherently against this, and I do want to put that out there. You are trying to do something that you feel is best for your property. We've been on this property, my parents bought it when I was very small. My first memory is of a feature that I still see in my house every day. Every morning when I wake up, I see this corner hutch that's still built into the wood in my living room. And there have been a lot of things as development has gone on west of 95 out by us that has affected us. 520 getting widened and 520 getting the median. We have flooded much more ever since that on the north side of 520 out there

between Friday Road and 524. During the year of the three storms when we were flooded in for almost a week, they put a drain going into the culvert that they had covered in that area. Now, I don't know if his stuff is going to affect any water coming over to our side because it's got to cross the highway, but some of the businesses that are already out there west of 95 don't even have turn lanes. The RV sales place down the road is already blocking up traffic as people travel westbound towards us towards Orlando. There's no turn lane for that. Is there going to be a turn lane for this? I can tell you as somebody that's been in that neighborhood since the 70s and there's people that have been there longer than me and my family. People that don't have gates are probably going to put up gates. Y'all are going to get a lot of petitions, a lot more requests for permission for adding on security features out there. This is a this is a mom-and-pop neighborhood. This is a bedroom neighborhood out there. I know we're a little bit rural out there, but we just kind of want to know what's going on before we see this go through.

Jennifer Harris stated she lives on the north side, the north district. I've lived here all my life. I have noticed recently a very strong increase in overdevelopment in our area. I don't know why, but it's being approved to pretty much build everywhere. All the woods are being destroyed. Most of the wildlife has nowhere to go. And if you live in these areas, you see it firsthand. Also, the pollution in Titusville, they're not able to even handle their own infrastructure to be able to build more there, more apartments. Did you forget about the SOIRL project? They're trying now to clean up the water, to clean up all that muck out there, and now we want to introduce more. It just doesn't make sense. The places that are wild really need to be preserved, especially if they're surrounded by everyone. The people in the community who you're serving are against it. I would like you to take into consideration destroying any more properties with woods.

END PUBLIC COMMENT

Mr. Johnson stated to confirm you're going to be connected to Cocoa Sewer. It's not going to be on septic for the park.

Mr. Holmquist responded there will be no septic. It will be connected to Cocoa sewer and water and FPL for electricity.

Mr. Johnson continued with you said 36 RV sites.

Mr. Holmquist responded with 36 RV sites with the possibility of four cabins.

Mr. Johnson asked if there will be any amenities.

Mr. Holmquist responded there will be amenities. Where you see the northwest corner of the pond, we're looking to put a small number of amenities there, including a swim spa and on the northeast corner a dog run.

Mr. Bartcher stated you plan 36 lots. Could you put that in a BDP, binding development plan to limit it to 36?

Mr. Holmquist responded with yes, no problem. As you see, we already have civil engineering for that.

Mr. Bartcher inquired if it was envisioned that the RVers would be bringing their own horses.

Mr. Holmquist responded I do. One of the things about this is that you're not allowed to travel with horses overnight. With South Wellington and some other large equestrian areas, this is sort of a spot that people could stop along the way. Also, there's a lot of trails that have horse access in Brevard County. This is a place that people could come to with their horses, unload their horses into our pasture and at our stables and then use the facilities that Brevard County has for that type of activity. In addition, we are in between RV World and Cocoa Kennel. So, people that travel with large animals could stop, keep their animals in our area, maybe bring their animals to Cocoa Kennel and then enjoy the amenities in Orlando without their large animals as they travel. I have retorts for all the people that have spoken here today. I am very happy to hear their concerns. I'm a Brevard County school teacher. I have property in Canaveral Groves off Satellite Boulevard. For lack of better words, these are my people, and I love hearing their concerns. I'm not, for lack of better words, a developer from Indiana coming in here to make some money and run off. I've been here since 1989, and my brother and I think this is the best use of this property in lieu of building another 40 houses slammed in around this thing. We already discussed we're not going to be doing septic it will be sewer. Next, an easement was put forth with Brevard County several years ago for the drainage to come off this pond. The engineer is looking at ways to use the pond for water retention, but that would be only our own property. The roads going in will be using millings to make sure that they're horse friendly. So, we're not putting in major roadways for this development for the RV park. Also, because this was a borrow pit back in the '90s and filled with water, we do have fresh water flowing. The area was completely taken out back in the '90s. All the vegetation that is there now is invasive, Brazilian pepper trees that will be taken out and I'll be bringing palm trees and other scrub oaks from my property off Satellite Boulevard in Canaveral Groves to make this a wooded area again with Florida natural vegetation. Also, with most residential agricultural properties that touch this property, we're changing that portion of our property back to agriculture. The RVs themselves are going to be kept up against the sides of the pond that are further away from most of the residents that have residential agriculture. It'll be against the properties that are commercial except for Sinclair, which is known as Sinclair Equestrian. I have not spoken with Mr. Sinclair. I've spoken with his daughter and his son-in-law that live on the premises. Very good rapport with them and with the stuff that they're doing there. And I want to make sure that his easement, his access, it stays. So, what we're really trying to do is minimize the impact. The future land use on this is also R-15. So, if someone from again Indiana came in here, they could be pushing to put in 15 units per acre and we're trying to prevent that.

