



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

H.5.

5/1/2025

Subject:

Ryan and Sarah Lawhon request a zoning classification change from GU and SR with a BDP to RR-1 with removal of the BDP. (25Z00002) (Tax Account 2314528 & 2322697) (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 change of zoning classification from GU (General Use) and SR (Suburban Residential) with a BDP (Binding Development Plan) to RR-1 (Rural Residential) with removal of the BDP.

Summary Explanation and Background:

The applicant is requesting to rezone the subject property from GU and SR with a BDP to RR-1 on a 1.43-acre lot and removal of the BDP. The applicant has provided a boundary survey outlining the delineation of the wetland line and the proposed single family residence location. The applicant has a companion Small Scale Comprehensive Plan Amendment (SSCPA) application, 25SS00001, requesting a change from RES 1:2.5 to RES 1. Approval of this request will provide consistency with the requested FLU designation and lot size requirements.

The 0.18-acre parcel represented by tax account number 2322697 is a part of the Veronica Estates Phase One subdivision, which is subject to a BDP that allowed clustered residential development at a higher density by transferring development rights from adjoining lots that remain undeveloped. This parcel is zoned SR (Suburban Residential). The parcels have been combined with one warranty deed and have access to Mildred Ct., a County maintained road.

The existing BDP (which applied to larger predecessor parent parcels that included the subject property) has three conditions:

- 1) It allows for a maximum of 80 lots on Parcel 1 (which is a predecessor parent parcel of the subject property). The 80 lots include 16 lots transferred by the transfer of development rights from Parcel 2. No development of any kind shall be permitted on Parcel 2;
- 2) Allows for a maximum of 10 lots less than one acre in size but none shall be less than 0.75 acres; and
- 3) The access to the subdivision shall be from Grissom Pkwy. and not from Canaveral Groves Blvd.

The portion of the subject property represented by tax account number 2314528 retains the original FLU

designation established in 1988 by the Brevard County Comprehensive Plan and GU zoning classification established in 1958.

The proposed RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one-acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses and agricultural uses are accessory to a principal residence within the RR-1 zoning district.

To the north is a 1.07-acre parcel developed as a single-family residence with SR zoning and RES 1:2.5 FLU designation. There is also an 8.61-acre parcel developed as a single-family residence with AU zoning and RES 1:2.5 density; Abutting the subject property to the South is a vacant lot zoned SR with RES 1:2.5 density and can be developed as a single-family residence. South of the subject property at the northwest corner of Peroutka Ln. and Mildred Ct. is a single-family residence that is zoned SR and has RES 1:2.5 density; To the East of the subject property, east of Mildred Ct., are two (1) acre parcels with single-family residences. They are zoned SR and have RES 1:2.5 density; and abutting the subject property to the West, is a lot 104 acres, with SR zoning classification with RES 1:2.5 density, owned by Brevard County.

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

On April 14, 2025, the Planning and Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

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

Resolution 25Z00002

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

WHEREAS, Ryan and Sarah Lawhon request a zoning classification change from GU (General Use) and SR (Suburban Residential) with a BDP to RR-1 (Rural Residential) with removal off the BDP, on property described as Tax Parcels 77 and *-A, as recorded in OR Book 1622, Page 243 together with Tract A of PB46, PG86 of the Public Records of Brevard County, Florida. **Section 35, Township 23, Range 35.** (1.43 +/- acres) Located on the west side of Mildred Court, approximately 400 feet north of Peroutka Lane. (No assigned address. In the Cocoa area); 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 GU and SR with a BDP to RR-1 with removal of the BDP, be approved. 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 02, 2025.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

Rob Feltner, Chair 
Brevard County Commission
As approved by the Board on May 01, 2025.

ATTEST:

RACHEL SADOFF, CLERK

(SEAL)

P&Z Board Hearing – April 14, 2025

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

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
25Z00002**

Ryan and Sarah Lawhon

**GU (General Use) & SR (Suburban Residential) with BDP
to RR-1 (Rural Residential) with removal of BDP**

Tax Account Number: 2314528 & 2322697 have been combined under one warranty deed.
Parcel I.D.: 23-35-35-00-77 and 23-35-35-02-*A have been combined under one warranty deed.
Location: West side of Mildred Court, approximately 400 feet north of Peroutka Lane (District 1)
Acreage: 1.43 acres

Planning & Zoning Board: 4/14/2025
Board of County Commissioners: 5/1/2025

Consistency with Land Use Regulations

- Current zoning is not consistent 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
Zoning	GU & SR	RR-1
Potential*	0 Single-family residence	1 Single-family residence
Can be Considered under the Future Land Use Map	NO RES 1:2.5	YES RES 1**

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

** Pending approval of companion request **25SS00001**, which proposes amending the Future Land Use designation from RES 1:2.5 to Residential 1 (RES 1).

Background and Purpose of Request

The applicant is requesting to rezone the subject property from GU (General Use) and SR (Suburban Residential) with a BDP to RR-1 (Rural Residential) on a 1.43 acre lot and removal of the Binding Development Plan (BDP). The applicant has provided a boundary survey outlining the delineation of the wetland line and the proposed single family residence location. The applicant has a companion Small Scale Comprehensive Plan Amendment (SSCPA) application, **25SS00001**, requesting a change from RES 1:2.5 to RES 1. Approval of this request will provide consistency with the requested FLU designation and lot size requirements.

The 0.18 acre parcel, represented by tax account number 2322697, is a part of the Veronica Estates Phase One subdivision, which is subject to a Binding Development Plan (BDP) that allowed clustered residential development at a higher density by transferring development rights from adjoining lots that remain undeveloped. This parcel is zoned SR (Suburban Residential). The parcels have been combined with one warranty deed and have access to Mildred Ct., a County maintained road.

The existing BDP has three conditions:

1. It allows for a maximum of 80 lots on Parcel 1. The 80 lots include 16 lots transferred by the transfer of development rights from Parcel 2. No development of any kind shall be permitted on Parcel 2.
2. Allows for a maximum of 10 lots less than one acre in size but none shall be less than 0.75 acres.
3. The access to the subdivision shall be from Grissom Pkwy. and not from Canaveral Groves Blvd.

The portion of the subject property, represented by tax account number 2314528, retains the original FLU designation established in 1988 by the Brevard County Comprehensive Plan and GU zoning classification established in 1958.

When the GU zoning classification was established for this property, the zoning regulations mandated a minimum lot size of 1 acre, with a minimum width of 150 feet and a depth requirement of 150 feet. The subject property has a width of 165.52 feet and a depth of 331.39 feet, which conforms to the requirements set in 1958. However, in May of 1975, the lot size requirements for GU properties changed to a minimum of 5 acres, with a minimum width of 300 feet and a depth of 300 feet.

The proposed RR-1 classification encompasses lands devoted to single-family residential development of spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on a minimum one acre lot, with a minimum lot width and depth of 125 feet. The RR-1 classification permits horses, barns and horticulture as accessory uses to a single-family residence. The minimum house size is 1,200 square feet. Keeping of horses and agricultural uses are accessory to a principal residence within the RR-1 zoning district.

The subject parcel is located on the westside of Mildred Ct., a County maintained road approximately 400 feet north of Peroutka Dr.

There are no current code enforcement complaints on the property.

Surrounding Area

	Existing Land Use	Zoning	Future Land Use
North	vacant Single-family residence	AU SR	RES 1:2.5
South	vacant Single-family residence	SR	RES 1:2.5
East	Single-family residence	SR	RES 1:2.5
West	vacant	SR	RES 1:2.5

To the north is a 1.07 acre parcel developed as a single-family residence with SR zoning and RES 1:2.5 FLU designation. There is also an 8.61 acre parcel developed as a single-family residence with AU zoning and RES 1:2.5 density.

Abutting the subject property to the South is a vacant lot zoned SR with RES 1:2.5 density and can be developed as a single-family residence. South of the subject property at the northwest corner of Peroutka Ln.. and Mildred Ct. is a single-family residence that is zoned SR and has RES 1:2.5 density.

To the East of the subject property, east of Mildred Ct., are two (1) acre parcels with single-family residences. They are zoned SR and have RES 1:2.5 density.

Abutting the subject property to the West, is a lot 104 acres, with SR zoning classification with RES 1:2.5 density, owned by Brevard County.

The GU zoning classification is a holding category, that encompasses rural single-family residential development or unimproved lands for which there is no definite current proposal for development or land in areas lacking specific development trends on five acre lots with a minimum width and depth of 300 feet. The minimum house size in GU is 750 square feet.

SR classification encompasses lands devoted to single-family residential development of relatively spacious character, together with such accessory uses as may be necessary or are normally compatible with residential surroundings on minimum half acre lots, with a minimum width of 100 feet and a depth of 150 feet. The minimum house size in SR is 1,300 square feet.

The 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, and beekeeping.

Future Land Use

The subject property's GU zoning classification is non-conforming with the RES 1:2.5 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 RR-1 zoning classification is not consistent under the current FLUM designation. Companion application **25SS00001** to amend the Future Land Use designation from RES 1:2.5 to Residential 1 (RES 1) is pending approval. The applicant's request can be considered consistent with the proposed RES 1 Future Land Use.

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 requested RR-1 zoning would allow for one single-family residence due to lot size. It is compatible with the established residential character of this part of Canaveral Groves. This request is not anticipated to significantly diminish the enjoyment, safety, or quality of life.

- 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.

Only a certified MAI (Master Appraiser Institute) appraisal can determine if a 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 pattern of the surrounding development is characterized as single-family residential on platted one (1) acre lots that are consistent with the adopted RES 1:2.5 density limit due to the BDP connected with the zoning.

There are developed RES 4 subdivisions east of Grissom Parkway, approximately one-third mile to the east of the subject property.

Other than development activity occurring on the subject property, there are no emerging patterns of development.

There have been no FLUM amendments within one-half mile of the subject property in the past three years.

There are two (2) FLU designations: RES 1:2.5 and PUB-CONS within a 0.5 mile radius of the subject property. RES 1:2.5 is the more prevalent FLU in the surrounding area.

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

New development within 0.5 miles of the subject property within the last three years has been limited to a small number of single-family homes and manufactured houses.

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

There has not been any approved development within this area in the preceding three (3) years that has yet to be constructed.

- 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.

The developed character of the surrounding area, which is south of Canaveral Groves Blvd., west of Grissom Pkwy., north of the City of Cocoa, and east of Interstate 95, is exclusively single-family residential on lots of one (1) acre or more.

There are multiple zoning classifications within a 0.5 mile radius of the subject property: GU, AU, AU(L), and RR-1 zoning classifications.

The request would recognize existing development trends. Furthermore, the GU zoning classification is a holding classification that allows single-family residential on lots 5 acres or larger.

This request is not anticipated to have a measurable impact on the area in terms of trip generation or parking. No commercial or industrial activity is proposed.

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.

The subject property is in a platted subdivision, Veronica Estates, with established roads. This area is in an established residential neighborhood with clearly established boundaries, open spaces, 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.

The proposed use is not a commercial 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.

The area is single-family residential. The closest commercial zoning is located approximately 1,415 ft. (0.25 miles) northeast of the subject property.

Analysis of 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.

A majority of the subject parcel contains mapped hydric soils that 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.**

Please refer to the full NRM comments at the end of this report.

Preliminary Concurrency

The closest concurrency management segment to the subject property is Grissom Pkwy. between Canaveral Groves Blvd. and Camp Rd., which has a Maximum Acceptable Volume (MAV) of 17,700 trips per day, a Level of Service (LOS) of D, and currently operates at 46.37% of capacity daily. The maximum development potential from the proposed rezoning increases the percentage of MAV utilization by 0.09%. The corridor is anticipated to operate at 46.46% of capacity daily. The proposal is not anticipated to create a deficiency in LOS.

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 is not within any public potable water or available sewer lines. The proposed home will be serviced by well for potable water and septic for sewer.

Environmental Constraints

Wetlands and Hydric Soils

The wetland delineation shall be confirmed prior to any land clearing activities, site plan design, or building permit submittal. Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres. This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 62-3694(c)(6). The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.

