



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.1.

12/2/2025

Subject:

Acceptance, RE: Binding Development Plan with Cobblestone II RVG LLC (23Z00038) (District 3)

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 approve and authorize the Chairman to 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 days of the Board's approval of the zoning request. Following staff and legal review, the BDP is presented to the Board in recordable form as a Consent Agenda item to finalize the zoning action.

On September 04, 2025, the Board approved a change of zoning classification from TR-3 and RU-1-9 to all TR-3 with a BDP limiting the amount of mobile home units existing on the subject property to 173 units total. The attached BDP includes these stipulations.

Clerk to the Board Instructions:

Upon recordation, please return a certified copy of the BDP to Planning and Development.



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

December 3, 2025

Telephone: (321) 637-2001

Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us

MEMORANDUM

TO: Alice Randall, Zoning

RE: Item F.1., Binding Development Plan with Cobblestone II RVG LLC (23Z00038)

The Board of County Commissioners, in regular session on December 2, 2025, executed Binding Development Plan Agreement with Cobblestone II RVG LLC (23Z00038), for a parcel of being a part of Government Lots 2 and 5, Section 14, Township 30, Range 38 East, Brevard County, Florida, being more particularly described as follows: BEGINNING at the intersection of the South line of the North 786.51 feet of Government Lots 2 and 5, in Section 14, Township 30 South, Range 38 East, Brevard County, Florida, and the Westerly Right-of-Way Line of U.S. Highway No. One; thence N89°51'48"E along aforesaid South line of the North 786.51 feet a distance of 155.49 feet to a point on the Easterly Right-of-Way line of U.S. Highway No. 1; thence continue S89°29'18"E a distance of 39.0 feet more or less, to the Mean High Water Line (as located on February 7, 2022) of the Indian River; thence Southerly along the Mean High Water line of the Indian River a distance of 449.7 feet, more or less, to a point on the North line of Submerged Land Lease per Official Records Book 4215, Page 1020 of the Public Records of Brevard County, Florida; thence S61°57'36"W along said North line of Submerged Land Lease a distance of 27.80 feet, more or less, to point on the South line of the North 293.76 feet of the South 448.49 feet of aforesaid Government Lots 2 and 5 of Section 14; thence N89°33'24"W along aforesaid South line a distance of 65.34 feet to a point on said Easterly Right-of-Way Line of U.S. Highway No. 1; thence N89°33'24"W a distance of 157.90 feet to a point on the aforesaid Westerly Right-of-Way Line of U.S. Highway No. 1; thence N89°33'24"W continuing along aforesaid South Line a distance of 1,562.37 feet to a point on the West Right-of-Way Line of Florida East Coast Railroad; thence S2°13'14"E along said West Right-of-Way Line of the Florida East Coast Railroad a distance of 155.17 feet; thence N89°32'04"W a distance of 684.76 feet to the Southwest corner of Government Lot 2; thence N0°15'21"E along the West line of Government Lot 2 a distance of 1,167.02 feet; thence N89°32'41"W a distance of 301.95 feet; thence N9°14'29"W a distance of 170.00 feet to a point on the South Right-of-Way Line of Woods Trail as shown on the plat of PINE RIDGE HEIGHTS, as recorded in Plat Book 24, Page 86, of the Public Records of Brevard County, Florida; thence S89°32'41"E along aforesaid South Right-of-Line of Woods Trail and along the south line of Lot 25 a distance of 330.00 feet to the Northeast corner of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14; thence S0°15'21"W a distance of 115.00 feet; thence S89°32'49"E a distance of 586.68 feet to a point on aforesaid West Right-of-Way Line of the Florida East Coast Railroad, said point being on a circular curve being concave Westerly, having a radius of 5,679.65 feet, a central angle of 6°49'40" and a chord bearing of S6°02'44"E; thence Southerly along the arc of said curve a distance of 676.83 feet to a point on the aforesaid South line of the North 786.51 feet of Government Lots 2 and 5; thence S89°29'18"E along aforesaid South line a distance of 1,401.39 feet to the Point of Beginning, LESS AND EXCEPT: road right-of-way for U.S. Highway No. 1 (143 feet wide right-of-way). Florida East Coast Railroad (100 feet wide right-of-way). ALSO LESS AND EXCEPT the following described parcel: A parcel of land lying in Section 14, Township 30 South, Range 38 East, Brevard County, Florida being a portion of those lands described in Official Records Book 3614, Page 3232, of the Public Records of Brevard County, Florida and being more particularly described as follows: Commence at the Southwest corner of lands described in Official Records Book 5033, Page 1534 of said public records and run South 89°25'18" East along the south line of said lands and along the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 118.20 feet to the POINT OF BEGINNING of the herein described parcel: thence continue South 89°25'18" East along the south line of said lands described in Official Records Book 5033, Page 1534 and the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 112.78 feet to the intersection with the Westerly Right-of-Way line of U.S. Highway No. 1, a 143 foot wide public right-of-way as presently occupied, said Westerly Right-of-Way line being a circular curve concave to the Northeast and having for its elements a radius of 8672.41 feet, a chord of 134.62 feet and a chord direction of South 24°16'53" East; thence run Southeasterly along the said Westerly right-of-way line and along arc of said curve through a central angle of 00°53'22" an arc distance of 134.62 feet to a Point of Tangency; thence departing said Westerly Right-of-Way line run South 74°08'16" West a distance of 126.43 feet; thence North 16°25'04" West a distance of 165.00 feet to the Point of Beginning.