Ms. Saunders stated you had mentioned the equestrian component to that. Can you explain to me where that's going to be here and what that consists of?

Mr. Holmquist responded we're looking at putting in a 16-unit barn. And as you see this line does go up against Sinclair Equestrian. Their barn is over here in their pasture. So, we're going to be fenced and separate from them. I have spoken with his son-in-law about possible collaboration since they do have all that in the future if they want to do that. But currently we're staying self-contained. Once these Brazilian peppers are removed we're going to put in natural vegetation from Florida and have that as horse pasture and trails. The dark line is our horse trails around the pond and back.

Ms. Saunders stated you talked about being an RV park. I have horses. I've grown up with horses my whole life. I'm very familiar with trailering them. I wouldn't want to trailer it with an RV to be honest. So, is there a component where you have seen folks trailer with an RV? Are there going to be spaces that are longer to accommodate that? Are you expecting it to be a truck?

Mr. Holmquist responded that all the spaces through here are pull through. That's why we have the

on-lane road on the other side. Then this is going to be a drive around so that you can drop the horse off and come around. And honestly this is equestrian friendly. We understand the market today. I work closely with Happy Horse and Amber Acres with the things that I have going on outside of this and we understand it's not a huge component, but it can be if it was available. It's not a big thing today, but we want it to be available. When my brother drove across country, there was a horse motel in Arizona that worked the same way. You'd come in, drop off your horse, then come back around. And there are people, especially out of Wellington, that do have RV horse trailers as one component. They are not cheap. And they normally drive all the way through that.

Mr. Hopengarten inquired if the RV sites are going to be hardened.

Mr. Holmquist responded they will be millings.

Mr. Hopengarten reiterated millings only, not concrete.

Mr. Holmquist responded we don't want to go concrete with large animals and horses. So, we're going to maintain millings only.

Mr. Hopengarten stated I'm talking about the pads for the RVs.

Mr. Holmquist responded I need to discuss that again with the civil engineer. I prefer not. I want to keep it as natural as possible. But if code mandates that we must go to hard slab, then we will.

Mr. Hopengarten stated from what my colleague over here just said, do people trail their horses from the RV or do they have a pickup truck as a separate vehicle, and they use that to trail?

Mr. Holmquist responded usually with this type of movement; I will see a fifth wheel trailer that has a camper trailer with one or two horse components to it that would be pulled behind like a one-ton truck or a 3/4-ton truck. They'll park in an RV stall.

Mr. Hopengarten continued with you're going to have RVs and then you're going to have pickup trucks. So, you're going to have both.

Mr. Holmquist responded we'll be renting by location, not what they bring in.

Mr. Hopengarten inquired what they do if they don't fit. It has nothing to do with zoning. I'm just curious how you were laying out.

Mr. Holmquist responded it's going to be 200 feet between the ingress and egress roads to the park. So, unless their trailer and truck are over 200 feet.

Mr. Hopengarten stated that's why I was asking because I didn't know. And I see the pads that you have here. Are they going to be long enough to accommodate an RV plus a pickup?

Mr. Holmquist responded yes. Definitely.

Mr. Hopengarten asked where the trailers are going to go.

Mr. Atkins responded that it is the RV. It's a truck pulling a trailer. The trailer's got like a little bunk



house in it and then the horses in the back like a toy hauler but with horses.

Mr. Hopengarten asked if they were going to do any equestrian events on this property.

