



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.8.

7/6/2021

Subject:

Acceptance, Re: Binding Development Plan with SGS Cedar Lake, LLC (f.k.a. 5971 Cedar Lake Drive Revocable Trust and U.S. Hwy 1 Commercial Land Trust) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

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

Summary Explanation and Background:

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

On March 23, 2021, the Board approved a rezoning request from RU-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial) with a BDP (Binding Development Plan), to TR-1 (Single-Family Mobile Home) with a BDP. The conditions of the BDP include, but are not limited to, the following:

- Developer/Owner shall provide a 6-foot high opaque fence on the Property adjacent to any residentially zoned property.
- Developer/Owner shall limit density to a total of 150 units on the Property and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.
- Vehicular Access to Vineland Street from the Property is prohibited.
- Developer/Owner will provide a 15-foot perimeter buffer tract along all property boundaries which shall be platted as a common tract, separate from individual lots.
- Developer/Owner shall limit access to Cedar Lake Drive to an emergency access for the benefit of Brevard County with a locked gate, if such emergency access is required by Brevard County or due to any existing easement encumbering the Property.



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

Telephone: (321) 637-2001

Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us

July 7, 2021

MEMORANDUM

TO: Jennifer Jones, Zoning

RE: Item F.8., Binding Development Plan (BDP) Agreement with SGS Cedar Lake, LLC (f.k.a. 5971 Cedar Lake Drive Revocable Trust and U.S. Highway 1 Commercial Land Trust)

The Board of County Commissioners, in regular session on July 6, 2021, executed Binding Development Plan with SGS Cedar Lake, LLC (f.k.a. 5971 Cedar Lake Drive Revocable Trust and U.S. Highway 1 Commercial Land Trust). Said Plan was reorded in BK/PG 9183/695. Enclosed for your necessary action are two certified copies of the recorded document.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for: Donna Scott
Kimberly Powell, Clerk to the Board

Encls. (2)



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

July 7, 2021

MEMORANDUM

TO: Recording

RE: Item F.8., Binding Development Plan (BDP) Agreement with SGS Cedar Lake, LLC (f.k.a. 5971 Cedar Lake Drive Revocable Trust and U.S. Highway 1 Commercial Land Trust)

The Board of County Commissioners, in regular session on July 6, 2021, executed Binding Development Plan with SGS Cedar Lake, LLC (f.k.a. 5971 Cedar Lake Drive Revocable Trust and U.S. Highway 1 Commercial Land Trust). Enclosed are the original BDP, and Check No. 1109 for \$52.50. **Please record the agreement in the Public Records and return the recorded instrument to this office.**

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell".

Kimberly Powell, Clerk to the Board

Encls. (2)

Prepared by: Kimberly B. Rezanka, Esq.
Lacey Lyons Rezanka
1290 U.S. Highway 1, Ste. 201
Rockledge, FL 32955

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 6 day of July, 2021,
between the **BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA**, a
political subdivision of the State of Florida (hereinafter referred to as "County") and **SGS**
CEDAR LAKE, LLC, a Florida limited liability company, (hereinafter collectively referred to as
"Developer/Owner"); and hereby replaces in its entirety the Binding Development Plan recorded
in Official Records Book 5683, Page 716, Public Records of Brevard County, Florida.

RECITALS

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

WHEREAS, Developer/Owner has requested the TR-1 zoning classification(s) and
desires to develop the Property as a manufactured home subdivision, and pursuant to the Brevard
County Code, Section 62-1157; and

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

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

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement
by this reference.
2. The County shall not be required or obligated in any way to construct or maintain or
participate in any way in the construction or maintenance of the improvements. It is the
intent of the parties that the Developer/Owner, its grantees, successors or assigns in

interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

3. Developer/Owner shall provide a 6-foot high opaque fence on the Property adjacent to any residentially zoned property.
4. The Developer/Owner shall limit density to a total of **150** units on the Property and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.
5. Vehicular access to Vineland Street from the Property is prohibited.
6. The Developer/Owner will not utilize septic tanks for homes developed on the Property.
7. Developer/Owner will provide a 15-foot perimeter buffer tract along all property boundaries which shall be platted as a common tract, separate from individual lots.
8. Developer/Owner shall limit access to Cedar Lake Drive to an emergency access for the benefit of Brevard County with a locked gate, if such emergency access is required by Brevard County or due to any existing easement encumbering the Property.
9. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This agreement provides no vested rights against changes to the Comprehensive Plan or land development regulations as they may apply to this Property.
10. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court the cost of recording this Agreement in the Public Records of Brevard County, Florida.
11. 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, and be subject to the above referenced conditions as approved by the Board of County Commissioners on 3/23/21. In the event the

subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.

12. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as may be amended.
13. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and must be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 11 above.
14. Severability. If any provision of this Agreement is held by a Court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall continue in full force and effect without being impaired or invalidated in any way.

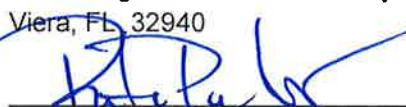
IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:



(SEAL) Clerk

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



Rita Pritchett, Chair
As approved by the Board on

JUL 06 2021

WITNESSES:

Kimi Rezanka

Kimi Rezanka

(Witness Name typed or printed)

Patricia L. Clark

Patricia L. Clark

(Witness Name typed or printed)

SGS CEDAR LAKE, LLC, a Florida Limited Liability Company,
as DEVELOPER/OWNER
831 NE 20th Avenue
Fort Lauderdale, FL 33304

Nicholas J. Dottore

NICHOLAS J. DOTTORE, as Authorized
Signatory and Managing Member of
SGS Cedar Lake, LLC

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence, on June 17, 2021, by Nicholas J. Dottore, duly Authorized Signatory and Managing Member of SGS Cedar Lake, LLC, a Florida limited liability company, who is personally known to me.



Patricia L. Clark
Comm. #GG363212
Expires: October 1, 2023
Bonded Thru Aaron Notary

Patricia L. Clark

Notary Public – Patricia L. Clark
My commission expires: 10/1/2023

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

A parcel of land lying in Section 24, Township 23 South, Range 35 East, Brevard County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 24 and run North 01° 35' 53" West along the East line of said Section 24, a distance of 1329.95 feet to the Southeast corner of the North Half of the Southeast Quarter, the Point of Beginning; thence continue North 01° 35' 53" West along said East line, a distance of 979.95 feet to a point located 350.00 feet South of the East Quarter corner of Section 24, said point being on the South line of lands per Official Records Book 661, Page 1026; thence South 88° 12' 37" West along the South line of said lands, a distance of 1170.07 feet to a point on the East right-of-way line of the Florida East Coast Railroad (a 100 foot right of way); thence South 20° 05' 13" East along said East Right of Way line, a distance of 1023.78 feet to a point on the South line of the North Half of the Southeast Quarter; thence North 88° 44' 52" East along said South line, a distance of 845.42 feet to the Point of Beginning.

PARCEL 2:

A portion of land lying in Government Lot 1, Section 24, Township 23 South, Range 35 East, Brevard County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Government Lot 1, said point also being the Point of Beginning of the herein described parcel; from said point run South 89° 41' 21" West along the South line of Government Lot 1 to the East right of way of the Florida East Coast Railroad (a 100 foot right of way), a distance of 1286.68 feet; thence North 18° 32' 20" West along said East right of way to the South line of Delespine Grant, a distance of 666.48 feet; thence run North 75° 10' 20" East along said South line of Delespine Grant, a distance of 1549.31 feet; thence run South 0° 03' 29" East along land described in Deed Book 440, Page 584 and Clearview Terrace Subdivision, as recorded in Plat Book 12, Page 46, of the Public Records of Brevard County, Florida, a distance of 1021.91 feet to the Point of Beginning.

