

From: [Linda Weinberg](#)
To: [AdministrativeServices](#)
Cc: [Commissioner, D1](#); [tom](#)
Subject: P&Z request 24-PUD00003, City Point Landfall, LLC
Date: Wednesday, February 26, 2025 8:01:10 PM
Attachments: [City Point Landfall rezone request.docx](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Attached, please find our request for denial of the above referenced rezoning application to be heard by P&Z on March 17. Would appreciate it being provided to all the P&Z members. Also, would appreciate confirmation of receipt.

Best regards,
Linda Weinberg

February 26, 2025

Planning and Zoning Board Members
Administrativeservices@BrevardFL.gov

Re: City Point Landfall, LLC – rezoning request. 24-PUD00003

This letter is regarding your upcoming meeting scheduled March 17, 2025 wherein you will consider the rezoning of a 12.86 acre parcel. This rezoning request has been posted on the property located at 3477 N Indian River Drive, Cocoa. We live at 104 Sonya Drive, Cocoa, which is less than a mile north of this property.

Upon contacting the zoning department, we were advised the initial request included a rezoning of approximately 12 acres from an Estate Use (EU which is defined as a single-family development of a “spacious nature”) and Residential Professional designation, to a Planned Unit development for 22 single family homes or multi-family. This is a dramatic zoning change and is entirely inconsistent with the character of surrounding properties.

We draw your attention to the most salient reasons to deny the requested rezoning:

- Indian River Drive is one of only 27 Florida Scenic Drives as well as a National Scenic Byway. From Cocoa Village north to US 1, there have been no multi-family structures built along Indian River Drive. Indian River Drive is a single-family, residential, non-commercial drive. As a 4th generation resident of Brevard County, the preservation of Indian River Drive has been sacrosanct for many generations.
- The proposed development plan prepared by MBV, appears to have a cul-de-sac coming from the west side of property down towards the river with a fan of eight, thin substandard lots that face the river. With re-zoning, these eight lots could conceivably be zero lot line structures or multi-family. Either scenario is just an effort to “over monetize” their investment in a way that denigrates the character of this entire area.
- The flooding along North Indian River Drive, including the location of this property, is already at a critical level. The roads are frequently impassable by cars and bikes due to a heavy rain or strong easterly winds blowing the river over the roadway. Additionally, the road is narrow, lacks bike lanes or sidewalks and already suffers from poorly performing septic tanks.

The idea of jumping from an EU zoning to PUD with 22 homes or multifamily is ludicrous and should summarily be rejected. The recorded deed shows this developer purchased these 12+ acres with its present EU/RP zoning, for \$1.25 Million. It should be noted that lots along Indian River Drive zoned for one home are selling for \$700K and above. This request to dramatically increase the density and intensity reflects a complete lack of respect for the

unique character of this river drive, the people who live here, and the many folks who enjoy the scenic drive along its shoreline.

You have an important job on the Planning Board. We appreciate your thoughtful consideration of our comments and would request that you deny the rezoning request.

Regards,

Tom and Linda Weinberg
104 Sonya Drive
Cocoa, FL. 32926
321-258-8002
Tweinberg2@gmail.com
Lindaweinberg321@gmail.com

Cc: Brevard County Commissioner Katie Delaney, District One

From: david1@tredele.com
To: [AdministrativeServices](#)
Subject: ID# 24PUD000003 & 24SS000009
Date: Tuesday, March 4, 2025 8:42:36 PM
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Evening;

In reference to the zoning change request....

Please keep current EU & RP with the Binding Development Plan, in place.

Thank you

Richard Battin
220 City Point Road
Cocoa FL 32926

From: [Sonja Hernandez](#)
To: [AdministrativeServices](#)
Cc: [E. Hernandez Michael](#); [Jennifer Schneider](#)
Subject: City Point Landfall LLC - Request for rezoning PDU-00003
Date: Monday, March 10, 2025 4:38:50 PM

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Dear Planning and Zoning Board members,

The county needs to reject the proposed development and stay the course with the Binding Development Agreement that allows 7 single family homes on subject property. Hank Evans wrote the original agreement. He was a highly respected attorney.

I've lived in the Sabal Chase neighborhood just north of this plot since May 2002! I do not believe this proposal would be a good land use option. Every summer the flooding on Indian River Drive gets worse and the county is not doing anything to mitigate or raise the road.

The Riverwalk community was allowed to demolish all of the trees to cram more homes impacting the traffic on Indian River drive as well as the impacts to city infrastructure. I don't believe there is any positive case to justify changing the zoning on this property from 7 to 22 units so that one family can recoup the cost of their investment in the property where they are building their new home.

Impacts to the river, environment and infrastructure must be top concern. Furthermore, I believe the development plan calls for impacting the designated wetland.

Please consider the impacts to the existing residents and the taxes we pay. I am disgusted by the passersby's who toss out their garbage along the scenic drive which I often pick up bags full. We have raised our three children in this little peaceful community and wish to see it preserved. Thank you in advance for your consideration.