Mr. Holmquist responded not on this property, per se. This is a place that people will bring and then leave. You come in, go do your stuff and then come back. Bring your horse here, stay overnight, and then go to the ring in North Merritt Island or go to the event in Ocala on your way.

Mr. Hopengarten then asked if people could ride on their horses around this site.

Mr. Holmquist responded on the trail areas. The dark green line would be the trail for that. And pasture areas.

Mr. Hopengarten asked if there was anything about horse waste that we need to know about. You're not dumping in the pond, that is the aquifer.

Mr. Holmquist responded just to the standard with the barn. Not at all. We love the pond. We want to keep the pond clean. We are going to have a no motor policy. We may be allowing canoes, but we're not going to be allowing any type of fuel type.

Mr. Hopengarten then stated you're not going to have a service station there for them to refuel.

Mr. Holmquist responded no. RV World's right up the road and so is Sam's Club.

Mr. Johnson asked if you are going to have any restrictions on age of the RVs. Some of the RV resorts are if they're over 10 years old, you must send a picture of your RV for them to let you bring it in. Are you going to have any restrictions on what's allowed to come into your RV park?

Mr. Holmquist responded we want to make sure that they can come in and go out again. So that has been discussed. I don't like putting a hard restriction simply because I drive an older vehicle and it runs well and it can be maintained, that has come up in conversation. We also discussed having it as a 55 and up. There is one up in Volusia County that does have those same restrictions, 10-year RV and 55 and up for the people coming in, but we feel the equestrian component and the agriculture component would sort of deem you know younger people as well and you know a little bit older equipment, but it must be functional.

Mr. Johnson stated you can put on an age restriction and then require that they provide pictures to bring them in.

Mr. Holmquist responded true.

Mr. Atkins stated he can sympathize with the folks that live around here. The thing that I'm thinking is if you don't build an equestrian friendly resort here, the next guy will try to be putting apartments in here. So, I need to think about all that. Ron asked about a BDP that would limit your capacity, the number of spaces. I wonder if there's any sort of agreement that you could come to as far as some kind of barrier between the neighbors and where the RVs are going to be, whether it's an opaque fence or landscape barrier of some sort. Have you looked into any of that?

Mr. Holmquist responded yes, we want to maintain at the very least a landscape barrier because we



also want to maintain the noise reduction for our side. We are hearing 520 and 95 at this location. There is currently an invasive species, but I love the pine trees that are there. So, the pine trees stay. You can see on the imaging here that there's a pine tree line that basically blocks in the property that stays, but all the Brazilian peppers on there will be coming off. And we'll be putting in more palms. I have a palm gentleman off Outback and Satellite that I can have bring in palm trees. We want more palm trees. We're going to be putting in horse fencing along the agricultural side. That's our current plan.

Mr. Atkins stated the portion I'm thinking about is on the east side. Because on the south side there's not going to be any RVs parked there. That's going to be horses walking around. So, I'm thinking of the folks on the east side.

Mr. Holmquist responded we need to fence it regardless, so if it's opaque or not, I'd actually prefer opaque.

Mr. Atkins stated you can't make everybody happy, but maybe there's some sort of compromise there that you guys could come to. It's just a thought, and I don't know if that's something to mention in a BDP or not.

Mr. Holmquist responded no, and just to put that out there, I don't mind going with the BDP because we're trying to stay away from another 15 units per acre coming in here specifically, let alone there's already a binding site plan for 40 houses. That's going to be 80 cars coming and going and this is going to be much less traffic.

Mr. Atkins stated the potential exists for a lot worse than this. That's kind of my point.

Mr. Bartcher inquired where the barn will be.

Mr. Holmquist responded that it's the yellow square on the part that's currently agriculture. The southwest corner.

Mr. Bartcher asked how big that barn is, how many stalls.

Mr. Holmquist responded we're planning on 16 at this time.

Mr. Bartcher then asked if it is going to be used for storing feed as well as maintenance equipment and horses.

Mr. Holmquist responded we'll have that sort of separate but part of the same barn system. Yes.

Mr. Bartcher then asked if they were going to have their own horses that are available for rent.

Mr. Holmquist responded that it's something that we're going back and forth with the idea of how much the insurance would cost on that. We want to do that. We would love to do that. There are some great facilities off the causeway on the way to Port St. John. There's some nice riding. We'd like to make that available, but we're not sure if we can get past the insurance portion of that. If we can once we're established and the cash flow is there, we want to bring that to the public. Yes.