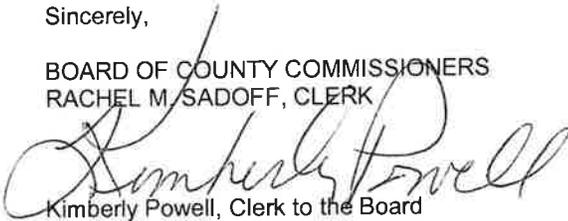
Gross Area = 1,504,084 sq.ft. = 34.529 Ac.±
Railroad Right-of-Way: 38,850 sq.ft. = 0.892 Ac.±
U.S. Road Right-of-Way: 61,713 sq.ft.= 1.417 Ac.±
Less & Except Parcel: 17,200 sq.ft. = 0.40 Ac.± Net Area:= 1,386,321 sq.ft. = 31.826 Ac.±.

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



Kimberly Powell, Clerk to the Board

/ds

Encls. (2)



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

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

December 3, 2025

MEMORANDUM

TO: Recording

RE: Item F.1., Binding Development Plan with Cobblestone II RVG LLC (23Z00038)

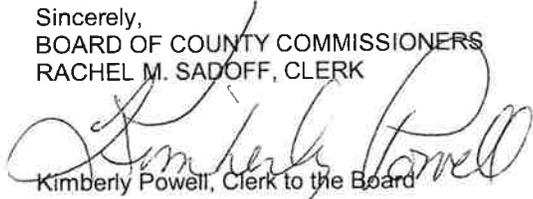
The Board of County Commissioners, in regular session on December 2, 2025, accepted and executed Binding Development Plan with Cobblestone II RVG LLC (23Z00038), for a parcel of land being a part of Government Lots 2 and 5, Section 14, Township 30, Range 38 East, Brevard County, Florida, being more particularly described as follows: BEGINNING at the intersection of the South line of the North 786.51 feet of Government Lots 2 and 5, in Section 14, Township 30 South, Range 38 East, Brevard County, Florida, and the Westerly Right-of-Way Line of U.S. Highway No. One; thence N89°51'48"E along aforesaid South line of the North 786.51 feet a distance of 155.49 feet to a point on the Easterly Right-of-Way line of U.S. Highway No. 1; thence continue S89°29'18"E a distance of 39.0 feet more or less, to the Mean High Water Line (as located on February 7, 2022) of the Indian River; thence Southerly along the Mean High Water line of the Indian River a distance of 449.7 feet, more or less, to a point on the North line of Submerged Land Lease per Official Records Book 4215, Page 1020 of the Public Records of Brevard County, Florida; thence S61°57'36"W along said North line of Submerged Land Lease a distance of 27.80 feet, more or less, to point on the South line of the North 293.76 feet of the South 448.49 feet of aforesaid Government Lots 2 and 5 of Section 14; thence N89°33'24"W along aforesaid South line a distance of 65.34 feet to a point on said Easterly Right-of-Way Line of U.S. Highway No. 1; thence N89°33'24"W a distance of 157.90 feet to a point on the aforesaid Westerly Right-of-Way Line of U.S. Highway No. 1; thence N89°33'24"W continuing along aforesaid South Line a distance of 1,562.37 feet to a point on the West Right-of-Way Line of Florida East Coast Railroad; thence S2°13'14"E along said West Right-of-Way Line of the Florida East Coast Railroad a distance of 155.17 feet; thence N89°32'04"W a distance of 684.76 feet to the Southwest corner of Government Lot 2; thence N0°15'21"E along the West line of Government Lot 2 a distance of 1,167.02 feet; thence N89°32'41"W a distance of 301.95 feet; thence N9°14'29"W a distance of 170.00 feet to a point on the South Right-of-Way Line of Woods Trail as shown on the plat of PINE RIDGE HEIGHTS, as recorded in Plat Book 24, Page 86, of the Public Records of Brevard County, Florida; thence S89°32'41"E along aforesaid South Right-of-Line of Woods Trail and along the south line of Lot 25 a distance of 330.00 feet to the Northeast corner of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14; thence S0°15'21"W a distance of 115.00 feet; thence S89°32'49"E a distance of 586.68 feet to a point on aforesaid West Right-of-Way Line of the Florida East Coast Railroad, said point being on a circular curve being concave Westerly, having a radius of 5,679.65 feet, a central angle of 6°49'40" and a chord bearing of S6°02'44"E; thence Southerly along the arc of said curve a distance of 676.83 feet to a point on the aforesaid South line of the North 786.51 feet of Government Lots 2 and 5; thence S89°29'18"E along aforesaid South line a distance of 1,401.39 feet to the Point of Beginning, LESS AND EXCEPT: road right-of-way for U.S. Highway No. 1 (143 feet wide right-of-way). Florida East Coast Railroad (100 feet wide right-of-way). ALSO LESS AND EXCEPT the following described parcel: A parcel of land lying in Section 14, Township 30 South, Range 38 East, Brevard County, Florida being a portion of those lands described in Official Records Book 3614, Page 3232, of the Public Records of Brevard County, Florida and being more particularly described as follows: Commence at the Southwest corner of lands described in Official Records Book 5033, Page 1534 of said public records and run South 89°25'18" East along the south line of said lands and along the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 118.20 feet to the POINT OF BEGINNING of the herein described parcel: thence continue South 89°25'18" East along the south line of said lands described in Official Records Book 5033, Page 1534 and the north line of said lands described in Official Records Book 3614, Page 3232, a distance of 112.78 feet to the intersection with the Westerly Right-of-Way line of U.S. Highway No. 1, a 143 foot wide public right-of-way as presently occupied, said Westerly Right-of-Way line being a circular curve concave to the Northeast and having for its elements a radius of 8672.41 feet, a chord of 134.62 feet and a chord direction of South 24°16'53" East; thence run Southeasterly along the said Westerly right-of-way line and along arc of said curve through a central angle of 00°53'22" an arc distance of 34.62 feet to a Point of Tangency; thence departing said Westerly Right-of-Way line run South 74°08'16" West a distance of 126.43 feet; thence North 16°25'04" West a distance of 165.00 feet to the Point of Beginning.