Summary of Mapped Resources and Noteworthy Land Use Issues:

- Hydric Soils
- Aquifer Recharge Soils
- Floodplain Protection
- Protected and Specimen Trees
- Protected Species

For Board Consideration

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

NATURAL RESOURCES MANAGEMENT DEPARTMENT
Zoning Review & Summary
Item No. 25Z00002

Applicant: Steve Lawhon (Owners: Ryan and Sarah Lawhon)

Zoning Request: GU & SR with BDP to all RR-1 with removal of BDP

Note: to develop one SFR lot

Zoning Hearing: 04/14/2025; **BCC Hearing:** 05/01/2025

Tax ID No.(s): 2322697 & 2314528

- 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
- Aquifer Recharge Soils
- Floodplain Protection
- Protected and Specimen Trees
- Protected Species

Land Use Comments:

Wetlands and Hydric Soils

The subject parcel contains mapped National Wetlands Inventory (NWI) and St. Johns River Water Management District (SJRWMD) wetlands and hydric soils (Anclote sand); indicators that wetlands may be present on the property. An Environmental Report for Wetlands and Protected Species, dated December 7, 2024, prepared by EcoSpatial Analysts, Inc., depicts an approximately 0.753-acre wetland on the western portion of the site. The applicant proposes all development within the uplands (approximately 0.687 acres) on the site. **The wetland delineation shall be confirmed prior to any land clearing activities, site plan design, or building permit submittal.**

Per Section 62-3694(c)(1), residential land uses within wetlands shall be limited to not more than one (1) dwelling unit per five (5) acres unless strict application of this policy renders a legally established parcel as of September 9, 1988, which is less than five (5) acres,

as unbuildable. **This density may be applied as a maximum percentage limiting wetland impacts to not more than 1.8% of the total residential acreage as set forth in Section 62-3694(c)(6).** Therefore, should the applicant combine the two properties, development shall be permitted with wetland impacts not exceeding 1.8% of the total property acreage.

Any permitted wetland impacts must meet the requirements of Section 62-3694(e) including avoidance of impacts and will require mitigation in accordance with Section 62-3696. Any wetland impact, authorized under this division, for residential use shall be limited to the structural building area requirements for the primary use as defined by the zoning code, on-site disposal system requirements, and the 100-year flood elevation requirement for first floor elevations, and necessary ingress and egress. **The applicant is encouraged to contact NRM at 321-633-2016 prior to any plan or permit submittal.**

Aquifer Recharge Soils

This property contains Basinger sand which may also function as aquifer recharge soils. Additionally, the mapped topographic elevations show that the property falls within a Type 3 Aquifer Recharge area, which is subject to impervious area restrictions. The applicant is hereby notified of the development and impervious restrictions within Conservation Element Policy 10.2 and the Aquifer Protection Ordinance.

Floodplain Protection

This property is located within an area mapped as FEMA Special Flood Hazard Area (SFHA) A, as identified by the Federal Emergency Management Agency, and as shown on the FEMA Flood Map. The floodplain in this location is classified as either riverine or isolated and is therefore subject to the development criteria outlined in Conservation Element Objective 4, its subsequent policies, and the Floodplain Ordinance, including compensatory storage. Chapter 62, Article X, Division 6 states, "No site alteration shall adversely affect the existing surface water flow pattern." Chapter 62, Article X, Division 5, Section 62-3723 (2) states, "Development within floodplain areas shall not have adverse impacts upon adjoining properties."

Protected and Specimen Trees

Protected (≥ 10 inches in diameter) and Specimen Trees (≥ 24 inches in diameter) likely exist on the parcel. Brevard County Landscaping, Land Clearing and Tree Protection ordinance, Section 62-4331(3), encourages the protection of Specimen Trees. 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. **Applicant should contact NRM at 321-633-2016 prior to performing any land clearing activities.**

Protected Species

Information available to NRM indicates that federally and/or state protected species may be present on the property. There is mapped Florida Scrub Jay habitat / occupancy on the

property. Additionally, there is potential for existence of Gopher Tortoises on site as Gopher Tortoises can be found in areas of aquifer recharge soils. Prior to any plan, permit submittal, or development activity, including land clearing, the applicant should obtain any necessary permits or clearance letters from the Florida Fish and Wildlife Conservation Commission (FWC), and/or U.S. Fish and Wildlife Service, as applicable. The applicant is advised to call Valeria Guerrero at 561-882-5714 (O) or 561-365-5696 (C) with the FWC to obtain any necessary permits or clearance letters for Gopher Tortoises.

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, April 14, 2025**, 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 (D1); Ana Saunders (D5); Erika Orriss (D3); Logan Luse (D4); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Melissa Jackson (D5); and Robert Brothers (D5).

Staff members present were Trina Gilliam, Interim Zoning Manager; Paul Body, Planner; Justin Caron, Assistant County Attorney; Alice Randall, Operations Support Specialist; and Jordan Sagosz, Operations Support Specialist.

Excerpt of complete agenda

H.5. Ryan and Sarah Lawhon request a Small-Scale Comprehensive Plan Amendment (25S.01) to the Future Land Use Designation from RES 1:2.5 to RES 1. (25SS00001) (Tax Accounts 2314528 and 2322697) (District 1)

H.6. Ryan and Sarah Lawhon request a change of zoning classification from GU and SR with an existing BDP to RR-1 with removal of existing BDP. (25Z00002) (Tax Accounts 2314528 and 2322697) (District 1)

Trina Gilliam read companion Items H.5. and H.6. into the record.

Ryan Lawhon spoke to the application. He stated he and his wife have been working hard to purchase this land to build their first home. The response from the homeowners association was very positive and they were excited because there is a lot to build on. The sidewalk will now be 100% complete and we're very excited to build our home.

No Public Comment

Mr. Hopengarten stated the parcel to the east is cited on the property appraiser website as having no owner. Your lot has no access.

Mr. Lawhon responded he is not familiar with that. We put the lots together, so we'll have access.

Ms. Gilliam responded there were 2 previous parcels that have been combined under one warranty deed.

Motion to recommend approval of Item H.5. by Logan Luse, seconded by Ana Saunders. Motion passed unanimously.

Motion to recommend approval of Item H.6. by John Hopengarten, seconded by Erika Orriss. Motion passed unanimously.

The meeting was adjourned at 4:03 p.m.



December 7, 2024

Steven Lawhon
2120 EASTWOOD DR
MERRITT ISLAND FL 32952
Email stevenlawhon@aol.com | Phone 321-432-5921

Project Address: MILDRED CT, COCOA, FL 32927
Project Area 0.18 acres + 1.25-acres
Brevard Co Parcel ID: 23-35-35-02-*A, 23-35-35-00-77
Tax Accounts: 2322697; 2314528
Parcel Description: VERONICA ESTATES PHASE ONE TRACT A FUTURE DEVELOPMENT and S 1/2 OF SW 1/4 OF NE 1/4 OF SW 1/4 OF NE 1/4 AS DES IN ORB 1622 PG 243

Subject: Environmental Report for Wetlands and Protected Species

Ecospatial Analysts, Inc. conducted an environmental assessment and wetland determination on the above-referenced properties on October 24, 2024. The property is two vacant parcels located in Cocoa, Brevard Co., Florida (Figure 1 and 2). The parcels were bounded by Mildred Ct to the east, vacant land that is designated as a Conservation Easement owned by Brevard Co. and single-family residences to the north and south (Figure 3).

PURPOSE The purpose of the environmental field site review was to identify wetlands and rare, threatened or endangered species habitat that may influence proposed site development.

LANDCOVER Landcover (Figure 4) was mapped using the Florida Land Use Cover and Forms Classification System (FLUCFCS) (1999) within the Brevard County Parcel boundary as obtained from the Florida Department of Revenue Geographic Information System (GIS) data. The landcover within the property consisted of two landcover types (Table 1).

Table 1. Land cover type and approximate acreage found with the parcel.

Landcover Description (FLUCFCS Code)	Area (acres)
Hardwood - Coniferous Mixed (434)	0.687
Wetland Forested Mixed (630)	0.753
Total Approximate Area *	1.440

* total area from Brevard County GIS Parcel data

Uplands on the parcel consisted of ±0.687-acres of Hardwood - Coniferous Mixed (FLUCFCS 434). The Hardwood - Coniferous Mixed was dominated by a scattered canopy of pines (*Pinus* spp.), live oak (*Quercus virginiana*), laurel oaks (*Q. laurifolia*), with a midstory comprised mostly of saw palmetto (*Serenoa repens*), gallberry (*Ilex glabra*), rusty staggerbush (*L. ferruginea*), muscadine (*Vitis*

rotundifolia) and greenbriar (*Smilax* spp.). Patches of ground cover included bushy bluestem (*Andropogon glomeratus*), blackberry (*Rhus* spp.) and other common herbs and vines.

Wetlands included Wetland Forested Mixed (FLUCFCS 630). The forested wetlands were dominated by slash pine, laurel oaks, red maple (*Acer rubrum*), loblolly bay (*Gordonia lasianthus*), Carolina ash (*Fraxinus caroliniana*), hackberry (*Celtis laevigata*), wax myrtle (*Morella cerifera*) and groundsel tree (*Baccharis halimifolia*). Groundcovers consisted of blackberry (*Rhus* spp.), cinnamon fern (*Osmundastrum cinnamomeum*), Virginia chain fern (*Woodwardia virginica*) and swamp fern (*Telmatoblechnum serrulatum*).

Soil profiles confirmed the presence of hydric soils within the wetland area. Wetland soils were light grey colored, stripped mineral matrix along the wetland line. To the west there were locations of low topography that had a higher organic in which the surface one to two inches were grey colored, with greater than 70% of the sand grains coated with organic material. Upland soils were light grey colored, mineral with less than 30% of the grains coated in organic material.

WETLANDS The investigation concluded one jurisdictional wetland, Wetland 1 (W1; ±0.753-acres) (Chapter 62- 340 of the Florida Administrative Code (F.A.C.)) occurred the parcel (Figure 5). The presences of wetland vegetation, hydric soils and hydrological indicators make this wetland area jurisdictional.

The wetland flag locations represented in Figure 5 were collected in the field with a Trimble GeoXT GPS. Data were imported into a geodatabase in ArcGIS. The wetland was delineated with one line (W1-1 to W1-4) of neon orange surveyor flagging tape consecutively numbered along their boundary. For purposes of surveying, W1-1 should be tied due north to its intersection with the parcel boundary. W1-4 should be tied due south to its intersection with the parcel boundary.

PROTECTED SPECIES Most of the uplands on the site was low quality, habitat for the protected gopher tortoise (*Gopherus polyphemus*). No potentially occupied gopher tortoise (*Gopherus polyphemus*) burrows were located on the parcel (Figure 5) during the site review. Gopher tortoises are a Florida-designated threatened species and shall be afforded the protective provisions specified in Chapter 68A-27 Florida Administrative Code (F.A.C.). Burrows shall be protected by a 25-foot buffer in which no construction activity can be conducted or the relocation of the tortoises can be permitted through Florida Fish and Wildlife Conservation Commission. The land owner is responsible for any and all violations of Chapter 68A-27.

The parcel is also potential habitat for the Eastern indigo snake (*Drymarchon couperi*). The Eastern indigo snake is protected as a Threatened species by the Federal Endangered Species Act and as a Florida-designated threatened species by (Chapter 68A-27 F.A.C.). No Eastern indigo snakes were seen on the parcel. Protection of the tortoises' burrows will protect the Eastern indigo snakes. If Eastern indigo snakes are seen on the parcel, they should be left alone.

The trees on the parcel may be used by birds. Raptors, or birds of prey, and the majority of other birds in the United States are protected by the Migratory Bird Treaty Act, 16 U.S.C. 703 (MBTA). If these birds are found in the area they should also be left alone.

SOILS Three soil series occurred within the property (Figure 6); Immokalee sand, 0 to 2 percent slopes, Basinger sand, 0 to 2 percent slopes and Ancote sand. The soil characteristics derived from soil profiles were somewhat consistent to the soil descriptions within the Soil Survey of Brevard Co. (<http://websoilsurvey.nrcs.usda.gov/>); however, the boundaries of the soils series edges were not consistent. Only the west a portion of the Bassinger sand on these this lot showed hydric soil conditons.