Mike and Sonja Hernandez
185 Sonya Drive
Cocoa, FL 32926
321.289.6331

February 26, 2025

Planning and Zoning Board Members
Administrativeservices@BrevardFL.gov

Re: City Point Landfall, LLC – rezoning request. 24-PUD00003

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Regards,

Tom and Linda Weinberg
104 Sonya Drive
Cocoa, FL. 32926
321-258-8002
Tweinberg2@gmail.com
Lindaweinberg321@gmail.com

Cc: Brevard County Commissioner Katie Delaney, District One

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Concerns on CityPoint Landfall LLC plans
Date: Monday, March 17, 2025 11:32:26 AM

From: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Sent: Monday, March 17, 2025 11:17 AM
To: Amato, Ruth <Ruth.Amato@brevardfl.gov>
Subject: Fw: Concerns on CityPoint Landfall LLC plans

From: MaryJane Duncan <janemisc@icloud.com>
Sent: Thursday, March 13, 2025 4:32 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Concerns on CityPoint Landfall LLC plans

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Katie Delaney:
reference to;
ID# 24PUD00003 & 24S00009

My husband and I own a home in Parkchester, we have grave concerns regarding the impact of the increased traffic flow, on Roundtree Dr from the proposed entrance road for the proposed development.

We are also opposed to the proposed zoning changes. The plan goes against our Future Land Use (FLU) map and our Binding Development Plan (BDP) for our overall area.

As Cocoa's growth continues to increase, please consider the importance of preserving neighborhoods with single family homes.

Respectfully,
MaryJane Duncan
John Evrard
304 N Roundtree Dr
Cocoa FL
32926

Sent from my iPhone

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: P&Z request 24-PUD00003, City Point Landfall, LLC
Date: Monday, March 17, 2025 11:44:39 AM
Attachments: [City Point Landfall rezone request.docx](#)

From: Linda Weinberg <lindaweinberg321@gmail.com>
Sent: Wednesday, February 26, 2025 8:01 PM
To: AdministrativeServices <administrativeservices@brevardfl.gov>
Cc: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; tom <tweinberg2@gmail.com>
Subject: P&Z request 24-PUD00003, City Point Landfall, LLC

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Also, would appreciate confirmation of receipt.

Best regards,
Linda Weinberg

From: [Mark W. Ward](#)
To: [AdministrativeServices](#)
Cc: ["Mark and Maggie Ward"; Commissioner, D1](#)
Subject: ID# 24PUD00003 & 24SS00009
Date: Monday, March 17, 2025 10:13:26 AM
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Sir/Madam,

As co-owner of the property located at 382 Chester Drive in PARKCHESTER (Unincorporated Brevard County) and as such community abuts said development plans proposed by City Pointe Landfall LLC, I respectfully submit my comments in OPPOSITION to the any change in existing zoning and binding agreements that would allow higher density and impervious surfaces. Parkchester is a small community established in the early-mid 60's, consisting of 63 homes. There exists only one point of entrance/egress to this neighborhood, Roundtree Drive off of US Rt. 1. Before 2014, Roundtree Drive exited the neighborhood and residents were afforded the opportunity for both RIGHT and LEFT turns upon egress from the neighborhood;

The 2014-2016 widening of US Route 1 changed that by making the exit from Roundtree Drive onto US Route 1 a RIGHT TURN ONLY at the stop sign, eliminating the ability to turn left due to the median separating the northbound and southbound lanes of Route 1.

Additionally, the widening project caused the removal our designated "right turn-only" lane from northbound US Rt. 1 into Parkchester, as now that lane is not a MERGE LEFT lane. This has caused many close calls with our residents as they slow to turn right while people are looking over their left shoulder in attempt to merge.

In 2014-2015, we, the residents of Parkchester held a community meeting with DOT engineers and county officials, including Lisa.Mark@dot.state.fl.us, Lisa coordinated the meeting in which we voiced our concerns about the aforementioned changes. At that time, we also requested a STOP LIGHT at Route 1 and Roundtree Drive to increase the safety of our residents exiting our neighborhood into 50+ MPH Traffic or attempting to dodge traffic in order to get in the far-left lane to turn left onto Cidco Rd or make a U-turn to head south. We were told that, due to the size of our community, we do not qualify for a traffic control device at the entrance to our neighborhood.

Since 2016, traffic in this area of the US Rt. 1 corridor has increased dramatically, along with the speed of the approach to Parkchester, making it increasingly difficult to safely exit our homes. With the additional traffic which will accompany the development of the City Pointe Landfall development, no matter how small, the safety of our neighborhood's residents will, once again, be sacrificed in the name of "progress" and development. Unless these issues can be fixed, at cost to the developers, without affecting the cost to existing residents, the project developer and engineer should consider being allowed only ONE entrance off of Indian River Drive and not be allowed any access from Roundtree drive. Any such change in plans or infrastructure should be paid for by the developer via impact fees and not passed along to any of the neighboring residents.

Finally, with all of the concern of the health of the Indian River Lagoon, and with the mandate to clean up runoff by 2030, the Commission should LIMIT any impervious surfaces that

would allow, even inadvertent runoff, to enter the Lagoon. I would be extremely perplexed if the Commission would allow any change in density east of I-95 given this mandate. High and medium density housing directly adjacent to the Indian River is irresponsible. The City of Cocoa had all but said "damn the torpedoes" as they are allowing building with reckless abandon and bending of rules; That does not mean Brevard County should do the same.. Let's set a better example and make a better life for all of us who choose to live here.