PARCEL 3:

Lot 12, COWAN'S TRAILER PARK, as recorded in Survey Book 4, Page 53, Public Records of Brevard County, Florida, more particularly described as follows:

Commence at the Southeast corner of Section 24, Township 23 South, Range 35 East; thence North 0° 11' 08" East along the East line of said Section 24, 1329.98 feet; thence North 89° 28' 02" West, 311.58 feet to the Point of Beginning; thence South 0° 31' 58" West, 150.00 feet to the North Right of Way line of Cowan Road; thence North 89° 28' 02" West, along said Right of Way line, 145.20 feet; thence North 0° 31' 58" East 150.00 feet; thence South 89° 28' 02" East, 145.20 feet to the Point of Beginning TOGETHER WITH a 5.00 foot utility easement along the front and side lot lines.

PARCEL 4:

A parcel of land lying in Section 24, Township 23 South, Range 35 East, Brevard County, Florida, and being more particularly described as follows:

Commence at the East Quarter corner of said Section 24 and run South 01° 35' 53" East, along the East line of said Section 24, a distance of 350.17 feet; thence run South 88° 12' 37" West, a distance of 1064.74 feet to the Point of Beginning; thence continue South 88° 12' 37" West, a distance of 105.33 feet to a point on the East right of Way line of the Florida East Coast Railroad; thence run North 20° 05' 13" West along said East right of way line, a distance of 368.53 feet; thence run North 88° 11' 50" East, a distance of 105.33 feet; thence run South 20° 05' 13" East parallel to said East right of way line, a distance of 368.53 feet to the Point of Beginning.

Descriptions of Tract "C" and "D"

A parcel of land lying in Section 19, Township 23 South, Range 36 East, Brevard County, Florida, being more particularly described as follows:

Commence at the West Quarter corner of said Section 19, and run North along the West line of said Section 19, a distance of 489.48 feet to the Northwest corner of the PLAT OF CLEARVIEW TERRACE, as recorded in Plat Book 12, Page 46, Public Records of Brevard County, Florida, the Point of Beginning; thence continue North, along the West line, a distance of 533.17 feet to a point on the South line of PORT ST. JOHN UNIT ONE, as recorded in Plat Book 13, Page 126, of said Public Records; thence run North 75° 10' 20" East, along said South line, a distance of 505.39 feet; thence South 14° 35' 25" East, parallel with the West right of way line of U.S. Highway No. 1, a distance of 571.94 feet to a point on the North line of said PLAT OF CLEARVIEW TERRACE; thence South 80° 13' 23" West, along said North line of subdivision, a distance of 641.95 feet to the Point of Beginning.

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



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

Transaction #: **2911621**
Receipt #: **62771439**
Cashier Date: **07/08/2021 02:32:30 PM**
Cashier Branch: **Titusville - Six Story**

Print Date:
07/08/2021 02:32:35 PM

CUSTOMER INFORMATION	TRANSACTION INFORMATION		PAYMENT SUMMARY	
HOMEIN PROJECT ADMINISTRATION LLC 3737 N COCOA HWY STE B COCOA, FL 32926	Date Received:	07/08/2021	Total Fees	\$52.50
	Source Code:	Titusville - Six Story	Total Payments	\$52.50
	Return Code:	Hand Carried	Balance Due:	\$0.00
	Trans Type:	Recording		

1 Payments

CHECK #1109	\$52.50
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1 Recorded Items

AGREEMENT	BK/PG: 9183/695 CFN: 2021177033 Date: 07/08/2021 02:32:30 PM
From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	6 \$52.50

1 Miscellaneous Items

AGENT TRANSMITTAL

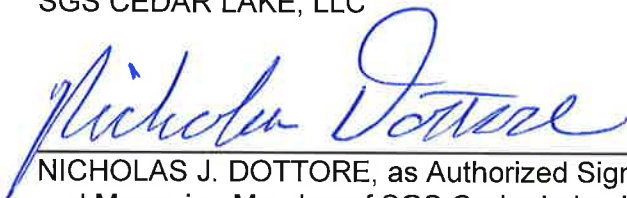
AFFIDAVIT OF NO MORTGAGE

Nicholas J. Dottore, as Authorized Signatory and Managing Member of SGS Cedar Lake, LLC, a Florida Limited Liability Company, after being duly sworn, deposes and says:

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

Dated June 17, 2021

SGS CEDAR LAKE, LLC



NICHOLAS J. DOTTORE, as Authorized Signatory
and Managing Member of SGS Cedar Lake, LLC
831 NE 20th Avenue
Fort Lauderdale, FL 33304

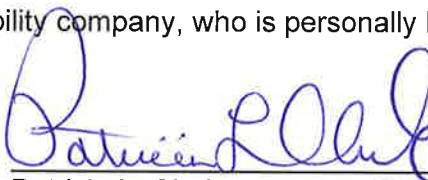
STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence, on June 17, 2021, by Nicholas J. Dottore, duly Authorized Signatory and Managing Member of SGS Cedar Lake, LLC, a Florida limited liability company, who is personally known to me.



Patricia L. Clark
Comm. #GG363212
Expires: October 1, 2023
Bonded Thru Aaron Notary



Patricia L. Clark – Florida Notary Public
My Comm. Expires: 10/1/2023

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Commence at the Southeast corner of Government Lot 1, said point also being the Point of Beginning of the herein described parcel; from said point run South 89° 41' 21" West along the South line of Government Lot 1 to the East right of way of the Florida East Coast Railroad (a 100 foot right of way), a distance of 1286.68 feet; thence North 18° 32' 20" West along said East right of way to the South line of Delespine Grant, a distance of 666.48 feet; thence run North 75° 10' 20" East along said South line of Delespine Grant, a distance of 1549.31 feet; thence run South 0° 03' 29" East along land described in Deed Book 440, Page 584 and Clearview Terrace Subdivision, as recorded in Plat Book 12, Page 46, of the Public Records of Brevard County, Florida, a distance of 1021.91 feet to the Point of Beginning.

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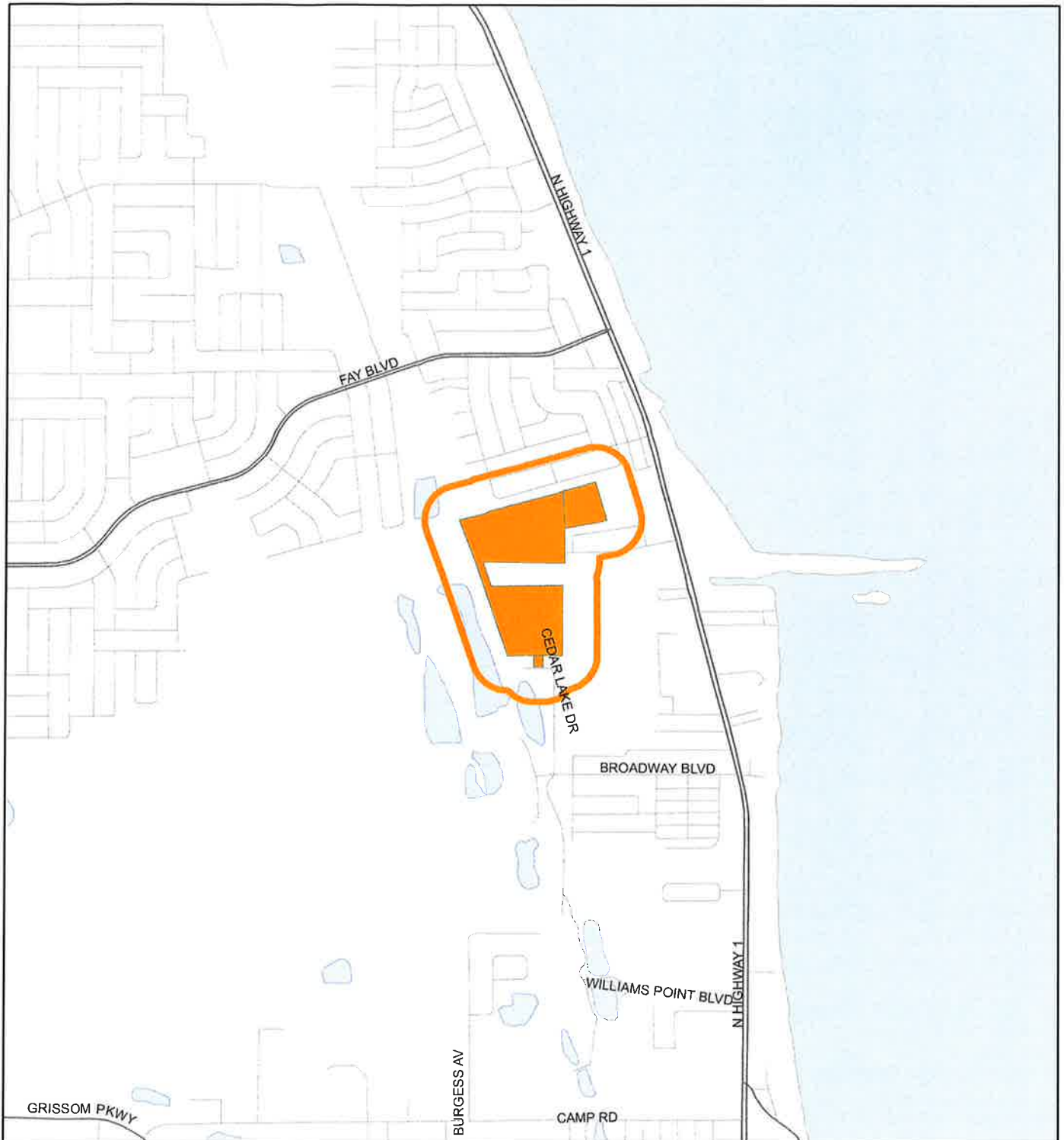
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LOCATION MAP