Gross Area = 1,504,084 sq.ft. = 34.529 Ac.±
Railroad Right-of-Way: 38,850 sq.ft. = 0.892 Ac.±
U.S. Road Right-of-Way: 61,713 sq.ft.= 1.417 Ac.±
Less & Except Parcel: 17,200 sq.ft. = 0.40 Ac.± Net Area:= 1,386,321 sq.ft. = 31.826 Ac.±. Enclosed are original
Binding Development Plan Agreement and Check No. 034423 for \$78.00.

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



Kimberly Powell, Clerk to the Board

/ds

Encls. (2)

Prepared by: D. Scott Baker, Esq.
Address: Zimmerman, Kiser & Sutcliffe, P.A.
315 E. Robinson Street, Suite 600
Orlando, Florida 32801

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 2nd day of December, 2025 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and COBBLESTONE II RVG LLC, a Delaware limited liability company (hereinafter referred to as "Developer/Owner").

RECITALS

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

WHEREAS, Developer/Owner has requested the TR-3 zoning classification and desires to operate the Property as a mobile home park, and pursuant to the Brevard County Code, Section 62-1157; and

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

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

NOW, THEREFORE, the parties agree as follows:

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

Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

3. The Developer/Owner shall limit the amount of mobile home units existing on the Property to 173 units total.
4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.
5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.
6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on Dec. 2, 2025 in the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.
7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.
8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7 above

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

[SIGNATURE PAGES TO FOLLOW]

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

ATTEST:

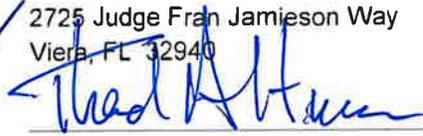


Rachel M. Sadoff, Clerk of Court
(SEAL)

Rachel M. Sadoff, Clerk of Court
(SEAL)

**BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA**

2725 Judge Fran Jamieson Way
Viera, FL 32940



Thad Altman, Chair

As approved by the Board on

DEC 02 2025

Rachel M. Sadoff, Clerk of Court
(SEAL)

Rachel M. Sadoff, Clerk of Court
(SEAL)

[SIGNATURES CONTINUE ON NEXT PAGE]

COBBLESTONE II RVG LLC, a Delaware limited liability company
7W220 22nd Street, Suite 220
Oakbrook Terrace, IL 60181

WITNESSES:

Witness 1:

[Signature]
Signature

Andrew T. McCarthy
Witness Name

17W220 22nd St., Suite 220, Oakbrook Terrace
Mailing Address
IL, 60181

By: [Signature]
Name: Erik D. Hagen
Title: Authorized Signatory

Witness 2:

[Signature]
Signature

Carrie Aigner
Witness Name

17W220 22nd St., Ste 220 Oakbrook Terrace IL 60181
Mailing Address

STATE OF Illinois §

COUNTY OF DuPage §

The foregoing instrument was acknowledged before me, by means of physical presence or _____ online notarization, this 20th day of August, 2025, by Erik D. Hagen, as Authorized Signatory of COBBLESTONE II RVG LLC, a Delaware limited liability company, who is personally known to me or who has produced driver license as identification.