Sincerely,

Mark W. Ward
382 Chester Drive
Cocoa, FL 32926

Mark W. Ward
Ward & Lawless LLC
2410 Armadillo Court
Cocoa, Florida 32926
TEL: 888-658-8484 x1
FAX: 877-658-8484
www.wardlawless.com



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From: [Ward, Margaret C.](#)
To: [AdministrativeServices](#)
Cc: [Commissioner, D1](#)
Subject: ID# 24PUD00003 & 24SS00009
Date: Monday, March 17, 2025 10:20:37 AM

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Sincerely,

Margaret C. Ward
[382 Chester Drive](#)
[Cocoa, FL 32926](#)

Margaret C. Ward
Director, Security Services
Magellan Health

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From: [Mark W. Ward](#)
To: [AdministrativeServices](#)
Cc: ["Mark and Maggie Ward"; Commissioner, D1](#)
Subject: RE: ID# 24PUD00003 & 24SS00009
Date: Monday, March 17, 2025 10:43:55 AM
Attachments: [Z11455 \(1\).pdf](#)
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Regarding the binding agreement (attached), already states NO ACCESS TO THE PARKCHESTER SUBDIVISION OR INDIAN RIVER DRIVE. WE OPPOSE ANY AND ALL CHANGES TO EXISTING BINDING AGREEMENT.

From: Mark W. Ward <mward@wardlawless.com>
Sent: Monday, March 17, 2025 10:13 AM
To: 'administrativeservices@brevardfl.gov' <administrativeservices@brevardfl.gov>
Cc: 'Mark and Maggie Ward' <mmward97@gmail.com>; 'Commissioner, D1' <D1.Commissioner@brevardfl.gov>
Subject: ID# 24PUD00003 & 24SS00009
Importance: High

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Cocoa, FL 32926

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Ward & Lawless LLC
2410 Armadillo Court
Cocoa, Florida 32926
TEL: 888-658-8484 x1
FAX: 877-658-8484
www.wardlawless.com



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On motion by Commissioner Voltz, seconded by Commissioner Nelson, the following resolution was adopted by a unanimous vote:

WHEREAS, G & D DEVELOPERS

has/have applied for a Small scale Plan Amendment (08S.03) to change the Future Land Use Designation from Residential 1 to Residential 2 and Residential 4; and a change of classification from AU (Agricultural Residential) to EU (Estate Use Residential) on property described as

SEE ATTACHED LEGAL DESCRIPTION

Section 08,

Township 24 S,

Range 36 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 denied (*see below) 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 with a Binding Development Plan, allowing a maximum of seven units, now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested Small Scale Plan Amendment (08S.03) to change the Future Land Use Designation from Residential 1 to Residential 2 and Residential 4; and a change of classification from AU (Agricultural Residential) to EU (Estate Use Residential) be decided as follows: request for Small Scale Plan Amendment was WITHDRAWN by the applicant and the change of classification from AU (Agricultural Residential) to EU (Estate Use Residential) be APPROVED with a Binding Development Plan, recorded in ORB 5897, Pages 624 through 638, dated 11/6/08, allowing a maximum of seven (7) units, and that the zoning classification relating to the above described property be changed to EU (Estate Use Residential), and the Planning & Zoning 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 November 6, 2008.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida

ATTEST:

SCOTT ELLIS, CLERK

(SEAL)

by

Truman Scarborough,
Chairperson

As Approved by the Board on September 4, 2008.

*LPA Recommendation -- Denied Small Plan Amendment (Applicant later withdrew request for Small Scale Plan Amendment)
(P&Z Hearing -- March 10, 2008)

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 (1) year of approval or if construction does not commence within two years of approval. A PUD 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.



November 10, 2008

MEMORANDUM

TO: Scott Knox, County Attorney Attn: Christine Lepore

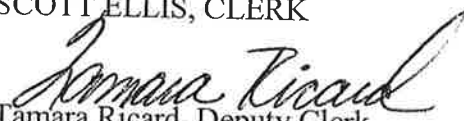
RE: Item III.A.6, Binding Development Plan Agreement with G & D Developers, LLC

The Board of County Commissioners, in regular session on October 28, 2008, executed Binding Development Plan Agreement with G & D Developers, LLC, for property located on the east side of U.S. 1, approximately .17 mile south of Cidco Road. Said Agreement was recorded in ORBK 5897, PGs 624 through 638. Enclosed for your necessary action are two certified copies of the recorded document.

Your continued cooperation is greatly appreciated.

Sincerely yours,

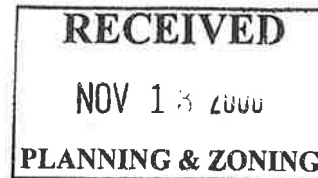
BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK


Tamara Ricard, Deputy Clerk

/clj

Encls (2)

cc: Zoning- Candy Hanselman ✓
Contracts Administration



PREPARED BY:
John H. Evans, Esquire
John H. Evans, P.A.
1702 S. Washington Ave
Titusville, FL 32780

CFN 2008210794, OR BK 5897 PAGE 624,
Recorded 11/06/2008 at 01:33 PM, Scott Ellis, Clerk of
Courts, Brevard County
Pgs:15

BINDING DEVELOPMENT PLAN
G&D DEVELOPERS, L.C.