REFERENCES

Florida Land Use, Cover and Forms Classification System (FLUCFCS). January 1999, Third Edition. Department of Transportation Surveying and Mapping Section. 95 pp.).

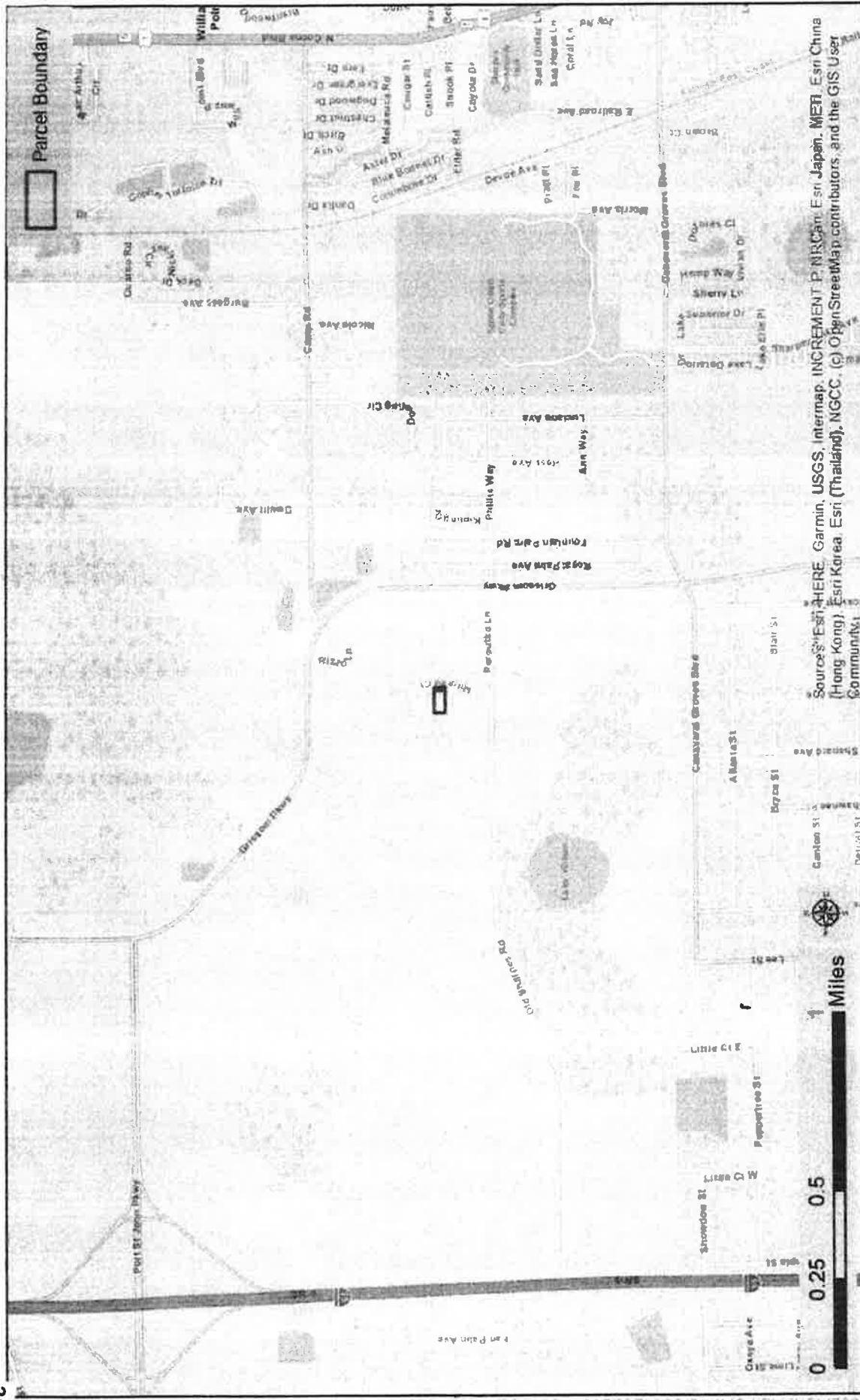
Please contact me, by email to vlarson@ecospatialanalysts.com or phone to 321.403.5147, if you have any questions regarding the information provided or other environmental questions related to this parcel.

Regards,



(electronically submitted)

Vickie L. Larson
President



Date 12/6/2024



881 Barton Blvd Suite 145
Rockledge, FL 32955
321.403.5147

Title: Location (1.43 acre)
Address: Mildred Ct, Cocoa, FL 32927
Parcel ID: 23-35-35-02-*A, 23-35-35-00-77
Source: ESRI Streets
Notes: Locations approximate, Reported areas include both parcels.
Site visit 10/24/24

Figure
No.

1

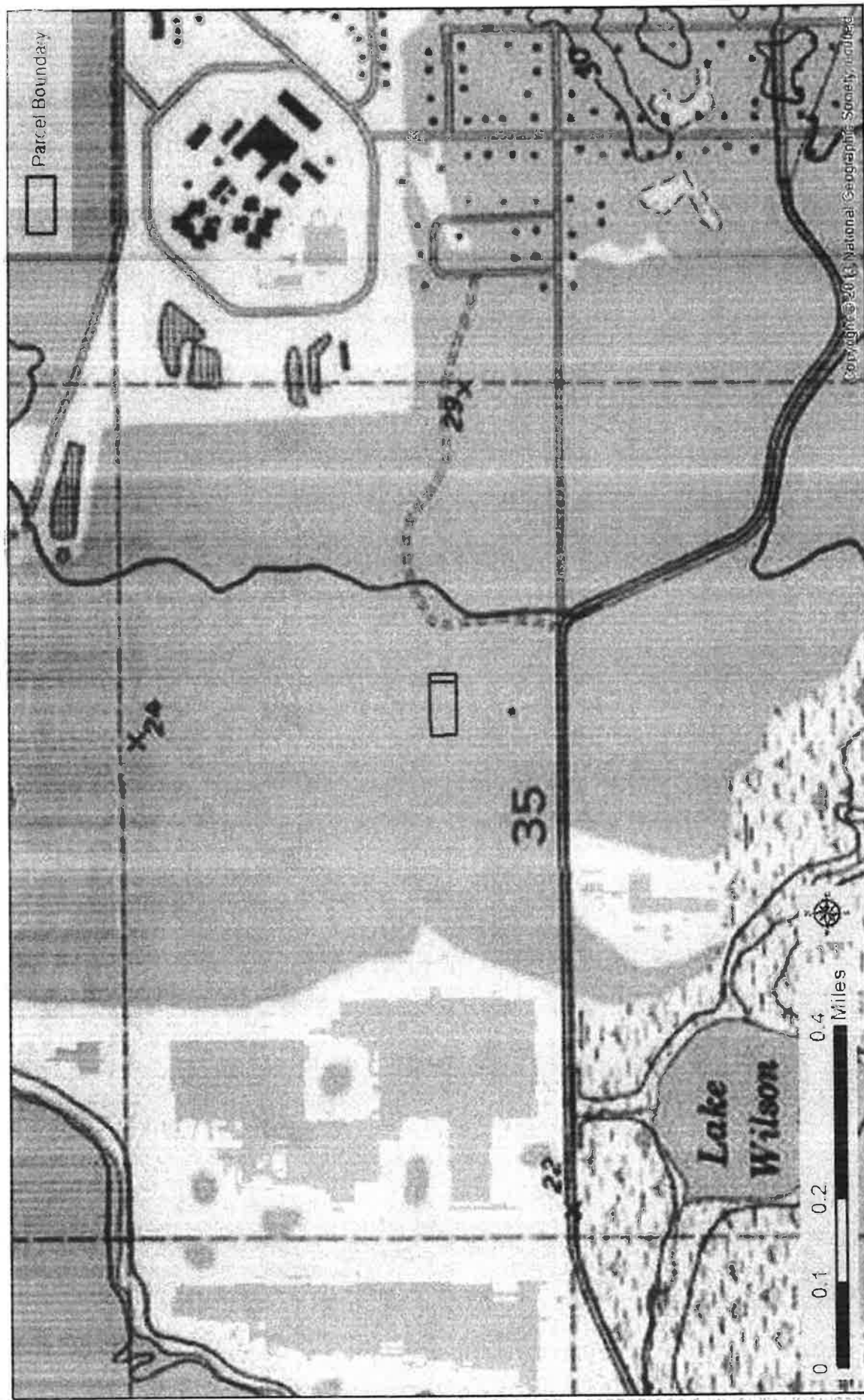


Figure No.

2

Title: USGS 7.5 minute quad Topography (1.43 acre)

Address: Mildred Ct, Cocoa, FL 32927

Parcel ID: 23-35-35-02*-A, 23-35-35-00-77

Source: ESRI USA Topography

Notes: Locations approximate. Reported areas include both parcels.

Site visit 10/24/24

23

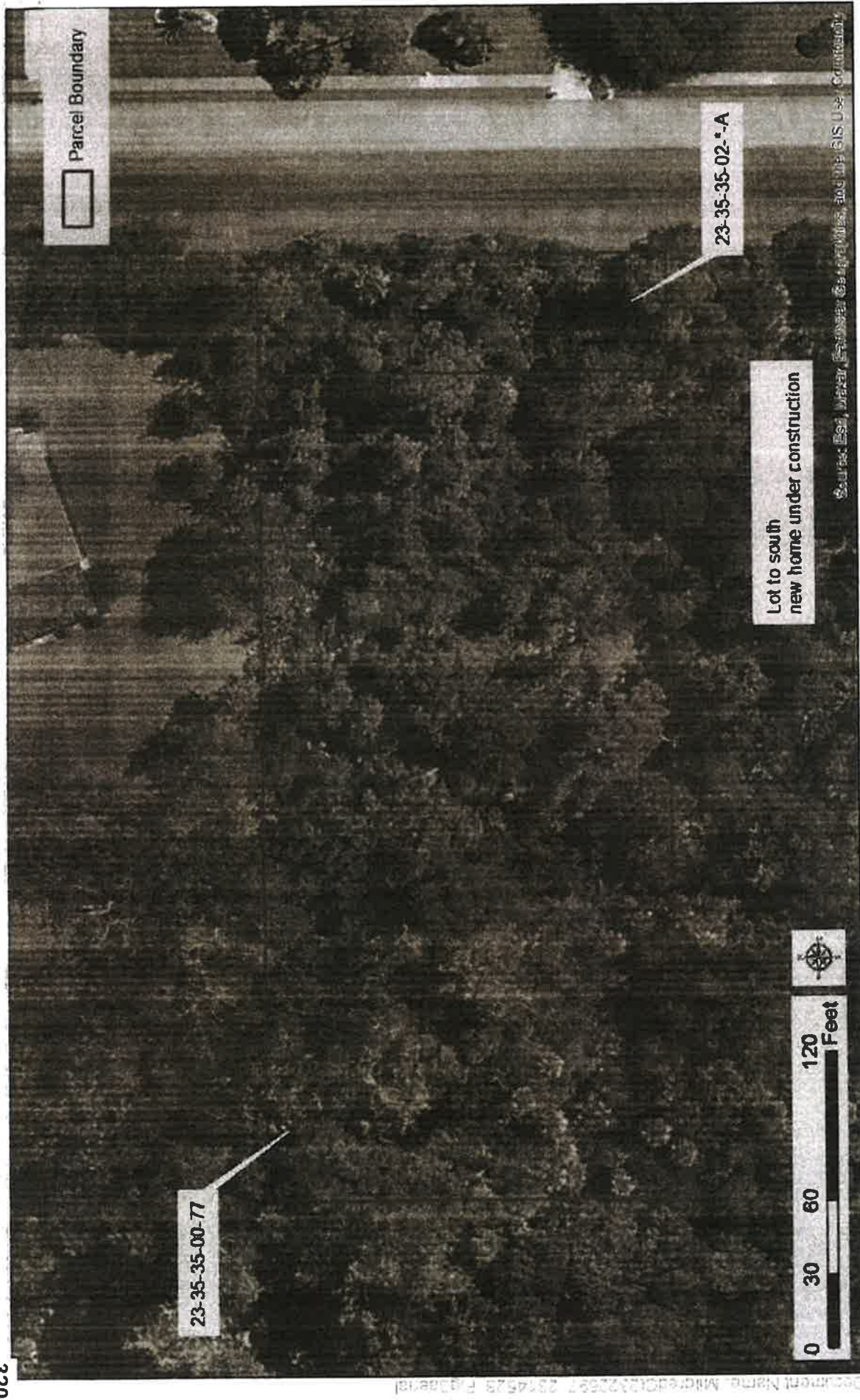


Figure
No.