My commission expires
SEAL
Commission No.:

[Signature]
Notary Public

(Name typed, printed or stamped)



Exhibit "A"
Legal Description

OVERALL DESCRIPTION:

A parcel of land being a part of Government Lots 2 and 5, Section 14, Township 30, Range 38 East, Brevard County, Florida, being more particularly described as follows:

BEGINNING at the intersection of the South line of the North 786.51 feet of Government Lots 2 and 5, in Section 14, Township 30 South, Range 38 East, Brevard County, Florida, and the Westerly Right-of-Way Line of U.S. Highway No. One; thence N89°51'48"E along aforesaid South line of the North 786.51 feet a distance of 155.49 feet to a point on the Easterly Right-of-Way line of U.S. Highway No. 1; thence continue S89°29'18"E a distance of 39.0 feet more or less, to the Mean High Water Line (as located on February 7, 2022) of the Indian River; thence Southerly along the Mean High Water line of the Indian River a distance of 449.7 feet, more or less, to a point on the North line of Submerged Land Lease per Official Records Book 4215, Page 1020 of the Public Records of Brevard County, Florida; thence S61°57'36"W along said North line of Submerged Land Lease a distance of 27.80 feet, more or less, to point on the South line of the North 293.76 feet of the South 448.49 feet of aforesaid Government Lots 2 and 5 of Section 14; thence N89°33'24"W along aforesaid South line a distance of 65.34 feet to a point on said Easterly Right-of-Way Line of U.S. Highway No. 1; thence N89°33'24"W a distance of 157.90 feet to a point on the aforesaid Westerly Right-of-Way Line of U.S. Highway No. 1; thence N89°33'24"W continuing along aforesaid South Line a distance of 1,562.37 feet to a point on the West Right-of-Way Line of Florida East Coast Railroad; thence S2°13'14"E along said West Right-of-Way Line of the Florida East Coast Railroad a distance of 155.17 feet; thence N89°32'04"W a distance of 684.76 feet to the Southwest corner of Government Lot 2; thence N0°15'21"E along the West line of Government Lot 2 a distance of 1,167.02 feet; thence N89°32'41"W a distance of 301.95 feet; thence N9°14'29"W a distance of 170.00 feet to a point on the South Right-of-Way Line of Woods Trail as shown on the plat of PINERIDGE HEIGHTS, as recorded in Plat Book 24, Page 86, of the Public Records of Brevard County, Florida; thence S89°32'41"E along aforesaid South Right-of-Line of Woods Trail and along the south line of Lot 25 a distance of 330.00 feet to the Northeast corner of the North 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 14; thence S0°15'21"W a distance of 115.00 feet; thence S89°32'49"E a distance of 586.68 feet to a point on aforesaid West Right-of-Way Line of the Florida East Coast Railroad, said point being on a circular curve being concave Westerly, having a radius of 5,679.65 feet, a central angle of 6°49'40" and a chord bearing of S6°02'44"E; thence Southerly along the arc of said curve a distance of 676.83 feet to a point on the aforesaid South line of the North 786.51 feet of Government Lots 2 and 5; thence S89°29'18"E along aforesaid South line a distance of 1,401.39 feet to the Point of Beginning, **LESS AND EXCEPT:** road right-of-way for U.S. Highway No. 1 (143 feet wide right-of-way). Florida East Coast Railroad (100 feet wide right-of-way).

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Less & Except Parcel: 17,200 sq.ft. = 0.40 Ac.±
Net Area:= 1,386,321 sq.ft. = 31.826 Ac.±

JOINER IN BINDING DEVELOPMENT PLAN BY NOTEHOLDER

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **COMPUTERSHARE TRUST COMPANY, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE REGISTERED HOLDERS OF BANK5 2024-5YR11, COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2024-5YR11 AND THE VRR INTEREST OWNERS, AND IN ITS CAPACITY AS “LEAD SECURITIZATION NOTE HOLDER”** (“Noteholder”), whose Special Service is Midland Loan Services, a division of PNC Bank, National Association (“Midland”), is the owner and holder of that certain Multi-State Mortgage, Assignment of Leases and Rents and Security Agreement dated September 19, 2024, given by **COBBLESTONE II BMB LLC, COBBLESTONE II CLW LLC, COBBLESTONE II ELW LLC, COBBLESTONE II OGR LLC, COBBLESTONE II RGC LLC, COBBLESTONE II SBR LLC, COBBLESTONE II SND LLC, COBBLESTONE II WLF LLC, COBBLESTONE II ZPR LLC, COBBLESTONE II LKR LLC, COBBLESTONE II RVG LLC, COBBLESTONE II LRV LLC, COBBLESTONE II DPR LLC, COBBLESTONE II ISK LLC, COBBLESTONE II LQR LLC, COBBLESTONE II QRV LLC, COBBLESTONE II STV LLC, COBBLESTONE II OLH LLC, COBBLESTONE II RPM LLC, COBBLESTONE II LEX LLC, and COBBLESTONE II LEX A LLC**, collectively as mortgagor, in favor of **MORGAN STANLEY BANK, N.A.**, as mortgagee, recorded in Official Records Book 10163, Page 2857, of the Public Records of Brevard County, Florida (the “*Mortgage*”), as assigned to **MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS LLC**, a New York limited liability company pursuant to that Assignment of Multi-State Mortgage, Assignment of Leases and Rents and Security Agreement, effective as of November 20, 2024 recorded on April 17, 2025, in Official Records Book 10313, Page 1050, of the Public Records of Brevard County, Florida, and further assigned to Noteholder pursuant to that certain Assignment of Multi-State Mortgage, Assignment of Leases and Rents and Security Agreement, effective as of November 20, 2024, recorded on April 17, 2025, in Official Records Book 10313, Page 1063, of the Public Records of Brevard County, Florida and encumbering lands described in said Mortgage, does hereby join and consent to the foregoing Binding Development Plan for the sole purpose of consenting to the restrictions on density and development requirements as set forth therein.