THIS AGREEMENT, entered into this 28th day of October, 2008, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and G&D DEVELOPERS, L.C., a Florida Limited Liability Company (hereinafter 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 EU zoning classification and desires to develop the Property for Residential uses pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Owner wishes to mitigate negative impact 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. 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 Owner, its grantees, successors or assigns in interest or some other Associ-

ation and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. The following restrictions shall apply to said subdivision:
 - A. There shall be a 15 foot natural buffer on the exterior of the subdivision;
 - B. There shall be no access for said subdivision to Indian River Drive;
 - C. The number of lots shall not exceed 7;
 - D. The subdivision shall have no access to Parkchester subdivision.
 - E. The minimum house size shall be 2,200 square feet under air;
 - F. The subdivision shall have an Association to maintain common elements and architectural control.
 - G. The Property shall have EU zoning.

3. Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Owner's agreement to meet the above 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.

4. Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in 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 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 September 4, 2008. 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 will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Section 1.7 and 62-5, Code or Ordinances of Brevard County, Florida, as it may be amended.

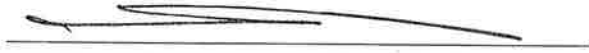
IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed all as of the date and year first above written.

ATTEST:



Scott Ellis, Clerk
(SEAL)

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


Truman Scarborough, Chairman
As approved by the Board on 10/28/08

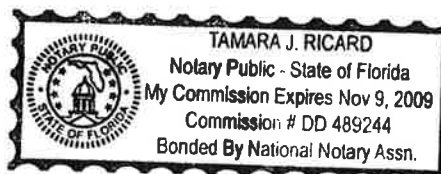
STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 28 day of October, 2008 by Truman Scarborough, 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

SEAL

Commission No.:


Notary Public
Tamara J. Ricard
(Name typed, printed or stamped)

Z11455

WITNESSES:

Linda M. King
LINDA M. KING

Witness Name typed or printed

Tina L. McGann

TINA L. M'GANN
Witness Name typed or printed

OWNER

G&D DEVELOPERS, L.C.,
a Florida Limited Liability Company

George W Papp
(Name)

537 SPRING LAKE DR - MLB, FL
(Address)

mg mbr
(President)

George W PAPP
(Name typed, printed or stamped)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 19th day September 2008 by George Papp as Manager of G&D Developers, L.C, a Florida Limited Liability Company, who is personally known to me or who has produced N/A as identification.

My commission expires:
SEAL
Commission No.:

Linda M. King
Notary Public

LINDA M. KING
(Name typed, printed or stamped)