3

Title: Aerial Imagery (1.43 acre)
Address: Mildred Ct, Cocoa, FL 32927
Parcel ID: 23-35-35-02-A, 23-35-35-00-77
Source: ESRI Basemap Imagery
Notes: Locations approximate, Reported areas include both parcels.
Site visit 10/24/24



881 Barton Blvd Suite 145
Rockledge, FL 32955
321.403.5147



881 Barton Blvd Suite 145
Rockledge, FL 32955
321.403.5147

Title: Landcover (1.43 acre)
Address: Mildred Ct, Cocoa, FL 32927
Parcel ID: 23-35-35-02.*-A, 23-35-35-00-77
Source: ESRI Basemap Imagery
Notes: Locations approximate, Reported areas include both parcels.
Site visit 10/24/24

4



60

ecospatial
ANALYSTS

**881 Barton Blvd Suite 145
Rockledge, FL 32955
321.403.5147**

Existing BDP

RESOLUTION NO. Z-10097

On motion by Commissioner Scarborough, seconded by Commissioner O'Brien, the following resolution was adopted by a unanimous vote:

WHEREAS, IRVING WINKLER; DONALD D. & MARIE E. DONZE; RUTH SATT; PATRICIA M. CARR, TRUSTEE; DONALD C. BROOKS; COL. VIRGIL W. & VIRGINIA P. MUNSEY; ANGELO & ROBERTA FRODELLA; T. CHAPPELL; WILLIAM VERNON PHILLIPS; WILMON N. & M. CAROLYN LINGER; LEROY CONNER; WANDA ELIZABETH & ALLEN ROBERT CARNES; DONALD LEE DE SHA; IRA ZAGER, TRUSTEE; MICHAEL R. & STELLA J. FITZGIBBONS; JAMES F. (JR.) & JACQUELINE OSTEEN

has/have applied for a change of classification from GU to SR with a Binding Development Plan limiting development to 1 unit per 2 1/2 acres overall, not to exceed 80 units on the site, and transfer of development rights from a nearby 60+/- acre tract comprised of mostly wetlands on property described as:

SEE ATTACHED LEGAL DESCRIPTION

Sections 25, 26, & 35 and 2,

Townships 23 & 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 including statement "access to Grissom Road, if available" 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, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of classification from GU to SR w/a BDP be APPROVED w/BDP recorded in ORB 3856, Pages 2616 through 2623, dated 6/16/98, and that the zoning classification relating to the above described property be changed to SR w/BDP and the Growth Management 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 June 16, 1998.

BOARD OF COUNTY COMMISSIONERS

Brevard County, Florida

As Approved by the Board on December 11, 1997.

Helen Voltz

by

HELEN VOLTZ
Chairman

ATTEST:

Sandy Crawford
SANDY CRAWFORD, CLERK

(SEAL)

(Hearing - November 3, 1997)

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SUCH DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

Z10097

Prepared by: Honeycutt & Associates, Inc.
Address: 605 South Palm Avenue
Titusville, FL 32796



BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 11th day of December, 1997, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Fox Den Associates, a Florida Corporation (hereinafter referred to as "Developer").

RECITALS

WHEREAS, Developer has an agreement to purchase 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 desires to develop the property as a residential subdivision and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the property, Developer wishes to cluster development on Parcel 1, as more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference and transfer development rights from Parcel 2, as more particularly described in Exhibit "C" attached hereto and incorporated herein by this reference.

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

Sandy Crawford
Clerk Of Courts, Brevard County
#Names: 2
#Pgs: 8
Trust: 4.50
Deed: 0.00
Mtg: 0.00
Rec: 33.00
Serv 0.00
Excise: 0.00
nt Tax: 0.00

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer, its grantees, successors or assigns in interest and later the homeowner's association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements except the public facilities.

2. The maximum number of lots on Parcel 1 shall be 80. The 80 lots include 16 lots transferred by transfer of development rights from parcel 2. No development of any kind shall be permitted on parcel 2.

3. There will be a maximum of 10 lots less than one (1) acres in size but none shall be less than $\frac{3}{4}$ acre in size.

4. Access to the subdivision shall be from Grissom Parkway and not from Canaveral Groves Boulevard.

5. Developer shall comply with all regulations and ordinances of Brevard County, Florida. This agreement constitutes Developer's agreement to meet additional standards or restrictions in developing the property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.

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



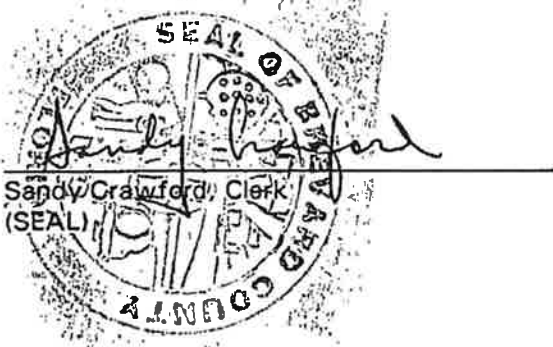
CFN 98115319
OR Book/Page: 3856 / 2617

7. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject property unless or until rezoned and 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 Judge Jamieson Way
Melbourne, FL 32940




Helen Voltz, Chairman
As approved by the Board on December 11, 1997

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 12th day of June, 1998, by Helen Voltz, Chairman of the Board of County Commissioners of Brevard County, Florida, who is personally known to me or who has produced _____ as identification.

My Commission Expires:
Commission No.:

SEAL



Bernadette S. Talbert
MY COMMISSION # 00840700 EXPIRES
May 10, 2000
BONDED THRU TROY PAIR INSURANCE, INC.


Notary Public

(Name typed, printed or stamped)



CFN 98115319
OR Book/Page: 3856 / 2618

WITNESSES:

Rodney Strickland
(Witness Name typed or printed)

Rodney Strickland
(Witness Name typed or printed)

Developer

The Strickland Company Tree Care, Inc.
Fox Den, Ocala, FL 34701
3741 NE 16 3rd St #292
N. M. Mount Blvd. FL 33160
(Address)

Michael C. Strickland
(Name typed, printed or stamped)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 26th day of MAY, 1999, by MIKE C. STRICKLAND, who is personally known to me or who has produced _____ as identification.

My Commission Expires:
Commission No.:

Scott M. Rzeznik
Notary Public

SEAL



SCOTT M. RZEZNIK
COMMISSION # CC 654258
EXPIRES JUN 9, 2001
BONDED THRU
ATLANTIC BONDING CO., INC.

SCOTT M. RZEZNIK
(Name typed, printed or stamped)



CFN 98115319

OR Book/Page: 3856 / 2619



EXHIBIT "A"

CFN 98115319

OR Book/Page: 3856 / 2620

LEGAL DESCRIPTION OF THE "PROPERTY"

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 23, Range 35.
2. The S $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 23, Range 35.

And:

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
2. The N $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
3. Lot Number 1 of Block 12 in Section 35, Township 23, Range 35.
4. Lot Number 1 & 2 of Block 13 in Section 35, Township 23, Range 35.

And:

The east $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 23S, Range 35E with the following exceptions:

1. The S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
2. The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
3. The S $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
4. The S $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
5. The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
6. The N $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.

And:

Lot Numbers 1-4 of Block 18 in Section 35, Township 23, Range 35.

And:

Lot Number 22 of Block 19 in Section 35, Township 23, Range 35.

And:

Lot Numbers 5, 6, 7, 9, 10, 11, 12, & 13 of Block 20 in Section 35, Township 23, Range 35.

And:

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 23, Range 35.
2. The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 23, Range 35.
3. The S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of The NW $\frac{1}{4}$ of Section 25, Township 23, Range 35.



DATA/LETTER/Fox Den Legals-A

4. The SW ¼ of the SW ¼ of the SW ¼ of the NW ¼ of Section 25, Township 23, Range 35.

And:

The NW ¼ of the SE ¼ of Section 26, Township 23S, Range 35E with the following exceptions:

1. The N ½ of the NW ¼ of the NW ¼ of the NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.
2. The N ½ of the SW ¼ of the NW ¼ of the NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.
3. The S ½ of the NW ¼ of the SW ¼ of the NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.
4. The N ½ of the SW ¼ of the SW ¼ of the NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.
5. The S ½ of the SE ¼ of the NW ¼ of the NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.
6. The N ½ of the NE ¼ of the SW ¼ of the NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.
7. The S ½ of the SW ¼ of the SE ¼ of The NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.
8. The S ½ of the NE ¼ of the SE ¼ of the NW ¼ of the SE ¼ of Section 26, Township 23, Range 35.

And:

The W ¼ of the NE ¼ of the SE ¼ of Section 26, Township 23S, Range 35E with the following exceptions:

1. The N ½ of the SW ¼ of the NW ¼ of the NE ¼ of the SE ¼ Section 26, Township 23, Range 35.
2. The S ½ of the NW ¼ of the SW ¼ of the NE ¼ of the SE ¼ of Section 26, Township 23, Range 35.
3. The SE ¼ of the SW ¼ of the NE ¼ of the SE ¼ Section 26, Township 23, Range 35,

And:

The N ½ of the SW ¼ of the NE ¼ of the NE ¼ of the SE ¼ of Section 26, Township 23S, Range 35E

And:

The N ½ of the NE ¼ of the NE ¼ of the NE ¼ of the SE ¼ of Section 26, Township 23S, Range 35E.

And:

The S ½ of the NE ¼ of the SE ¼ of the NE ¼ of the SE ¼ of Section 26, Township 23S, Range 35E



CFN 98115319
OR Book/Page: 3856 / 2621



DATA\LETTER\Fox Den Legal-A

EXHIBIT "B"

LEGAL DESCRIPTION OF PARCEL 1 (Development Parcel)

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 23, Range 35.
2. The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 23, Range 35.

And:

The SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
2. The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
3. Lot Number 1 of Block 12 in Section 35, Township 23, Range 35.
4. Lot Number 1 & 2 of Block 13 in Section 35, Township 23, Range 35.

And:

The east $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 23S, Range 35E with the following exceptions:

1. The S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
2. The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
3. The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
4. The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
5. The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.
6. The N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 23, Range 35.

And:

Lot Numbers 1-4 of Block 18 in Section 35, Township 23, Range 35.

And:

Lot Number 22 of Block 19 in Section 35, Township 23, Range 35.

And:

Lot Numbers 5, 6, 7, 9, 10, 11, 12, & 13 of Block 20 in Section 35, Township 23, Range 35.



CFN 98115319

OR Book/Page: 3856 / 2622

HAI

DATA LETTER Fox Den Legals-B-C



CFN 98115319

OR Book/Page: 3856 / 2623

EXHIBIT "C"**LEGAL DESCRIPTION OF PARCEL 2
(Development Rights Transferred From This Parcel)**

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 23, Range 35.
2. The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 23, Range 35.
3. The S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of The NW $\frac{1}{4}$ of Section 25, Township 23, Range 35.
4. The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 23, Range 35.

And:

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.
2. The N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.
3. The S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.
4. The N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 23, Range 35.
5. The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.
6. The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.
7. The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.
8. The S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.

And:

The W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23S, Range 35E with the following exceptions:

1. The N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 26, Township 23, Range 35.
2. The S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23, Range 35.
3. The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 26, Township 23, Range 35.

And:

The N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23S, Range 35E

And:

The N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 23S, Range 35E.

And:

The S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the Section 26, Township 23, Range 35.