[SIGNATURE PAGE OF NOTEHOLDER ON NEXT PAGE]

SIGNATURE PAGE TO JOINDER IN BINDING DEVELOPMENT PLAN BY NOTEHOLDER

WITNESSES:

Virginia L. Umscheid
Signature of Witness
Virginia L. Umscheid

Printed Name
10851 Mastin/Overland Park, KS 66210

Mailing Address

Quincy Hendricks
Signature of Witness
Quincy Hendricks
Printed Name

10851 Mastin/Overland Park, KS 66210

Mailing Address

COMPUTERSHARE TRUST COMPANY, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE REGISTERED HOLDERS OF BANK5 2024-5YR11, COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2024-5YR11 AND THE VRR INTEREST OWNERS, AND IN ITS CAPACITY AS "LEAD SECURITIZATION NOTE HOLDER"

By: Midland Loan Services, a division of PNC Bank, National Association, its Special Servicer

Andrea S. Helm
By: **Andrea S. Helm**
Name: **Andrea S. Helm**
Title: **Senior Vice President**

STATE OF KANSAS
COUNTY OF JOHNSON

On this ²⁹ day of Oct, 2025, before me, a Notary Public in and for the State of Kansas, personally appeared Andrea S. Helm, SVP, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged that he is the Senior Vice President and Servicing Officer of Midland Loan Services, a division of PNC Bank, National Association to be the free and voluntary act and deed of said company for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

(seal)

Jill P. Schramp
Jill P. Schramp

(Print Name)

NOTARY PUBLIC in and for the State of Kansas.

My appointment expires 5-3-28



Resolution 23Z00038

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

WHEREAS, Cobblestone II RVG LLC (D. Scott Baker) requests a zoning classification change from TR-3 (Mobile Home Park), BU-1 (General Retail Commercial), and RU-1-9 (Single-Family Residential) to all TR-3 (Mobile Home Park) with a BDP, on property described as Tax Parcels 261 and 283, as recorded in OR Book 9484, Page(s) 2839 to 2843 of the Public Records of Brevard County, Florida. **Section 14, Township 30, Range 38.** (28.2 acres) Located on the west side of Highway 1, approximately 368.5 feet south of Garretts Rd. (8440 Highway 1, Micco); 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 with a BDP; 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 TR-3, BU-1 and RU-1-9 to all TR-3 with a BDP limiting density to six (6) units per acre, be approved, recorded on December 04, 2025, in ORB 10494, Pages 2833 – 2841. 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 December 04, 2025.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

Thad Altman
Thad Altman, Chairman
Brevard County Commission
As approved by the Board on December 02, 2025.

ATTEST:



RACHEL M. SADOFF, CLERK

(SEAL)



P&Z Board Hearing – August 18, 2025

BOCC Hearing – September 04, 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.

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 #: 3993751
 Receipt #: 63765894
 Cashier Date: 12/04/2025 11:02:21 AM
 Cashier Branch: Titusville - Six Story

Print Date:
 12/04/2025 11:02:28 AM

CUSTOMER INFORMATION	TRANSACTION INFORMATION		PAYMENT SUMMARY	
ZIMMERMAN KISER & SUTCLIFFE PA 315 E ROBINSON ST ORLANDO, FL 32802	Date Received:	12/04/2025	Total Fees	\$78.00
	Source Code:	Titusville - Six Story	Total Payments	\$78.00
	Return Code:	Hand Carried	Balance Due:	\$0.00
	Trans Type:	Recording		

1 Payments	
CHECK #034423	\$78.00

1 Recorded Items	
AGREEMENT	BK/PG: 10494/2833 CFN: 2025242492 Date: 12/04/2025 11:02:21 AM
From: Tα	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	9 \$78.00

1 Miscellaneous Items	
AGENT TRANSMITTAL	

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, August 18, 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); Debbie Thomas (D4); Greg Nicklas (D3); Ron Bartcher (D2); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Robert Brothers (D5); Melissa Jackson (D5) and Eric Michajlowicz (3).