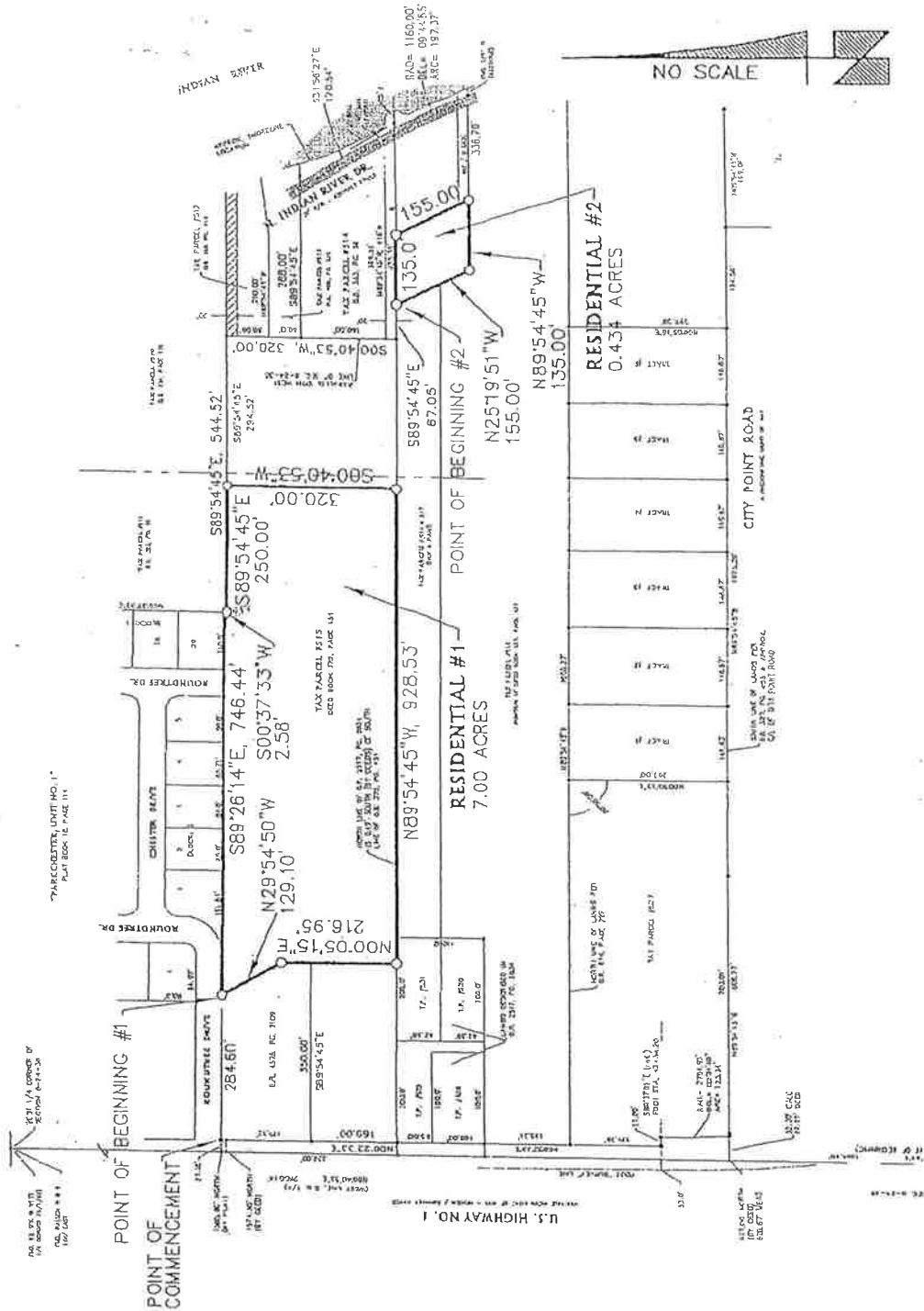


Linda M. King
Commission # DD609692
Expires January 19, 2011
Bridget Tray Fair Insurance, Inc 888-385-7619

RETURN: Clerk to the Board #27

SKETCH TO ACCOMPANY DESCRIPTION

THIS SKETCH IS NOT A "BOUNDARY SURVEY"



DRAWN BY: RMP
CHK'D BY:
DATE: 10/30/07
JOB #: 98-429-4

SHEET 1 OF 2

PREPARED FOR AND CERTIFIED TO:

SKETCH & DESCRIPTION FOR:
G & D DEVELOPERS, LC.



1013 ROCKLEDGE DRIVE
ROCKLEDGE, FLORIDA 32955
TEL.: (321) 632-6335

EXHIBIT

tabbles
A
1 of 2

Z11455

RETURN: Clerk to the Board #27

SKETCH TO ACCOMPANY DESCRIPTION

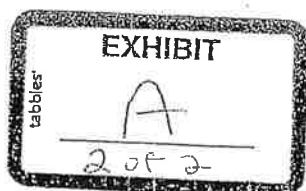
THIS SKETCH IS NOT A "BOUNDARY SURVEY"

DESCRIPTION - RESIDENTIAL #1:

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT, WHICH MARKS THE SOUTHWEST CORNER OF "PARKCHESTER, UNIT NO. 1", RECORDED IN PLAT BOOK 18, PAGE 114 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND RUN S.89°26'14"E., ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 284.60 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN O.R. 4526, PAGE 2109 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THE POINT OF BEGINNING; THENCE CONTINUE S.89°28'14"E., ALONG SAID SOUTH LINE OF "PARKCHESTER, UNIT NO. 1", A DISTANCE OF 746.44 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE S.00°37'33"W., ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 2.58 FEET, TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN O.R. 323, PAGE 90 OF SAID PUBLIC RECORDS; THENCE S.89°54'45"E., ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 250.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE DEPARTING SAID SOUTH LINE, RUN S.00°40'53"W., A DISTANCE OF 320.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN DEED BOOK 372, PAGE 451; THENCE N.89°54'45"W., ALONG SAID SOUTH LINE, A DISTANCE OF 928.53 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF AFORESAID LANDS DESCRIBED IN O.R. 4526, PAGE 2109; THENCE N.00°05'15"E., ALONG SAID EXTENSION AND SAID EAST LINE, A DISTANCE OF 216.95 FEET TO AN ANGLE POINT; THENCE N.29°54'50"W., ALONG AN EASTERLY LINE OF SAID LANDS, A DISTANCE OF 129.10 FEET TO THE POINT OF BEGINNING; CONTAINING 7.00 ACRES.

SUBJECT TO ALL EASEMENTS, RESTRICTIONS, LIMITATIONS AND / OR RIGHTS OF WAY OF RECORD.



Z11455

THIS INSTRUMENT PREPARED BY
AND RETURN TO:
JOHN H. EVANS, ESQUIRE
1702 S. WASHINGTON AVE
TITUSVILLE, FL 32780

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of the following mortgages:

First Mortgage recorded on August 20, 2001 in Official Records Book 4404, Page 0975, further evidenced by Modification of Mortgage dated July 15, 2002, recorded on August 26, 2002 in Official Records Book 4667, Page 3227, further evidenced by Modification of Mortgage dated July 15, 2003, recorded on July 31, 2003 in Official Records Book 4998, Page 1828, further evidenced by Modification of Mortgage dated July 15, 2004, recorded on August 12, 2004 in Official Record Book 5347, Page 7706, further evidenced by Modification of Mortgage dated January 15, 2005, recorded on February 2, 2005 in Official Records Book 5416, Page 4076, further evidenced by Modification of Mortgage dated July 15, 2005, recorded on August 12, 2005 in Official Records Book 5515, Page 5258, further evidenced by Modification of Mortgaged dated July 15, 2006, recorded on August 15, 2006 in Official Records Book 5685, Page 1116, further evidenced by Modification of Mortgage dated July 15, 2007, recorded on August 9, 2007 in Official Record Book 5803, Page 90 of the Public Records of Brevard County, Florida and further modified by Modification of Mortgage dated July 15, 2008 and recorded in Official Records Book 5886, Page 3181, Public Records of Brevard County, Florida.