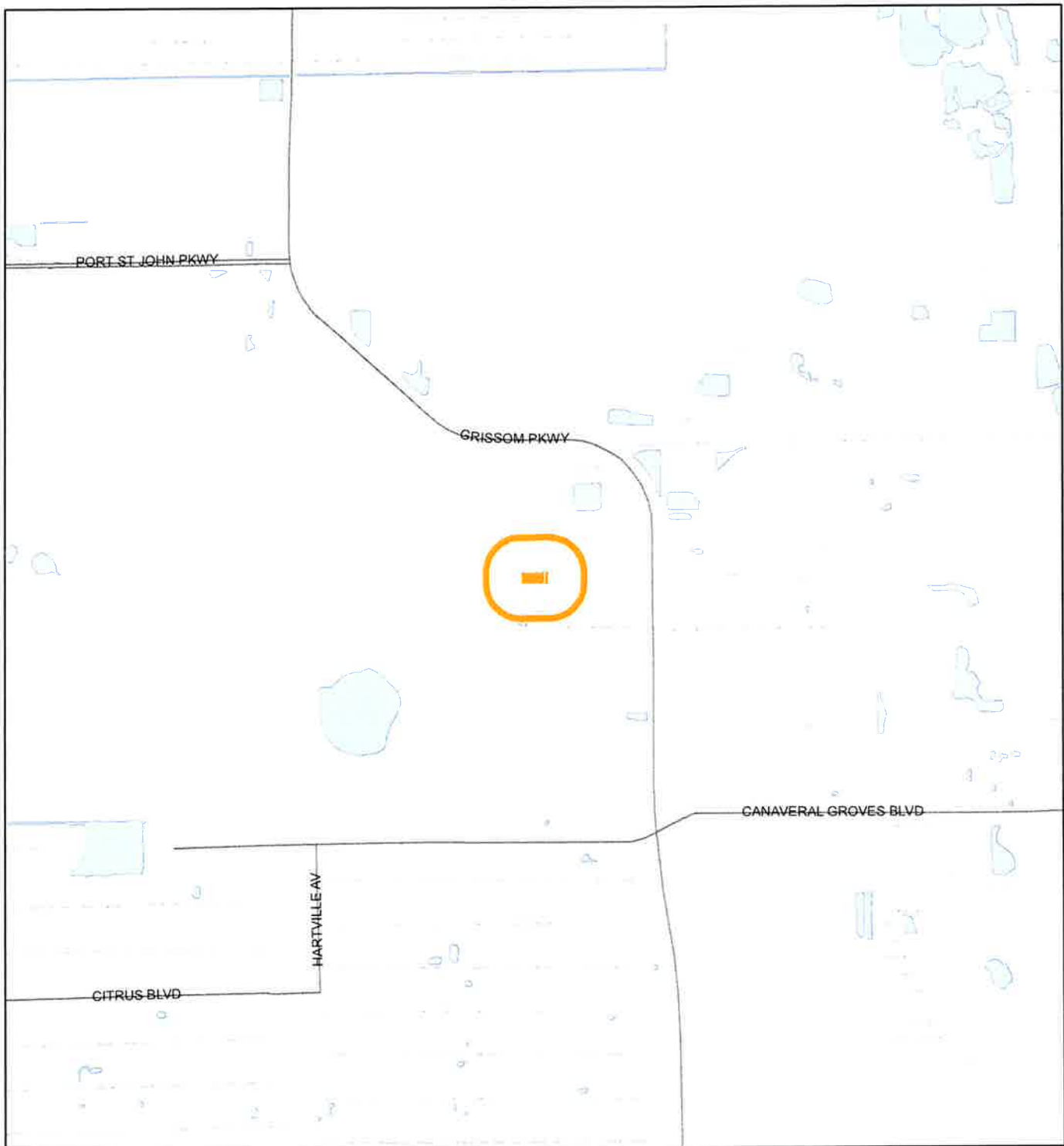


DATA/LETTER/Fox Den Legals-B-C

LOCATION MAP

LAWHON, RYAN STEVEN

25Z00002



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.

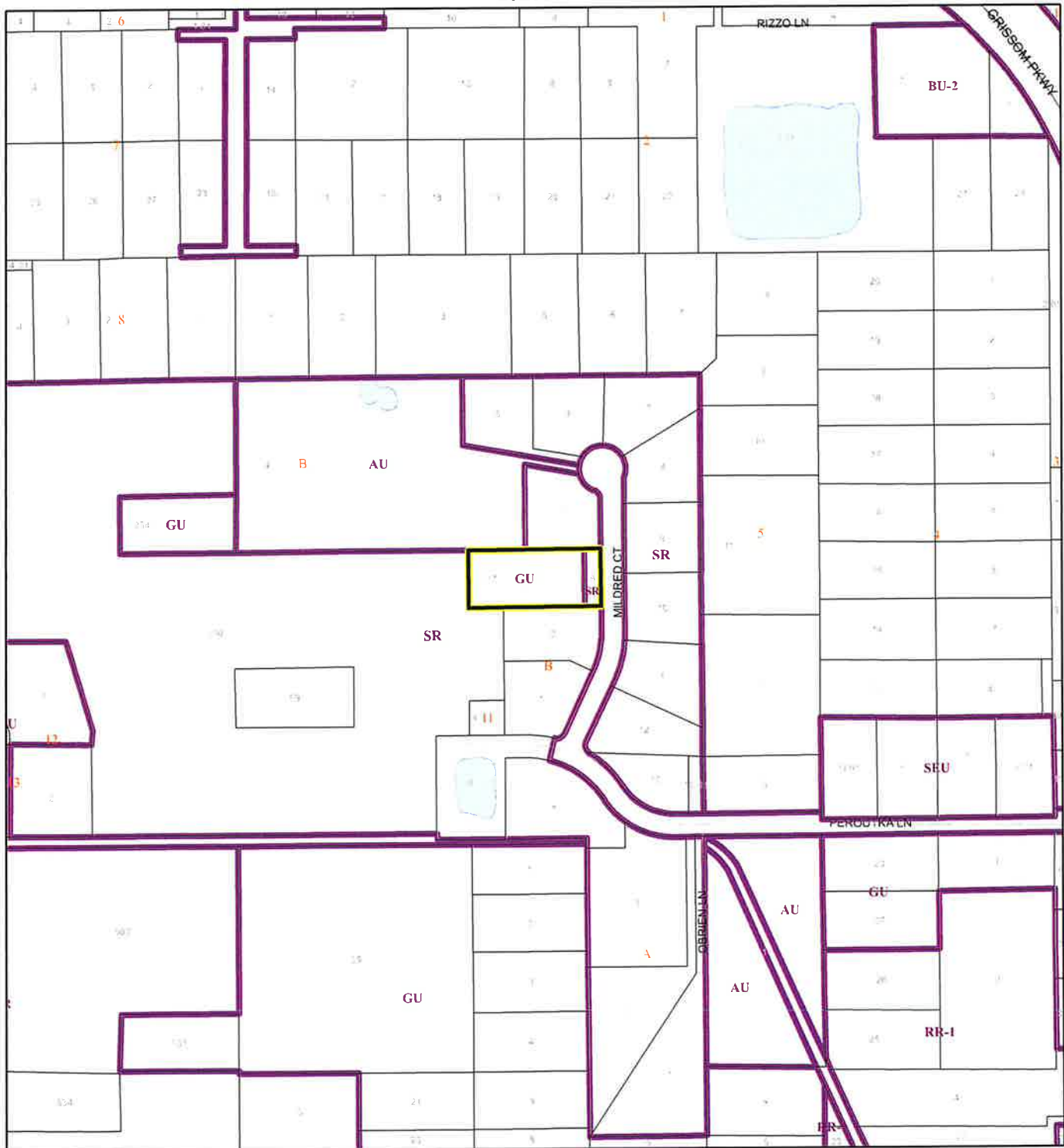
Produced by BoCC - GIS Date: 1/24/2025

Buffer
Subject Property

ZONING MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

Subject Property

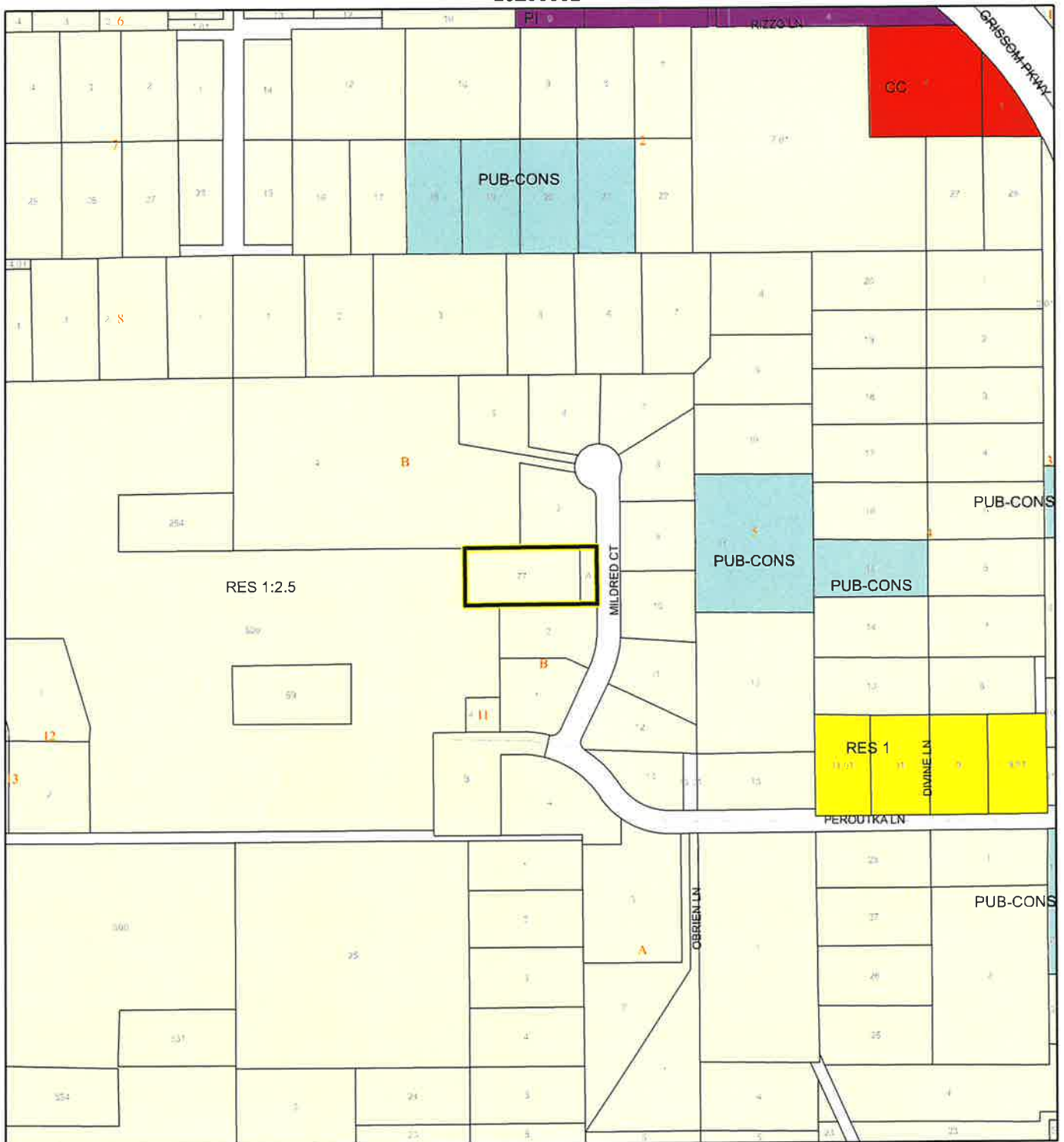
Parcels

Zoning

FUTURE LAND USE MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

— Subject Property
 □ Parcels

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: 1/24/2025

AERIAL MAP
LAWHON, RYAN STEVEN
25Z00002



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2024

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.