5971 CEDAR LAKE DRIVE REVOCABLE LAND TRUST and U.S. HIGHWAY NO. 1 COMMERCIAL LAND TRUST
20Z00036



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

Buffer Distance: 500 feet

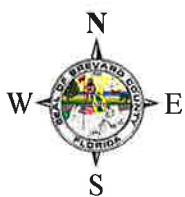
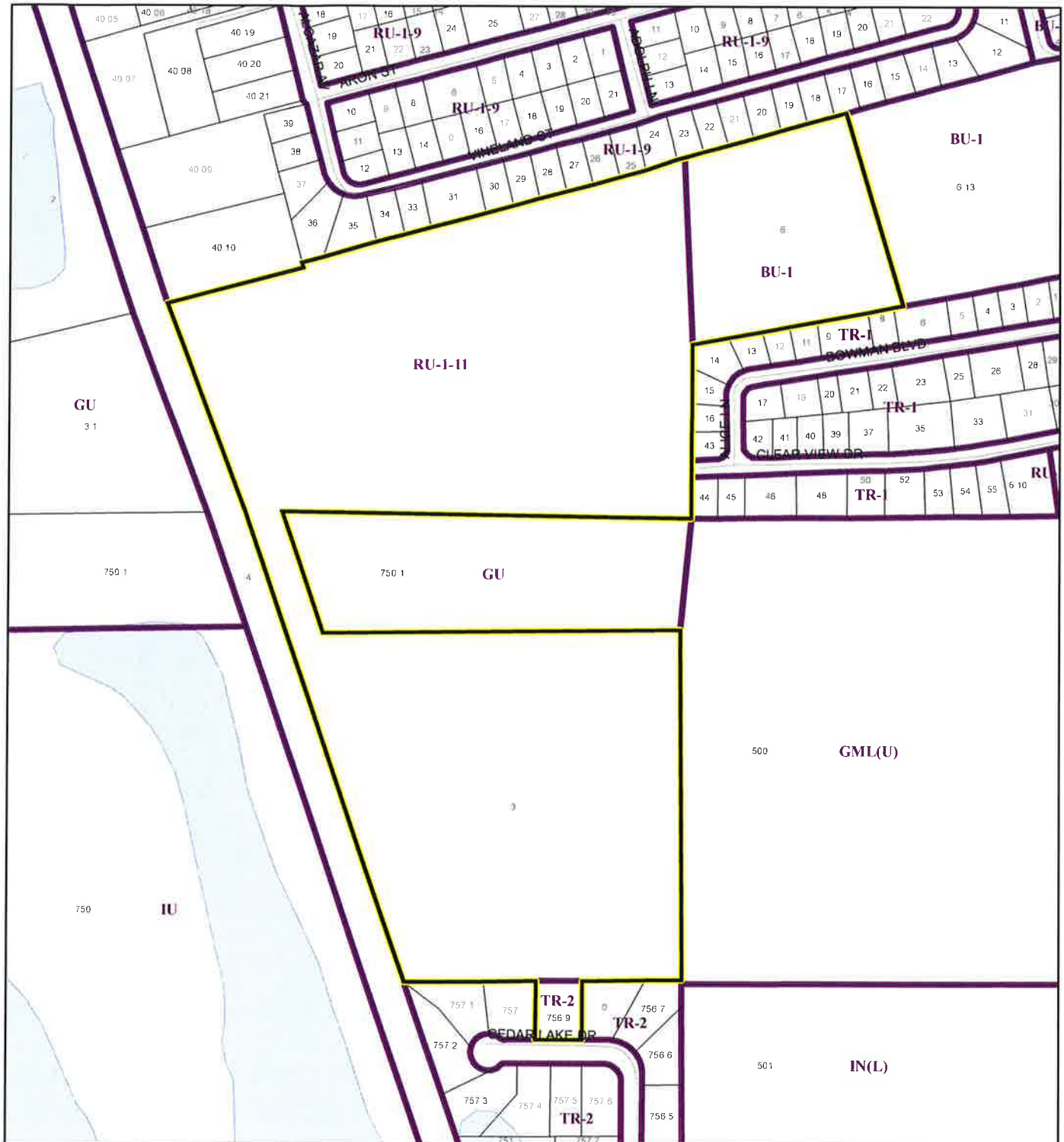
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/9/2020