Second Mortgage recorded on August 20, 2002, recorded in Official Records Book 4663, Page 3371, further evidenced by limitation of right of future advances dated July 12, 2002, recorded on August 20, 2002 in Official Records Book 4663, Page 3369, further evidenced by

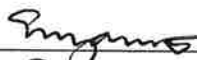
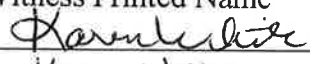
Z11455

Modification of Mortgage dated July 12, 2003, recorded on July 30, 2003 in Official Records Book 4997, Page 3348, further evidenced by Modification of Mortgage dated July 12, 2004, recorded on August 12, 2004 in Official Records Book 5347, Page 8160, further evidenced by Modification of Mortgage dated January 12, 2005, recorded on February 2, 2005 in Official Records Book 5416, Page 4072, further evidenced by Modification of Mortgage dated July 12, 2005, recorded August 12, 2005 in Official Records Books 5515, Page 5254, further evidenced by Modification of Mortgage dated July 12, 2006, recorded on August 15, 2006 in Official Records Book 5685, Page 3904, further evidenced by Modification of Mortgage dated July 12, 2007, recorded on August 9, 2007 in Official Records Book 5802, Page 9690 of the Public Records of Brevard County, Florida. Further modified by Mortgage Modification of Mortgage dated July 12, 2008 and recorded in Official Records Book 5886, Page 3100, Public Records of Brevard County, Florida.

Third Mortgage dated August 4, 2008 and recorded in Official Records Book 5886, Page 3185 in the Public Records of Brevard County, Florida and encumbering lands described in said Mortgages.

I do hereby consent to the Binding Development Plan attached as Exhibit "A" for the purpose of subordinating the lien of the undersigned's Mortgage to said Binding Development Plan.

WITNESSES:


EINA ZAVALA
 Witness Printed Name

Karen White
 Witness Printed Name

FLORIDA BUSINESS BANK
 340 N. Harbor City Blvd.
 Melbourne, FL 32935

By: 
 Authorized Agent's Signature
 Printed Name: William C. Koehn
 As: SVP

Z11455

RETURN: Clerk to the Board #27

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 19th day of September, 2008 by William C. KOEHN, as S.V.P. of Florida Business Bank who is personally known to me or who has produced _____ as identification.

My Commission Expires: 11/20/09


Notary Public

SEAL

EINA V. ZAVALLA
Notary Public, State of Florida
My comm. exp. Nov. 20, 2009
Comm. No. DD 492338

Name typed, printed or stamped

Staciedocs/G&D/ 9714/Joinder/ 9 -18-08-k

Z11455

PREPARED BY:
John H. Evans, Esquire
John H. Evans, P.A.
1702 S. Washington Ave
Titusville, FL 32780

BINDING DEVELOPMENT PLAN
G&D DEVELOPERS, L.C.

THIS AGREEMENT, entered into this _____ day of _____, 2008, between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and G&D DEVELOPERS, L.C., a Florida Limited Liability Company (hereinafter 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 EU zoning classification and desires to develop the Property for Residential uses pursuant to the Brevard County Code, Section 62-1157; and

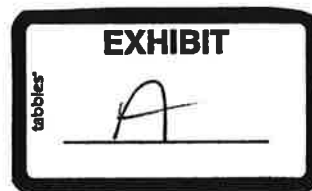
WHEREAS, as part of its plan for development of the Property, Owner wishes to mitigate negative impact on abutting land owners and affected facilities or services; and

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

NOW, THEREFORE, the parties agree as follows:

1. 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 Owner, its grantees, successors or assigns in interest or some other Associ-

Z11455



ation and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. The following restrictions shall apply to said subdivision:

- A. There shall be a 15 foot natural buffer on the exterior of the subdivision;
- B. There shall be no access for said subdivision to Indian River Drive;
- C. The number of lots shall not exceed 7;
- D. The subdivision shall have no access to Parkchester subdivision.
- E. The minimum house size shall be 2,200 square feet under air;
- F. The subdivision shall have an Association to maintain common elements and architectural control.
- G. The Property shall have EU zoning.

3. Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Owner's agreement to meet the above 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.

4. Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in 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 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 _____, 2008. 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 will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Section 1.7 and 62-5, Code or Ordinances of Brevard County, Florida, as it may be amended.

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

ATTEST:

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

Scott Ellis, Clerk
(SEAL)

_____, Chairman
As approved by the Board on _____

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2008 by _____, 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

SEAL

Commission No.:

Notary Public

(Name typed, printed or stamped)

WITNESSES:

Linda M. King
LINDA M. KING

Witness Name typed or printed

Tina L McGinn
TINA L MCGINN

Witness Name typed or printed

OWNER

G&D DEVELOPERS, L.C.,
a Florida Limited Liability Company

George W Papp
(Name)

537 SPRING LAKE DR - MCB, FL
(Address)

mg mbr
(President)

George W PAPP
(Name typed, printed or stamped)

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 19th day September 2008 by George Papp as Manager of G&D Developers, L.C, a Florida Limited Liability Company, who is personally known to me or who has produced N/A as identification.