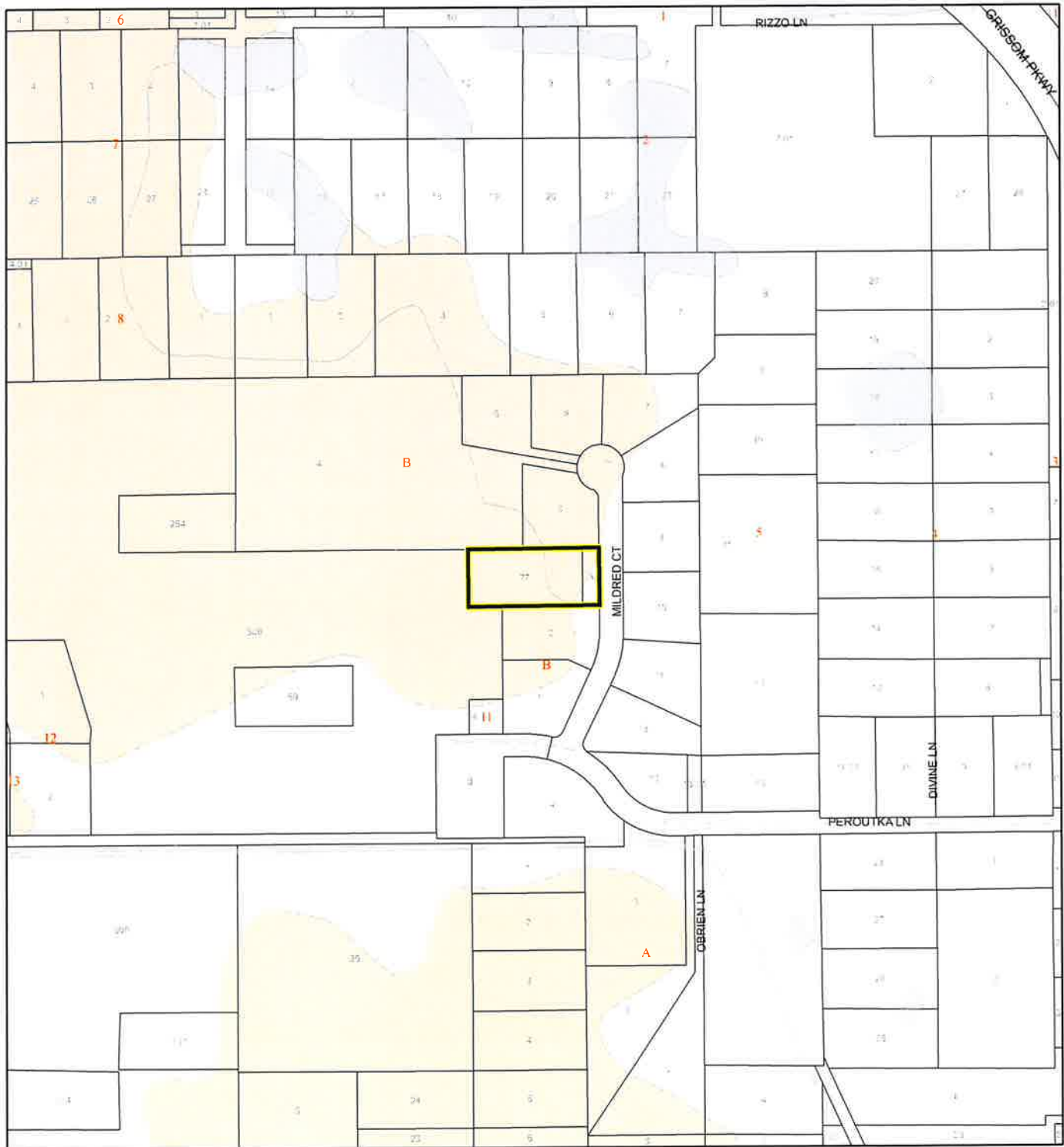
Produced by BoCC - GIS Date: 1/24/2025

— Subject Property
□ Parcels

NWI WETLANDS MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

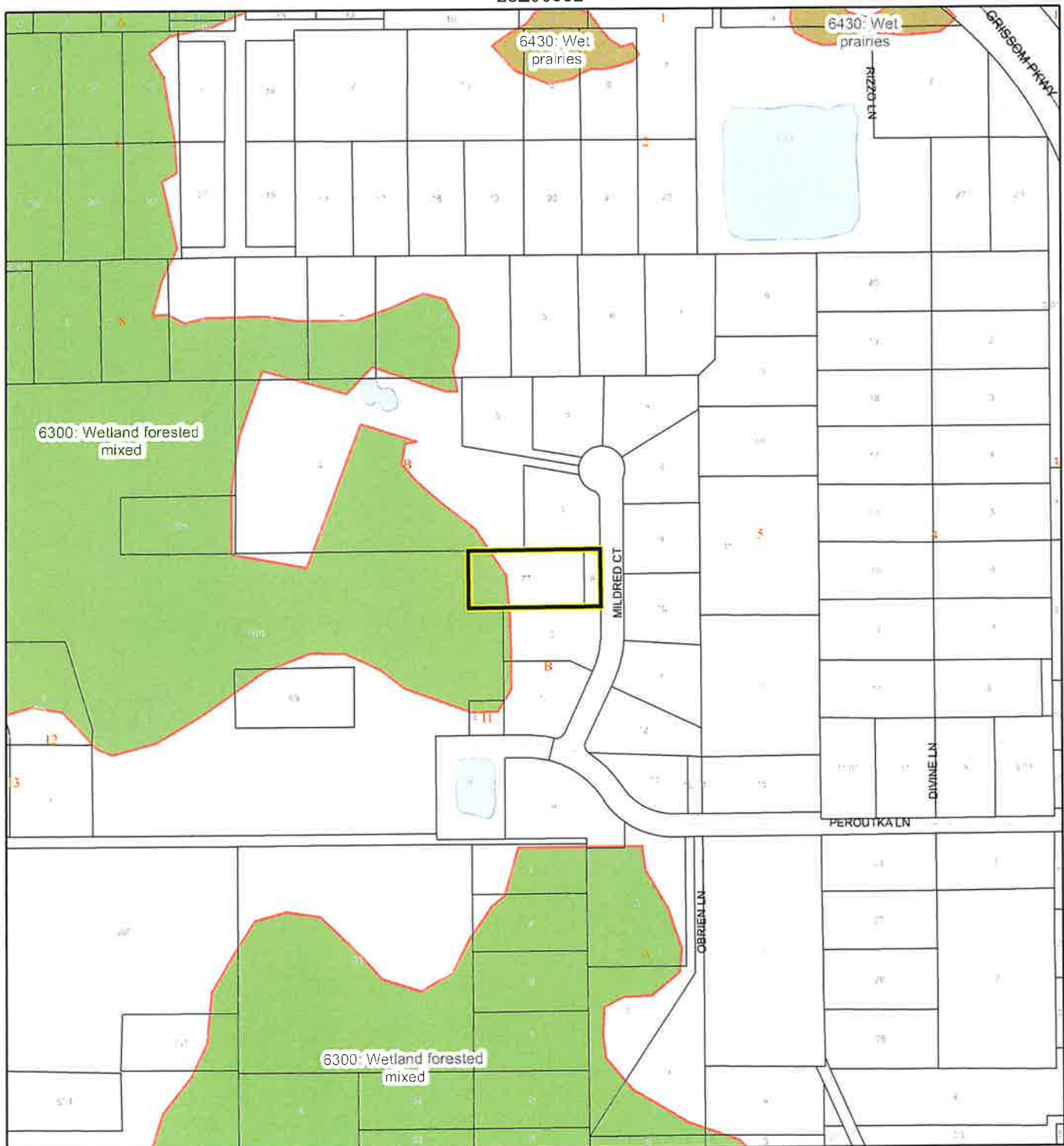
National Wetlands Inventory (NWI)