— Buffer
— Subject Property

ZONING MAP

5971 CEDAR LAKE DRIVE REVOCABLE LAND TRUST and U.S. HIGHWAY NO. 1 COMMERCIAL LAND TRUST
20Z00036



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: 11/10/2020

Subject Property

Parcels

Zoning

Resolution 20Z00036

On motion by Commissioner Smith, seconded by Commissioner Lober, the following resolution was adopted by a unanimous vote:

WHEREAS, 5971 Cedar Lake Drive Revocable Land Trust and U.S. Highway No. 1 Commercial Land Trust (n/k/a SGS Cedar Lake, LLC) has requested a change of zoning classification from RU-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial) with a BDP (Binding Development Plan) to TR-1 (Single-Family Mobile Home) with a BDP limited to 150 units, on property described as Tax Parcels 3 and 756.9, as recorded in ORB 7094, Pages 828 – 830, of the Public Records of Brevard County, Florida. **Section 24, Township 23, Range 35;** and Lot 6, Block 02, as recorded in ORB 8248, Pages 1966 – 1968, of the Public Records of Brevard County, Florida. **Section 19, Township 23, Range 36.** (58.04 +/- acres) Located on the north side of Cedar Lake Dr., approx. 0.31 mile north of Broadway Blvd.; and also located at the west end of Clearview Dr. (No assigned address. In the Cocoa area.).

WHEREAS, a public hearing of the Port Saint John Dependent Special District Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Port Saint John Dependent Special District Board recommended that the application be denied; and

WHEREAS, a public hearing of the 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 with the additional BDP condition that the development be required to connect to sewer.