Staff members present were Trina Gilliam, Zoning Manager; Paul Body, Planner; Alex Esseesse, Deputy County Attorney; and Jordan Sagosz, Operations Support Specialist.

Excerpt of complete agenda

Item H.3. Cobblestone II RVG LLC (D. Scott Baker) requests a Small-Scale Comprehensive Plan Amendment (25S.12) to change the Future Land Use Map (FLUM) designation from RES-1, RES-2, CC, and NC to RES-6. (23SS00006) (Tax Account 3006458, 3010260) (District 3)

Item H.4. Cobblestone II RVG LLC (D. Scott Baker) requests a zoning classification change from TR-3, BU-1, and RU-1-9 to all TR-3 with a BDP. (23Z00038) (Tax Account 3006458, 3010260) (District 3)

Trina Gilliam read both item H.3. and H.4. into the record as they are companion applications but will need separate recommendations.

Scott Baker spoke to the applications. He stated he wanted to be clear at the outset that there's no new development proposed. There's no changes at all proposed. What happened is my client purchased a property about two years ago. The lender looked carefully at the zoning situation and realized there was some inconsistency between the zoning and the future land use. So, the future land use today would not allow this park. The park has been there probably since the late 60s maybe early 70s. It's developed at a relatively high density at six units per acre. So, it's an existing non-conforming use. We'd like to make the zoning and the land use consistent. We're also proposing to do a binding development plan to cap the unit count where it is today. So, nothing new is planned. And the reason we do that is it helps out with: 1) making the lender happy when they see that there's no inconsistencies, and 2) is if we want to do any kind of improvements to the property, not add units, but perhaps do a rec center or do some kind of amenity or something, we're non-conforming as we sit here today, and it puts us in a situation where we must go through a lot of additional steps at the county to get approval. There's also a small little house up on US-1 that we'd like to use and it's zoned RU-1. So, we can't use that as an office unless the whole thing is zoned TR-3, which allows mobile home parks. So, if any residents are here, I want them to be assured nothing's changing out there. We just need to make it legally consistent and have a unified zoning and land use approach.

Public Comment

David Fields stated he has about a hundred questions. What are they wanting to do is my first question.

Mr. Wadsworth responded with we don't know that information. You're either for the rezoning or against. We're just the planning and zoning.

Mr. Fields stated I understand that and that's what I can't find out from the notice that was posted is what are they wanting to do? What's the rezoning that they want to do? That's my question which I can't get answered from the post or from anybody else. And then I also have comments for whomever is in charge after the meeting about again the information on the post. I've been to three different buildings, and this can be on the record. I have no problem with that. I've been to three different buildings, and nobody exactly knew until I got to the last one which was over in building A and it's the planning and development. At least that lady knew where I needed to be in which building. But I still didn't get what room I needed to be in until I talked to the information lady out front. The complaint is your rezoning notice doesn't have any of that information on it. It just said this address which covers this whole facility ABC, and I don't know how many buildings you got. The other thing is on the rezoning notice, it doesn't tell me what they want to do, what zoning they're changing, what zoning they want to improve, any of that. And I can't find that out. And I've tried to ask people and nobody can tell me. Not blaming you guys. I'm just saying as far as the notice goes. I don't know if I'm against it or for it because I can't find out what they're doing. So, if that makes any sense to you, because hopefully you guys know what kind of rezoning they're wanting to do if you're here for a yay or nay vote. So, right now my vote is I abstain, but I would like to find out well what it is they're wanting to do.

Mr. Wadsworth stated we don't know that ourselves neither. We just know the zoning changes.

Mr. Fields asked then how can you approve or disapprove if you don't know what they're doing?

Mr. Wadsworth responded because if it's compatible with surrounding properties, etc., etc., we can go on forever.

Mr. Fields asked is it compatible? You don't know that either. Correct.

Mr. Wadsworth responded we do know that.

Mr. Fields continued but you don't know what it is they want to do. You just know it's compatible with other properties.

Mr. Esseesse reminded the Chair that you don't have to go back and forth with members of the public. They're allowed to ask questions, but it's up to the discretion of the board if they want to engage in dialogue. I'm sure there's staff in the back that can assist you with explaining what the request is for, sir.

Mr. Fields responded okay. Great. I don't have a problem with that either. I can even step outside. I just I'm here today to find out what the heck they're wanting to do, because I live there.

Mr. Esseesse commented just a suggestion if I may. If we want to wait for those two individuals to have a chance to speak with staff, then maybe they could come back and either say for or against or at least have a better understanding of what the request is for. It's up to you and the board. But that would be my recommendation.

Mr. Wadsworth stated items 3 and 4 we'll just scoot over to the side until you all have your time and we're going to go to item H5 and H6.

Mr. Atkins stated it seems like the applicant kind of gave a rundown of what they were looking to do. Is he allowed to join them out there and give them a brief explanation of what he said prior to that gentleman walking in the back door? That might streamline things a little bit.