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

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

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

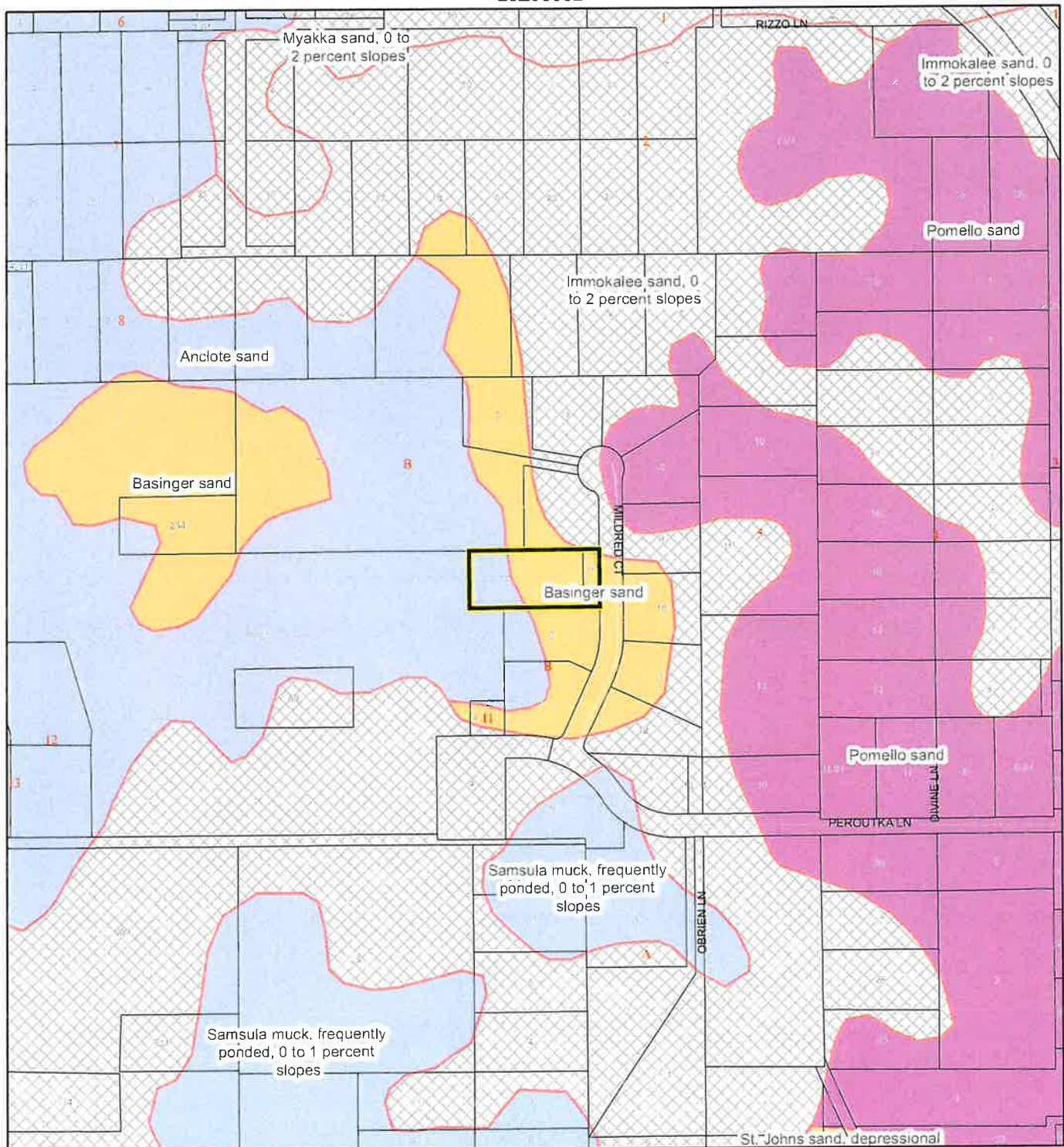
Subject Property

Parcels

USDA SCSSS SOILS MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

USDA SCSSS Soils

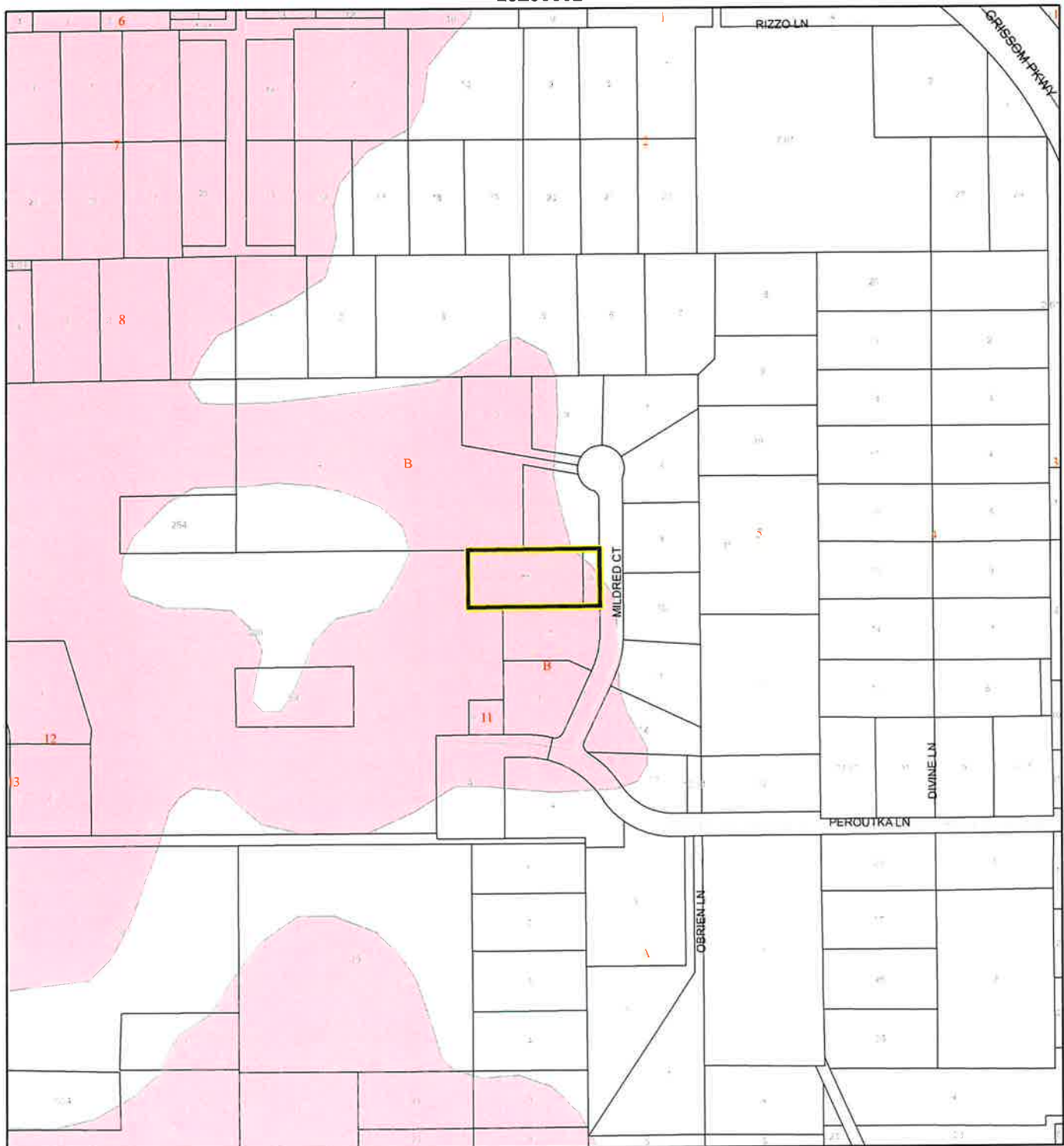
- Aquifer and Hydric
- Aquifer
- Hydric
- None

- Subject Property
- Parcels

FEMA FLOOD ZONES MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

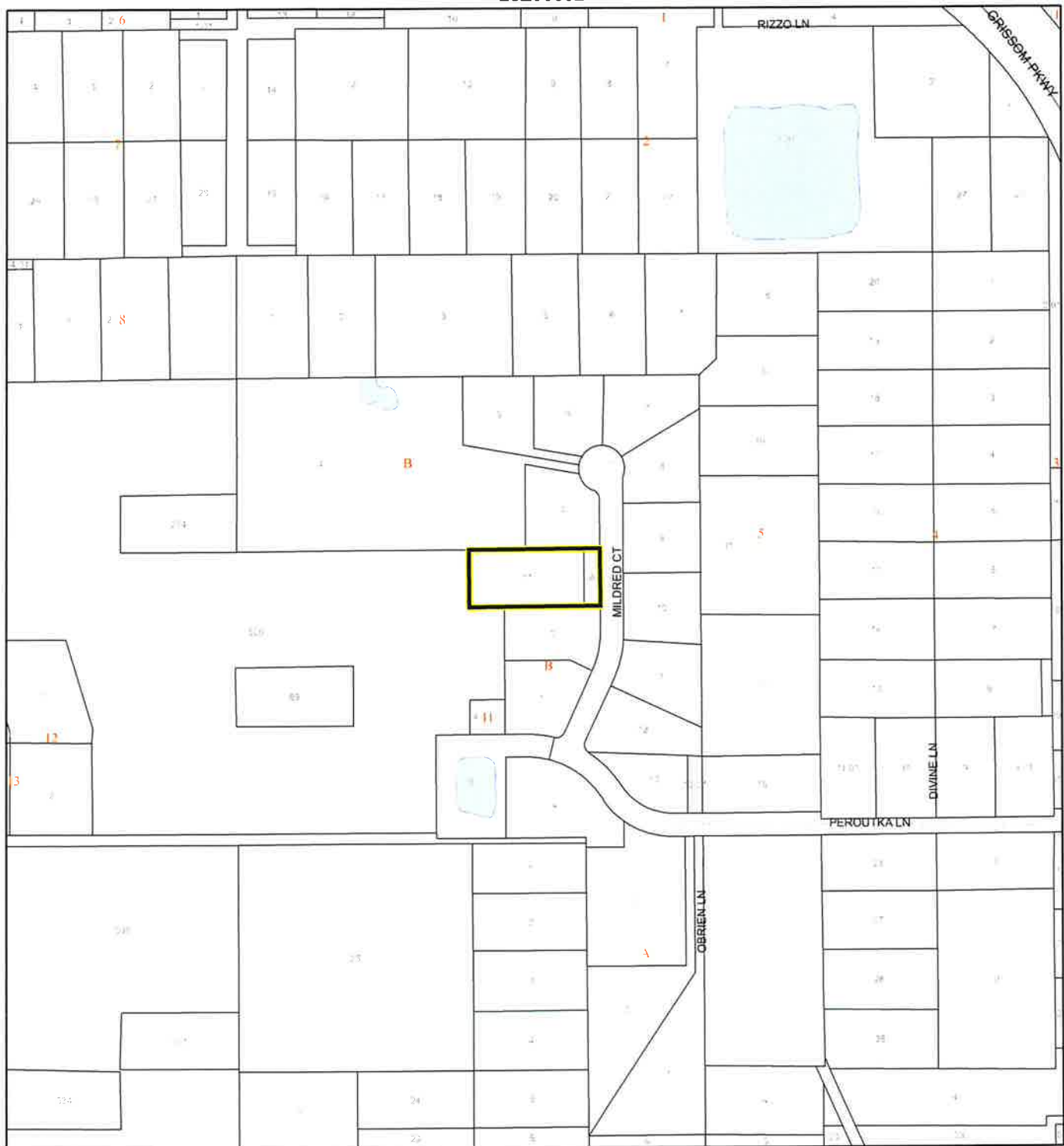
FEMA Flood Zones

A	AO	X
AE	Open Water	
AH	VE	
Subject Property	Parcels	

COASTAL HIGH HAZARD AREA MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

— Subject Property

□ Parcels

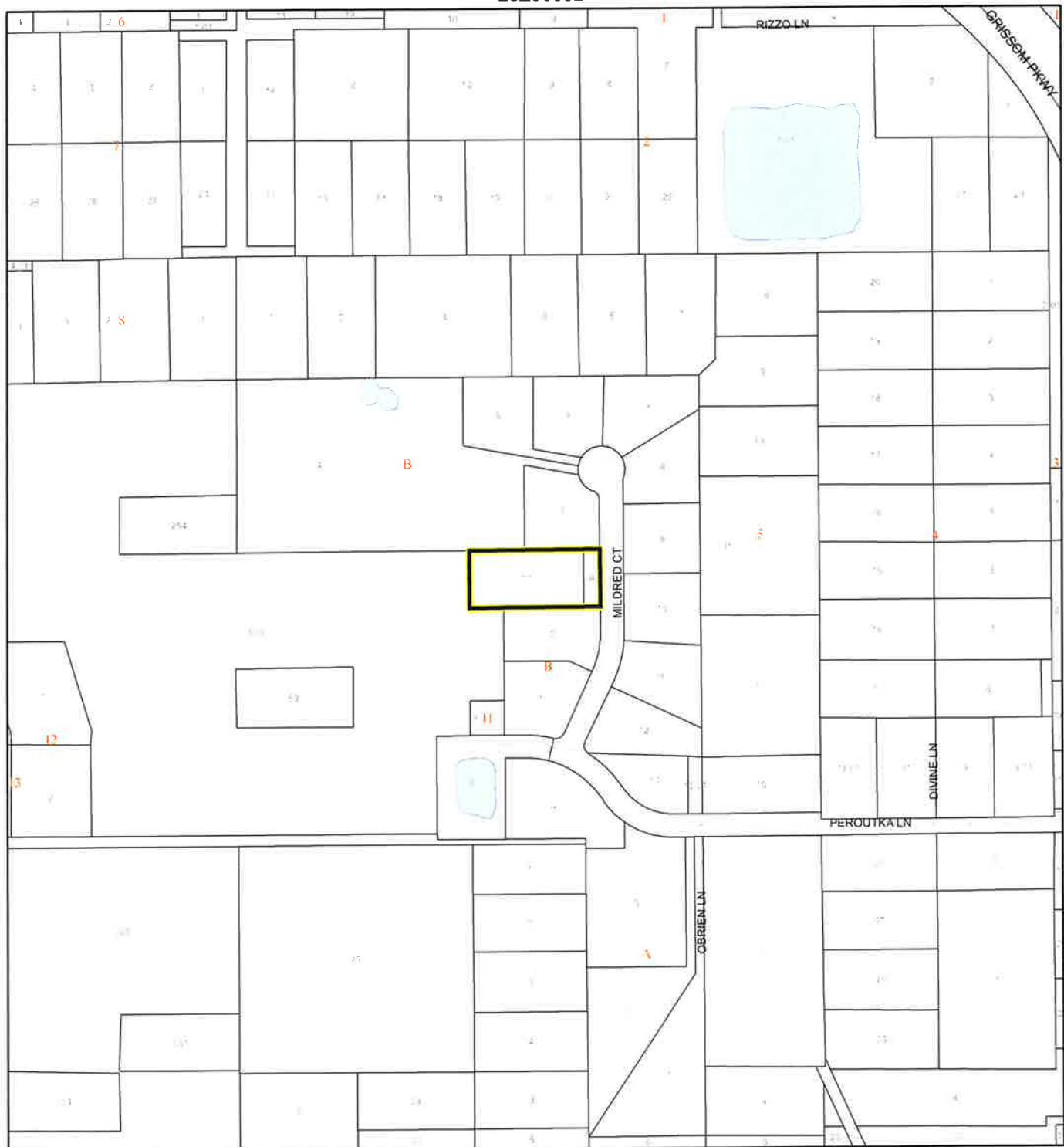
Coastal High Hazard Area

■ SurgeZoneCat1

INDIAN RIVER LAGOON SEPTIC OVERLAY MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