WHEREAS, the Board, after considering said application and Port Saint John Dependent Special District Board's and the Planning and Zoning Board's recommendations, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be approved with a BDP including the following conditions: Developer/Owner shall provide a 6-foot high opaque fence on the Property adjacent to any residentially zoned property; Developer/Owner shall limit density to a total of 150 units on the Property; vehicular access to Vineland Street from the Property is prohibited; Developer/Owner will not utilize septic tanks for homes developed on the Property; Developer/Owner will provide a 15-foot perimeter buffer tract along all property boundaries which shall be platted as a common tract, separate from individual lots; Developer/Owner shall limit access to Cedar Lake Drive to an emergency access for the benefit of Brevard County with a locked gate, if such emergency is required by Brevard County or due to any existing easement encumbering the Property; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested a change of zoning classification from RU-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial) with a BDP (Binding Development Plan) to TR-1 (Single-Family Mobile Home) with a BDP limited to 150 units, be approved, with a BDP recorded in ORB 9183, Pages 695 - 700, dated 07/08/21, including the following conditions: Developer/Owner shall provide a 6-foot high opaque fence on the Property adjacent to any residentially zoned property; Developer/Owner shall limit density to a total of 150 units on the Property; vehicular access to Vineland Street from the Property is prohibited; Developer/Owner will not utilize septic tanks for homes developed on the Property; Developer/Owner will provide a 15-foot perimeter buffer tract along all property boundaries which shall be platted as a common tract, separate from individual lots; Developer/Owner shall limit access to Cedar Lake Drive to an emergency access for the benefit of Brevard County with a locked gate, if such emergency is required by Brevard County or due to any existing easement encumbering the Property. The Planning and

Development Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of July 8, 2021.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



Rita Pritchett, Chair
Brevard County Commission
As approved by the Board on July 6, 2021.

ATTEST:



RACHEL M. SADOFF, CLERK

(SEAL)

Port St. John Dependent Special District Board Hearing - March 3, 2021
Planning and Zoning Board Hearing – March 8, 2021
Board of County Commissioners Hearing - March 23, 2021

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one 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.**

H. PUBLIC HEARINGS

Port St. John Dependent Special District Board
Wednesday, March 3, 2021, at 6:00 p.m.
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera

And

Local Planning Agency
Monday, March 8, at 3:00 p.m.
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera

And

Brevard County Board of County Commissioners
Thursday, March 23, 2021, at 9:00 a.m.
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

1. **5971 Cedar Lake Drive Revocable Land Trust and U.S. Highway No. 1 Commercial Land Trust** (Kim Rezanka) requests a change of zoning classification from RU-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial) with a BDP (Binding Development Plan) to TR-1 (Single-Family Mobile Home) with a BDP limited to 200 units. The property is 58.04 +/- acres, located on the north side of Cedar Lake Dr., approx. 0.31 mile north of Broadway Blvd.; also located at the west end of Clearview Dr. (No assigned address. In the Cocoa area.) (20Z00036) (Tax Accounts 2310971, 2310861, and 2316173) (District 1)

Port St. John Board Recommendation: Rupe/Porter-Hyde - Denied. The vote was unanimous.

Local Planning Agency Recommendation: Filiberto-Buchanan - Approved with a BDP, as revised limited to 150 units, and with the additional stipulation that the project be connected to sewer. The vote passed unanimously.

Board of County Commissioners Action of 03/23/21: Smith/Lober - Approved with a BDP as submitted 03/22/21 with the following conditions: Developer/Owner shall provide a 6-foot high opaque fence on the Property adjacent to any residentially zoned property; Developer/Owner shall limit density to a total of 150 units on the Property and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations; vehicular access to Vineland Street from the Property is prohibited; Developer/Owner will not utilize septic tanks for homes developed on the Property; Developer/Owner will provide a 15-foot perimeter buffer tract along all property boundaries which shall be platted as a common tract, separate from individual lots; Developer/Owner shall limit access to Cedar Lake Drive to an emergency access for the benefit of Brevard County, with a locked gate, if required by Brevard County or due to any existing easement encumbering the Property. The BDP will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.



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March 24, 2021

MEMORANDUM

TO: Tad Calkins, Planning and Development Director

RE: Item H.2., 5971 Cedar Lake Drive Revocable Land Trust and U.S. Highway No. 1 Commercial Land Trust (Kim Rezanka) Requests a Change of Classification from RU-1-11, TR-2, and BU-1, with a Binding Development Plan (BDP), to TR-1 with a BDP Limited to 150 Units (20Z00036) (Tax Accounts 2310971, 2310861, and 2316173)

The Board of County Commissioners, in regular session on March 23, 2021, conducted the public hearing and approved changing the zoning classification from RU-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial) with a BDP, to TR-1 (Single-Family Mobile Home) limited to 150 units, and with a revised BDP submitted on March 22, 2021.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board

/ds