Mr. Bartcher then asked if they would allow residents in the area to use the horse barn trails. So, they

won't have to be bringing an RV to your place and staying there overnight to use those facilities.

Mr. Holmquist responded yes. Correct.

Mr. Hopengarten asked if he understood correctly that they were going to talk to the highway department regarding a curb cut.

Mr. Holmquist responded we've already spoken with the highway department. It is not required. We still want to put one in just because of the size of the RVs.

Mr. Hopengarten stated with the break in the median being further east of your entry that you would need to have them cut back that median so that they can make a left turn if they're heading west on 520.

Mr. Holmquist responded with we had a preliminary meeting with FDOT, and we want to do more than they're requiring us to do at this point.

Motion to recommend approval of Item H.4. with a BDP limiting the request to 36 R.V. sites and 8 cabins, by Neal Johnson, seconded by Ruth Amato. Motion passed unanimously.

Meeting adjourned at 4:35 p.m.

DRAFT

RESOLUTION NO. Z-9159

On motion of Commissioner Schmitt-Kirwan, seconded by Commissioner Scarborough, the following resolution was adopted by a unanimous vote:

WHEREAS, LEWIS R. PEARCE, TRUSTEE

has/have applied for a change of classification from AU to EU-1

on property described as the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of SECTION 34, Township 24 South, Range 35 East, Brevard County, Florida, LESS the East 10.0 feet thereof and less that portion thereof that lies North of a line drawn parallel with and 300 feet South of the South right-of-way line of State Road 520, together with the East 100 feet of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 34 lying South of the South right-of-way line of State Road 520. Containing 30 acres, more or less. Subject to any and all easements and/or rights-of-way of record. The subject property has approximately 100 ft. of frontage on the south side of S.R. #520, approximately 2,750 ft. west of Lake Poinsett Road (S.R. #520-A).

Section 34, Township 24 S, Range 35 E, 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 Planning and Zoning Board recommended that the application be approved w/BDP subject to a maximum of 50 units 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 w/BDP subject to a maximum of 50 units, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from AU to EU-1

be approved subject BDP recorded in ORB 3296, Pgs. 1583 thru 1587, and that the zoning classification relating to the above described property be changed to EU-1 subject to BDP recorded in ORB 3296, Pgs. 1583 thru 1587, dated June 8, 1993 and the Planning and Zoning Director 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 June 8, 1993.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

ATTEST:

by KAREN S. ANDREAS  
Chairman

Sandy Crawford, Clerk

by D.C.

(SEAL)

(Hearing - January 4, 1993 )

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.

2-9159

Removal of this Bpp

*Return: Clerk to Dev. S.*

Prepared by, and, record and return to:

*Randy Watson* Clerk Circuit Court  
 Recorded at United States County, FL  
 4-250 1700

394779

**BINDING DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this 26<sup>th</sup> day of August, 1993, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and LEWIS R. PEARCE, Trustee of Trust No. 5100, an unrecorded land trust dated December 19, 1991 (hereinafter referred to as "Developer/Owner").

93 JUN -8 PM 1:33

**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 desires to develop the property consistent with zoning classification EU-1 and pursuant to the Brevard County Code; and

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

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

BK3296PG1583

**III**  
**Z-9159**

NOW THEREFORE, the parties agree as follows:

1. The Developer/Owner hereby limits the overall density of the Property, described on Exhibit "A", to fifty (50) residential units.

2. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

3. 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 and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property.

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 St. Johns Street  
Melbourne, FL 32940

Sandy Crawford  
Sandy Crawford, Clerk  
(SEAL)

Karen S. Andreas  
Chairman

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this  
26 day of May, 1993, by Karen S. Andreas,

2

BK3296PG1584

112  
7-9159



as Chairman of the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, who is personally known to me or who has produced as identification and who did (did not) take an oath.