 Subject Property

 Parcels

Septic Overlay

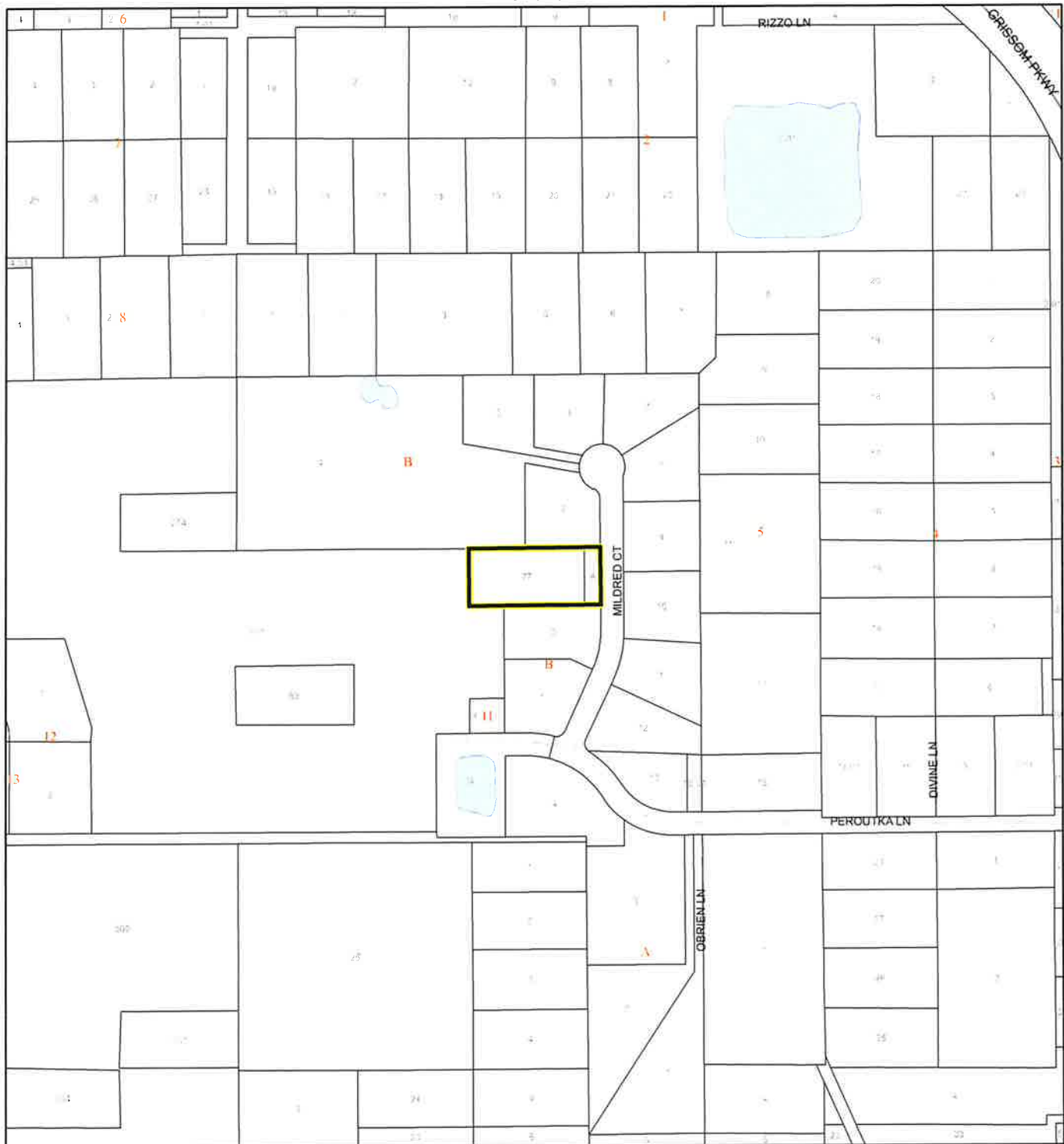
 40 Meters

 60 Meters

 All Distances

EAGLE NESTS MAP

LAWHON, RYAN STEVEN
25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

 Subject Property

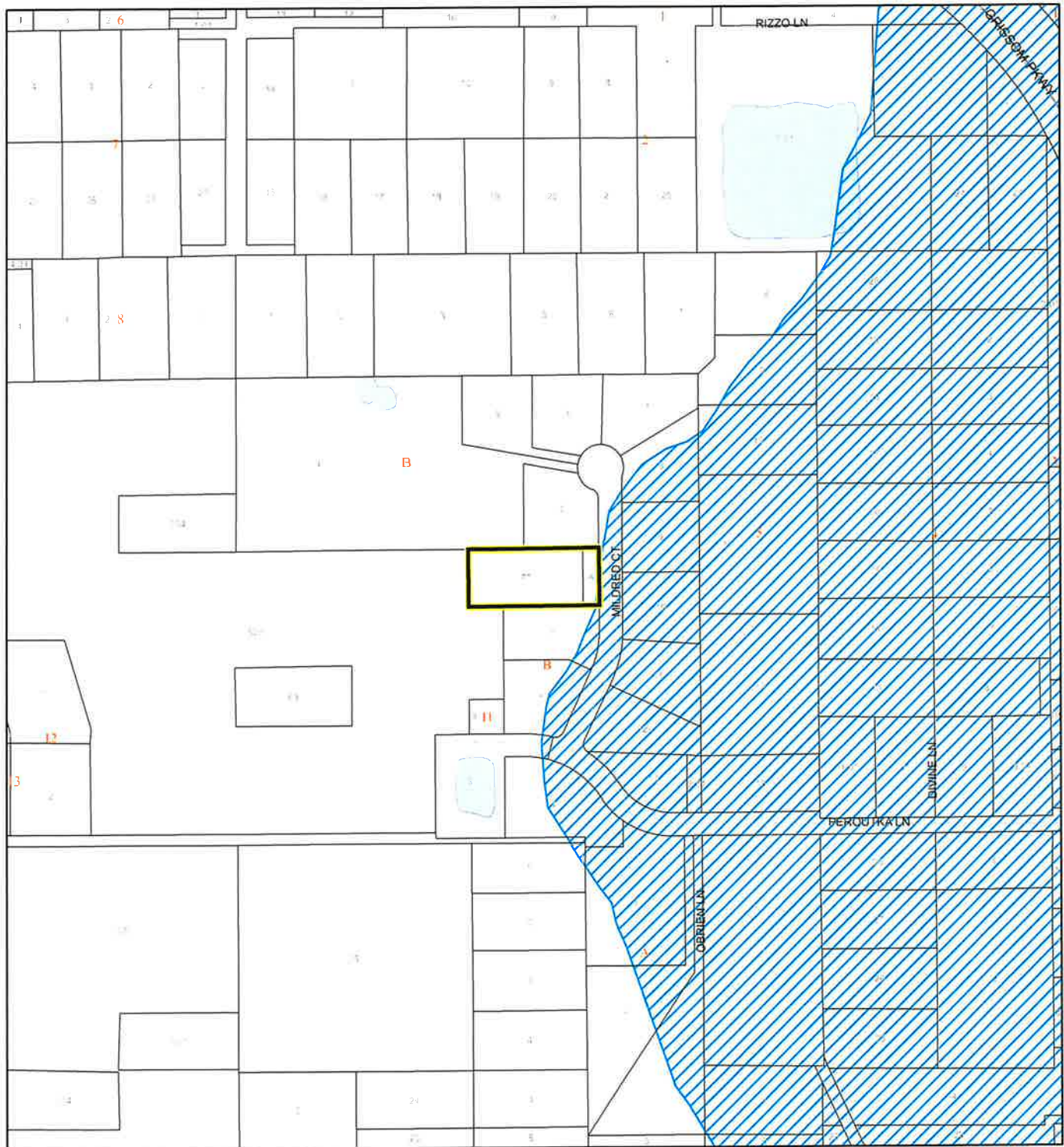
 Parcels

 Eagle Nests FWS

SCRUB JAY OCCUPANCY MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

— Subject Property

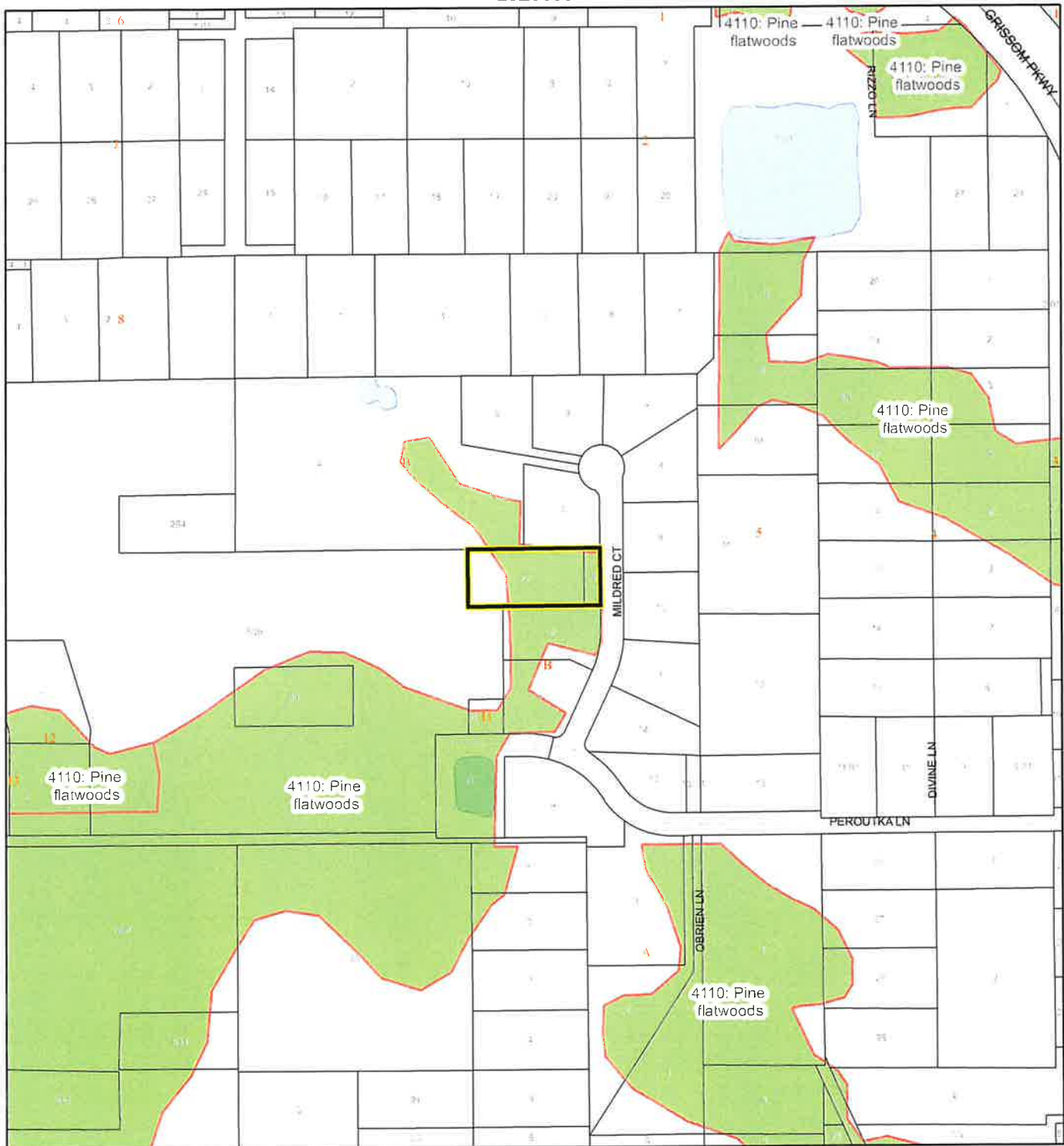
□ Parcels

▨ Scrub Jay Occupancy

SJRWMD FLUCCS UPLAND FORESTS - 4000 Series MAP

LAWHON, RYAN STEVEN

25Z00002



1:4,800 or 1 inch = 400 feet

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

Produced by BoCC - GIS Date: 1/24/2025

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

Board Meeting Date

5-1-25

Item Number: H-5

Motion By: Delaney

Second By: Thad A.

Nay By: _____

Commissioner	DISTRICT	AYE	NAY
Commissioner Delaney	1	✓	
Vice Chair Goodson	2	✓	
Commissioner Adkinson	3	✓	
Commissioner Altman	5	✓	
Chairman Feltner	4	✓	