Mr. Wadsworth replied that would be up to him.

Mr. Brothers stated he thought the applicant was very concise and straightforward in what you were planning.

Items H.3. and H.4. will be continued after items H.5. and H.6.

Item H.3. Cobblestone II RVG LLC (D. Scott Baker) requests a Small-Scale Comprehensive Plan Amendment (25S.12) to change the Future Land Use Map (FLUM) designation from RES-1, RES-2, CC, and NC to RES-6. (23SS00006) (Tax Account 3006458, 3010260) (District 3)

Item H.4. Cobblestone II RVG LLC (D. Scott Baker) requests a zoning classification change from TR-3, BU-1, and RU-1-9 to all TR-3 with a BDP. (23Z00038) (Tax Account 3006458, 3010260) (District 3)

Trina Gilliam read both item H.3. and H.4. into the record as they are companion applications but will need separate recommendations.

Scott Baker spoke to the application and stated he only spoke with one lady outside. There was another group talking to your staff. I think I addressed her questions. She's right over there. What we're doing, nothing. That's kind of the simple answer. Just changing zoning and land use to make everything consistent with each other.

Mr. Minneboo commented you're just changing words.

Mr. Baker responded Yes. And colors on your map.

No Public Comment

Mr. Hopengarten commented I don't have a copy of the existing BDP.

Mr. Baker responded there is no existing BDP. We're going to enter into one as a condition to have board approval. BOCC approval.

Mr. Hopengarten asked do you have a proposed.

Mr. Baker responded yes. It was provided to me by your staff, and we have no issue with the form.

Mr. Hopengarten commented they gave it to you and you have to agree to it and then you'll give it back.

Mr. Baker responded yes, I've submitted it to our client for signature.

Ms. Gilliam commented I've given them a template and they need to add the information in the template, but basically what they're proposing is to limit the unit count to the existing already there,

which is I think 173 units. They don't want to add anymore. What's going to be in the BDP is just to limit what's there.

Mr. Hopengarten stated I made a count on the aerial, and I come up with 178 units. Maybe I miscounted.

Mr. Baker stated he thinks it is 178, it's six units per acre, though. I can tell you that.

Mr. Hopengarten continued if the BDP states 173, you're going to have to get rid of five units.

Mr. Baker replied I just don't have that BDP in front of me. I know the form is approved and we didn't even put a unit count in there. I think we put we can never exceed six units per acre which is what we have today. But I'm happy to add a total unit.

Mr. Hopengarten replied no, because the staff said that they had stipulated 173 units and there are currently 178 on that site. So don't get tied up with 173 if that's on the BDP because it'll hold you back. You see what I'm saying?

Mr. Baker responded sure. And thank you for pointing that out.

Motion to recommend approval of Item H.3. Debbie Thomas, seconded by Erica Orriss. Motion passed unanimously.

Motion to recommend approval of Item H.4. with a BDP capping to the existing units, by Debbie Thomas, seconded by Erica Orriss. Motion passed unanimously.

Meeting adjourned at 4:18 p.m.



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

September 5, 2025

MEMORANDUM

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

RE: Board Actions on Planning and Zoning Board Recommendations

The Board of County Commissioners, in regular session on September 4, 2025, took action on Planning and Zoning Board Recommendations.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


for: Kimberly Powell, Clerk to the Board

Encl. (1)

cc: Alice Randall, Zoning
County Attorney

PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. **5125 South LLC.** Delaney/Adkinson, with Goodson absent. Continued the request for a CUP for alcoholic beverages for on premises consumption accessory to a bar and game gall in Suite #3, in a BU-1 Zoning Classification to October 2, 2025, Zoning Meeting. (25Z00021)
- Item H.2. **NDW Consultants LLC.** Withdrawn by the applicant. Email received September 4, 2025. (24Z00008)
- Item H.3. **Cobbelstone II RVG LLC.** Adkinson/Delaney, with Goodson absent. Adopted Ordinance No. 25-16, setting forth the twelfth Small Scale Comprehensive Plan Amendment of 2025, (25S.12), to change the Future Land Use (FLU) designation from RES-1, RES-2, CC, and NC to RES-6. (23SS00006)
- Item H.4. **Cobbelstone II RVG LLC.** Adkinson/Delaney, with Goodson absent. Approved the request for a change of zoning classification from TR-3 and RU-1-9 to all TR-3, with a BDP. (23Z00038)
- Item H.5. **City Pointe Landfall LLC.** Delaney/Altman, with Goodson absent. Continued the request for a Small Scale Comprehensive Plan Amendment (24S.11) to change the Future Land Designation from RES-1, RES-2, RES-4, and NC to CC and RES-4 to October 2, 2025, Zoning Meeting. (24SS00009)
- Item H.6. **City Pointe Landfall LLC.** Delaney/Adknsn, with Goodson absent. Continued the request for a change in zoning classification from EU and RP with an existing BDP to PUD with the removal of existing BDP to October 2, 2025, Zoning Meeting. (24PUD00003)
- Item H.7. **Still Florida Properties LLC.** Delaney/Adkinson, with Goodson absent. Adopted Ordinance No. 25-17, setting forth the eleventh Small Scale Plan Amendment of 2025, (25S.11), to change the Future Land Use (FLU) designation from NC and RES 2 to CC. (25SS00006)
- Item H.8. **Still Florida Properties LLC.** Delaney/Adkinson, with Goodson absent. Approved the request for a change of zoning classification from AU to BU-1. (25Z00019)
- Item H.9. **Thomas Daughtery.** Delaney/Adkinson, with Goodson absent. Approved the request for a change of zoning classification from GU to RU-1-7. (25Z00007)