Tommy M. Thomas  
Notary Public

Tommy M. Thomas  
(Name typed, printed or stamped)  
State of Florida at Large  
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA  
MY COMMISSION EXPIRES MAY 15, 1994.  
RECEIVED FROM NOTARY PUBLIC SECRETARY

## WITNESSES:

Richard Strauss  
RICHARD STRAUSS  
(Witness Name typed, printed or stamped)

Belinda Rowe  
BELINDA ROWE  
(Witness Name typed, printed or stamped)

Lewis R. Pearce  
LEWIS R. PEARCE, as Trustee of  
Trust No. 5100, an unrecorded  
land trust dated December 19,  
1991  
P.O. Box 540037  
Marriott Island, Florida 32954

STATE OF FLORIDA  
COUNTY OF BREVARD

The foregoing instrument has been acknowledged before me this 30th day of April, 1993, by LEWIS R. PEARCE, as Trustee of Trust No. 5100, an unrecorded land trust dated December 19, 1991, who is personally known to me or who has produced Personally Known as identification and who did not take an oath.

Patricia J. Sharpe  
Notary Public

PATRICIA J. SHARPE  
Name typed, printed or stamped  
State of Florida at Large  
My Commission Expires:

3

BK3296PG1585



113  
159

DESCRIPTION

The Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 34, Township 24 South, Range 35 East, Brevard County, Florida, LESS the East 10.0 feet thereof and less that portion thereof that lies North of a line drawn parallel with and 300 feet South of the South right-of-way line of State Road 520, together with the East 100 feet of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 34 lying South of the South right-of-way line of State Road 520. Containing 30 acres more or less. Subject to any and all easements and/or rights-of-ways of record.

UNSUITABLE  
FOR  
MICROFILM

EXHIBIT "A"

BK 3296 PG 1586

I14  
Z-9159

*Landy Crawford* Clerk Circuit Court  
 Records and Return Brevard County, FL  
 # Pages: 1 # Names: 3  
 Total \$: 1.00 Rec Fee: 10.00  
 S. A. T. Excluse Tx: \_\_\_\_\_  
 S. A. T. Int Tx: \_\_\_\_\_  
 S. A. T. Refund: \_\_\_\_\_

## JOINDER IN BINDING DEVELOPMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated February 15, 1988, given by Michael R. Meyer, as mortgagor, in favor of Ruth Ann MacKenzie as Trustee under Testamentary Trust of C. Brown MacKenzie a/k/a Clyde B. MacKenzie and C. B. MacKenzie, deceased, as mortgagee, recorded in Official Records Book 2882, page 1929, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of subordinating the lien of the undersigned's Mortgage to the Binding Development Plan annexed hereto.

## WITNESSES:

*Heidi Strickland*  
 Print Name: Heidi Strickland

*Barbara C. Everett*  
 Print Name: Barbara C. Everett

## MORTGAGEE

*Ruth Ann MacKenzie*  
 Ruth Ann Mackenzie, Trustee  
 under Testamentary Trust of C.  
 Brown MacKenzie a/k/a Clyde B.  
 MacKenzie and C. B. MacKenzie,  
 deceased

4100 Ocean Beach Blvd  
 Cocoa Beach, FL 32931

STATE OF FLORIDA  
 COUNTY OF BREVARD

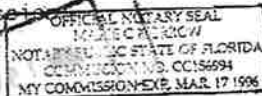
14 The foregoing instrument was acknowledged before me this day of May, 1993, by Ruth Ann MacKenzie, known to me or who has produced a Florida driver's license as identification and who did not take an oath.

My commission expires:

SEAL

Commission

No.:



*Marie C. Merrow*  
 Notary Public  
 MARIE C. MERROW  
 (Name typed, printed or stamped)

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Resolution No. V-2115

**RESOLUTION**

WHEREAS, the Brevard County Board of Adjustment met in session this 15th day of March, 1989; and

WHEREAS, MICHAEL R. MEYER has applied to the Brevard County Board of Adjustment for variance(s) on the following described property:

SEE ATTACHED LEGAL DESCRIPTION  
Section 34, Township 24, Range 35

and;

WHEREAS, this Board, having heard the following variance request(s) on the subject property: Appendix C, Brevard County Code, Section 11 (B) (1) to permit a variance of 200 ft. from the required 300 ft. setback from a residential land use classification for a barn in an AU zone classification

and;

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 35 (c) of Appendix C, Zoning, Code of Brevard County, Florida.

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth in the minutes of the meeting held March 15, 1989 are sufficient to meet the criteria of Section 35 (c), Appendix C, Zoning, Code of Brevard County, Florida and the following variance request(s) are hereby APPROVED.