My commission expires:

SEAL

Commission No.:



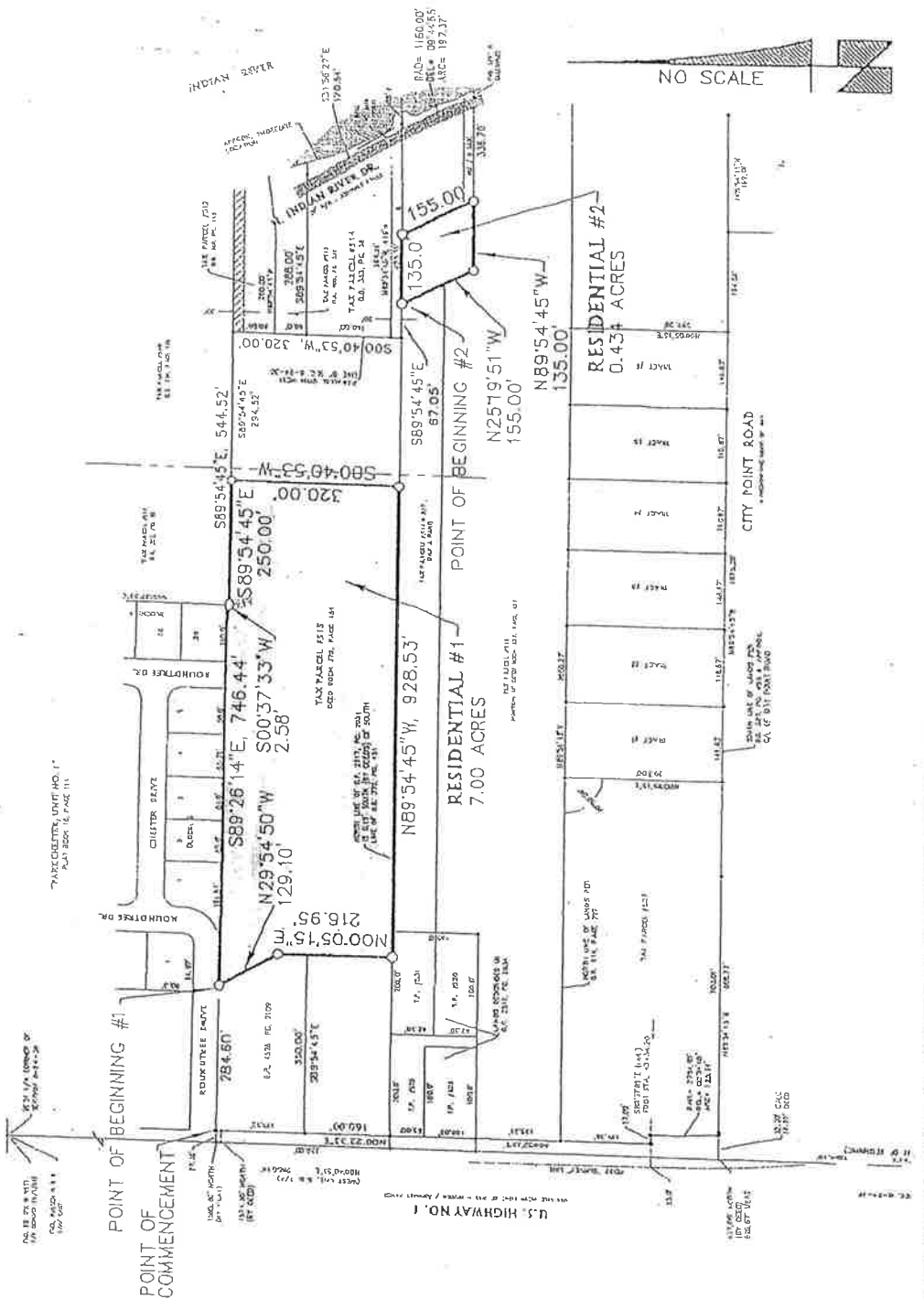
Linda M. King
Commission # DD609692
Expires January 19, 2011
Bonded Tray Papp Insurance, Inc 888-385-7019

Linda M. King
Notary Public

LINDA M. KING
(Name typed, printed or stamped)

SKETCH TO ACCOMPANY DESCRIPTION

THIS SKETCH IS NOT A "BOUNDARY SURVEY"



DRAWN BY: RMP

CHK'D BY:

DATE: 10/30/07

JOB #: 98-429-4

SHEET 1 OF 2

PREPARED FOR AND CERTIFIED TO:

SKETCH & DESCRIPTION FOR:
G & D DEVELOPERS, LC



1013 ROCKLEDGE DRIVE
ROCKLEDGE, FLORIDA 32955
TEL.: (321) 632-6335

EXHIBIT

tabbles
A
1 of 2

Z11455

RETURN: Clerk to the Board #27

SKETCH TO ACCOMPANY DESCRIPTION

THIS SKETCH IS NOT A "BOUNDARY SURVEY"