LOCATION MAP

COBBLESTONE II RVG LLC

23Z00038



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.

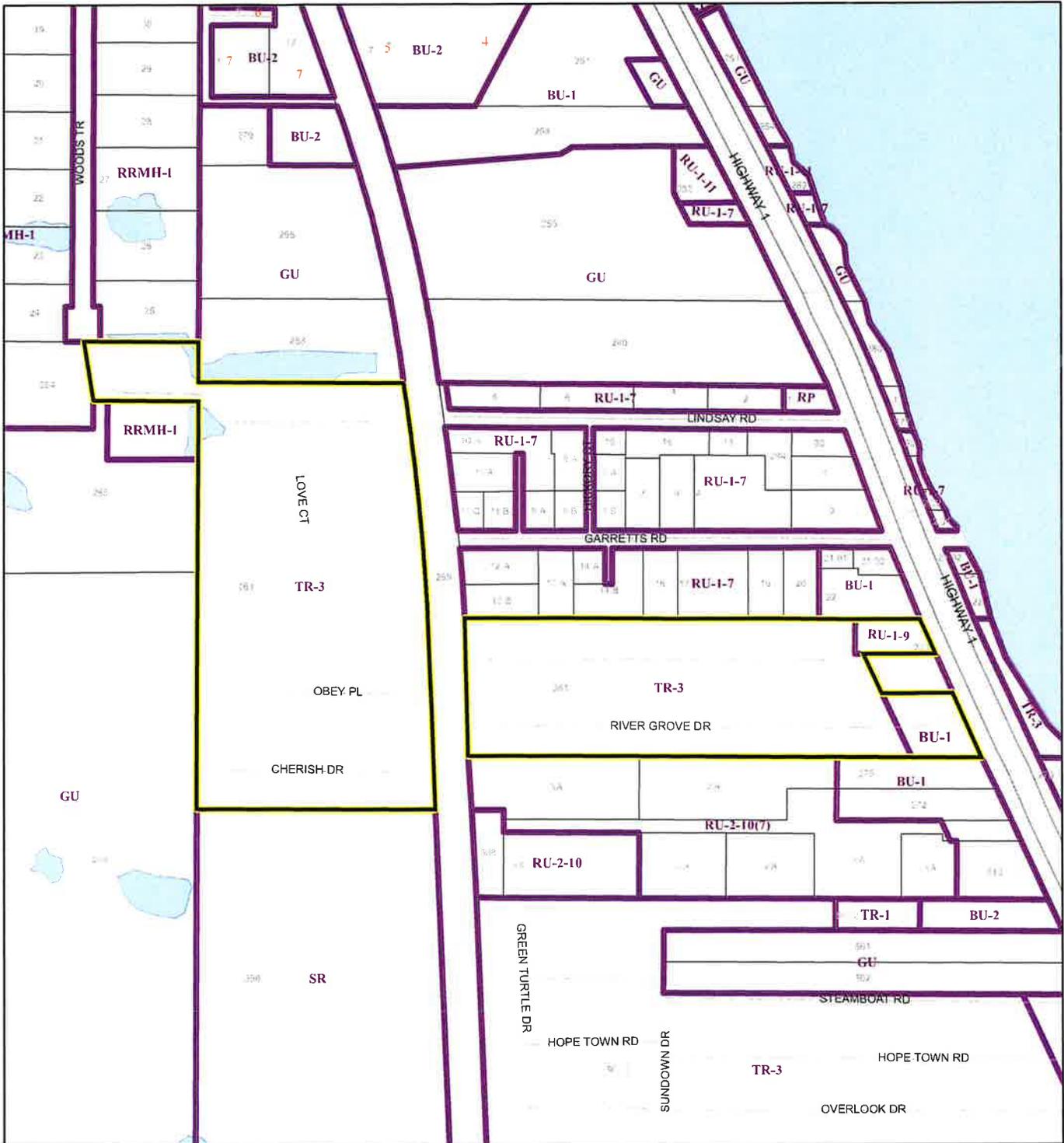
Produced by BoCC - GIS Date: 6/5/2025

-  Buffer
-  Subject Property

ZONING MAP

COBBLESTONE II RVG LLC

23Z00038



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: 6/5/2025

- Subject Property
- Parcels
- Zoning