BE IT FURTHER RESOLVED, that the Planning and Zoning Director is hereby directed to make a notation on the official zoning maps of Brevard County, Florida indicating this action.

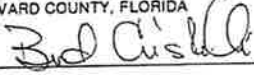
DONE, ORDERED AND ADOPTED, In Regular Session, this 15th day of March, A.D., 1989.

Attest:

  
George T. Edwards  
Zoning Manager

BOARD OF ADJUSTMENT OF  
BREVARD COUNTY, FLORIDA

By:



**V-2115**

## **Binding Development Plan (BDP)**

**Property:**

5405 W. King St., Cocoa, FL

**Parcel ID:** 24-35-34-00-2

**Owner/Applicant:** *HQW, LLC*

**Zoning Requested:** RVP – Recreational Vehicle Park **Future**

**Land Use:** *Neighborhood Commercial*

**District:** 1 (Cocoa area)

### **1. Purpose**

This Binding Development Plan ("BDP") is voluntarily submitted by the property owner in accordance with **Section 62-1157** of the Brevard County Code to self-impose development limitations in support of a rezoning to **RVP (Recreational Vehicle Park)**.

### **2. Development Limits**

The owner agrees that development of the property shall be limited as follows:

#### **A. Maximum Density**

- **36 Recreational Vehicle (RV) sites**
- **8 cabins**, consistent with RVP regulations allowing cabins not to exceed **20% of total sites**
- Total units: **44**

#### **B. Site Layout**

- A detailed site plan shall be submitted and approved through Brevard County's Land Development process.
- RV sites shall comply with minimum spacing, access, and utility requirements under RVP zoning.
- Cabins shall comply with applicable building codes and placement standards.



## 6. Environmental & Landscaping

- The project shall comply with County environmental regulations, including wetland protection, tree preservation, and wildlife considerations.
- A landscape buffer shall be installed along all property boundaries as required by RVP zoning.

## 7. Binding Effect

- This BDP shall run with the land and be binding on all successors and assigns.
- Any modification requires approval by the Brevard County Board of County Commissioners.

## 8. Recording

Upon approval of the rezoning and this BDP by the Board of County Commissioners, the applicant shall record the executed BDP in the public records of Brevard County within **120 days**, as required by **Section 62-1157**.

## 9. Signatures

Owner/Applicant: Name: \_\_\_\_\_

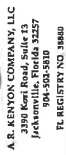
Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Brevard County:** Chairman, Board of County Commissioners

