

Prepared by: Monica Pritchard Esq.  
Address: Goldman, Monaghan, Thakkar  
& Bettin, P.A.  
96 Willard Street, Suite 302  
Cocoa, FL 32922

#### BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 5 day of February, 2026 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Sandra Walsh and Terrie Canada (hereinafter collectively referred to as "Owner").

#### RECITALS

WHEREAS, 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, Owner has REQUESTED THE RR-1 ZONING CLASSIFICATION AND desires to apply for administrative approval of a flag lot, AND pursuant to Brevard County Code, Section 62-1157; and

WHEREAS, as part of Owner's plan for requesting a change in zoning of the Property, Owner wishes to mitigate negative impacts 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 their reference.
2. Owner VOLUNTARILY AGREES TO restrict any building on the property described in Exhibit "A" for a period of three years from the date of this Binding Development Plan.
3. Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Owner's agreement to meet additional standards or restrictions in building on 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.
4. 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.

5. 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 December 11, 2025. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.
6. 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.
7. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before 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 6 above.
8. Severability clause. If any provision of this BDP 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.

[Remainder of page intentionally left blank]

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 Fran Jamieson Way Viera, FL  
32940

\_\_\_\_\_  
Rachel Sadoff, Clerk  
(SEAL)

\_\_\_\_\_  
Thad Altman, Chair  
As approved by the Board on \_\_\_\_\_

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

*[Signature]*  
Dale Maloley  
(Witness Name typed or printed)

SANDRA WALSH  
as OWNER  
*[Signature]*  
3515 Aucantia Rd Mims FL 32754  
(Address)

WITNESSES:

*[Signature]*  
Dale Maloley  
(Witness Name typed or printed)

TERRIE CANADA  
as OWNER  
*[Signature]*  
3635 Orlando Ave. Mims, FL 32754  
(Address)

STATE OF Florida §  
COUNTY OF Orange §

The foregoing instrument was acknowledged before me, by means of physical presence or  
online notarization, this 5th day of February, 2025, by  
[Signature] President of [Signature], who is  
personally known to me or who has produced \_\_\_\_\_ as identification.

*[Signature]*

My commission expires  
SEAL

Notary Public

Commission No.:

(Name typed, printed or stamped)



**TERRI K. HALLAHAN**  
Notary Public  
State of Florida  
Comm# HH477386  
Expires 1/14/2028

**EXHIBIT A**

The West 210 feet of the East 420.00 feet (as measured along the South R/W line of Aurantia Road) of Block 20, RE-PLAT OF SECTION 17, INDIAN RIVER PARK, according to the Plat thereof, as recorded in Plat Book 2, Page 75, of the Public Records of Brevard County, Florida.