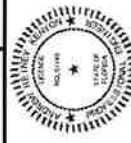
Signature: \_\_\_\_\_

Date: \_\_\_\_\_



| NOT ISSUED FOR CONSTRUCTION |             |
|-----------------------------|-------------|
| DATE                        | DESCRIPTION |
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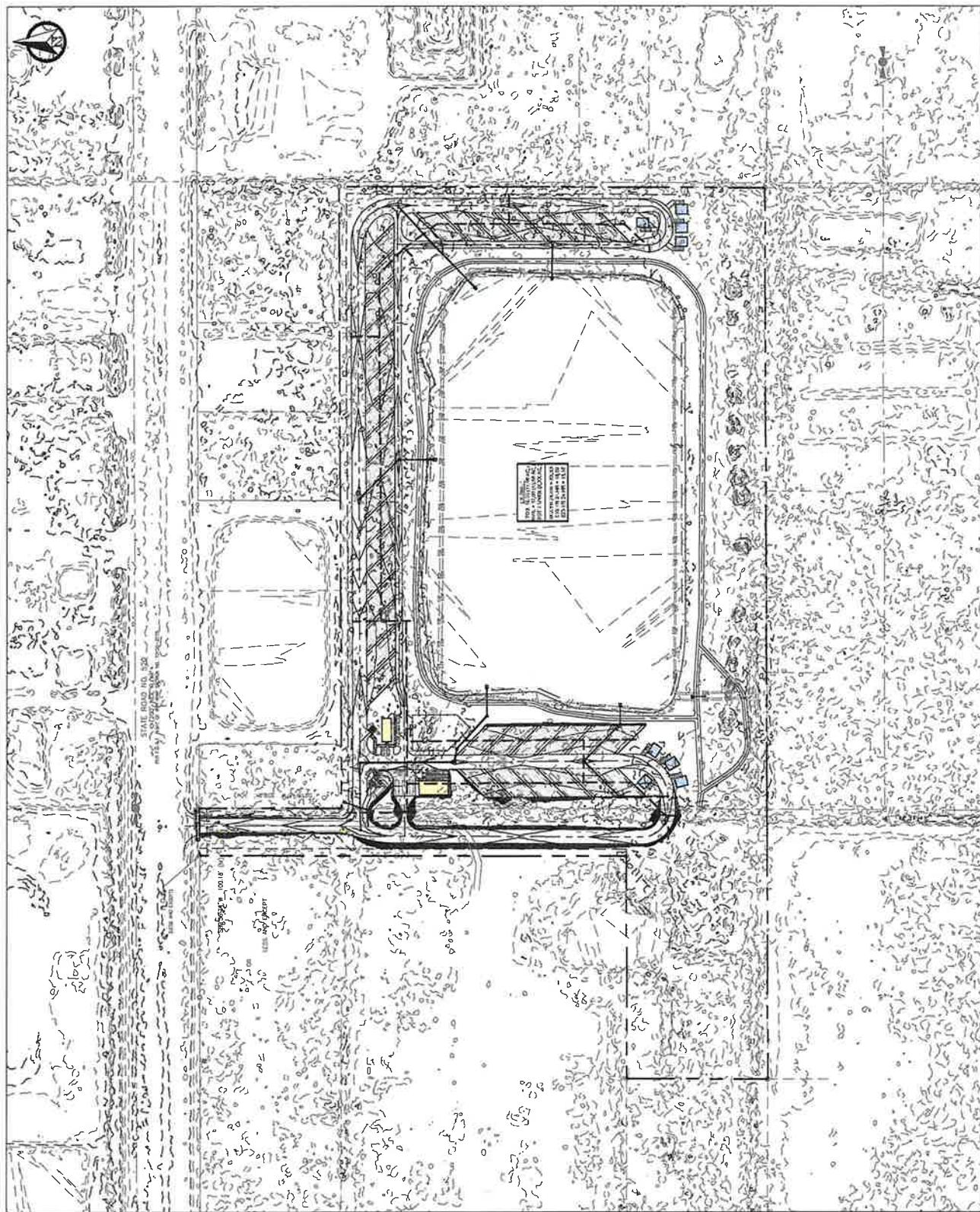
FIREFLY POND RV RESORT  
FOR  
HOW LLC  
OVERALL GRADING AND DRAINAGE PLAN



ANDREW R. KENYON  
FL PE 807742  
SEAL DATE: XX/XX/2023

SHEET

C-4.00



## Resolution 26Z00005

On motion by Commissioner Feltner, seconded by Commissioner Adkinson, the following resolution was adopted by a unanimous vote:

**WHEREAS, HQW, LLC & HQW Homeowner's Association, Inc.** request a zoning classification change from EU-1 (Estate Use) and AU (Agricultural Residential) with a BDP to RVP (Recreational Vehicle Park) and AU (Agricultural Residential) with a CUP (Conditional Use Permit) and removal of the BDP, on property described as Tax Parcel 2, as recorded in OR Book 10153, Page(s) 575, and Tax Parcel 47, as recorded in OR Book 10172, Page(s) 877, of the Public Records of Brevard County, Florida. **Section 34, Township 24, Range 35.** (34.04 acres) Located directly on the south side of Highway 520, approximately 0.5 miles west of Friday Rd. (5405 Hwy 520, Cocoa); and

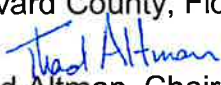
**WHEREAS**, a public hearing of the Brevard County Planning and Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning and Zoning Board recommended that the application be approved; and

**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 as recommended; now therefore,

**BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from EU-1 and AU with a BDP limiting the development to 36 recreational vehicles sites and eight cabins to RVP and AU with a CUP, for boarding of horses and horses for hire; approved removal of the existing BDP; and authorized staff to work with the applicant and bring back to the Board. 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 May 07, 2026.

BOARD OF COUNTY COMMISSIONERS  
Brevard County, Florida

  
Thad Altman, Chair  
Brevard County Commission  
As approved by the Board on May 07, 2026.

ATTEST:

  
RACHEL M. SADOFF, CLERK

(SEAL)

P&Z Board Hearing – April 13, 2026

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.**