DESCRIPTION - RESIDENTIAL #1:

A PARCEL OF LAND LYING IN SECTION 8, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT, WHICH MARKS THE SOUTHWEST CORNER OF "PARKCHESTER, UNIT NO. 1", RECORDED IN PLAT BOOK 18, PAGE 114 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND RUN S.89°26'14"E., ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 284.60 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN O.R. 4526, PAGE 2109 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THE POINT OF BEGINNING; THENCE CONTINUE S.89°28'14"E., ALONG SAID SOUTH LINE OF "PARKCHESTER, UNIT NO. 1", A DISTANCE OF 746.44 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE S.00°37'33"W., ALONG THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 2.58 FEET, TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN O.R. 323, PAGE 90 OF SAID PUBLIC RECORDS; THENCE S.89°54'45"E., ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 250.00 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE DEPARTING SAID SOUTH LINE, RUN S.00°40'53"W., A DISTANCE OF 320.00 FEET TO A POINT ON THE SOUTH LINE OF LANDS DESCRIBED IN DEED BOOK 372, PAGE 451; THENCE N.89°54'45"W., ALONG SAID SOUTH LINE, A DISTANCE OF 928.53 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF AFORESAID LANDS DESCRIBED IN O.R. 4526, PAGE 2109; THENCE N.00°05'15"E., ALONG SAID EXTENSION AND SAID EAST LINE, A DISTANCE OF 216.95 FEET TO AN ANGLE POINT; THENCE N.29°54'50"W., ALONG AN EASTERLY LINE OF SAID LANDS, A DISTANCE OF 129.10 FEET TO THE POINT OF BEGINNING, CONTAINING 7.00 ACRES.

SUBJECT TO ALL EASEMENTS, RESTRICTIONS, LIMITATIONS AND / OR RIGHTS OF WAY OF RECORD.



Z11455

From: [Jackson, Desiree](#)
To: [AdministrativeServices](#)
Cc: [Kevin Jackson](#); D1.Commissioner@brevardfl.gov
Subject: RE: Proposed Development at City Point
Date: Friday, March 21, 2025 4:13:23 PM

Aloha Administrative Services,

Please see below public comment. Thank you.

Desirée Jackson, MBA
Planner I
Direct: (321) 350-8269
Planning and Zoning Office
Brevard County Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, FL 32940

Desiree.Jackson@brevardfl.gov

This office can only provide zoning and comprehensive plan information. You may wish to contact other County agencies to fully determine the development potential of this property. This letter does not establish a right to develop or redevelop the property and does not constitute a waiver to any other applicable land development regulations. At the time of development, this property will be subject to all such regulations. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

-----Original Message-----

From: Kevin Jackson <cbrkrj@gmail.com>
Sent: Friday, March 21, 2025 3:30 PM
To: Jackson, Desiree <Desiree.Jackson@brevardfl.gov>; D1.Commissioner@brevardfl.gov
Subject: Proposed Development at City Point

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ladies,

I am writing to object to the proposed residential development and rezoning just north of City Point Rd. north of Cocoa. Indian River Drive is a special place that we have been fortunate enough to live near in the Twin Lakes subdivision for 4 years. I contend the character of this road and surrounding area will be negatively affected by this rezoning and proposed development for the following reasons.

1. The natural beauty of the area along with the unique scenery of the many one-of-a-kind homes will be ruined by a modern, zero lot line, cinder block and stucco, generic subdivision plopped right in the middle of it.
2. Indian River Drive is incredibly narrow along the northern section but especially so at the exact point of this proposed development. Traffic is stop and go thru this area already after any significant rainfall. In addition, many walkers, runners and bicyclists add to existing congestion. That area already has blind curves that present a hazard for any recreational use of the road. A new subdivision will make this situation worse by orders of magnitude.
3. Indian River Drive at the site of the proposed development is at its lowest point (in relation to the river level) along its entire length. The road is literally inches above the normal river level. During periods of strong NE winds, the road is completely covered by water. During hurricanes, that area is impassable by a normal car. A subdivision

in this area would only make this problem worse due to the addition of a large amount of impervious area created by the new roadways, driveways and sidewalks. You are potentially creating a disastrous situation during hurricane season by this road being inundated by onshore winds and then having large amounts of rainfall runoff pouring out of this subdivision into the exact same spot. Any civil engineer could instantly spot the potential large scale flooding of the road and potentially existing houses from the addition of this proposed development.

Please consider these points carefully when making a final ruling on this proposed rezoning/development. Thank you for your time.

Sincerely & respectfully,
Kevin Jackson
118 S Twin Lakes Rd.
Sent from my iPhone

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Please vote against
Date: Tuesday, March 25, 2025 10:10:57 AM

From: Sonja Hernandez <shernandez7578@me.com>
Sent: Tuesday, March 18, 2025 8:18 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Please vote against

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

P&Z Meeting Report - City Point Landfall, LLC Rezoning Request

Despite our best efforts and testimony by many community members opposing zoning and FLU map changes, the Planning and Zoning Board voted to move the zoning and PUD requests by the developer on to the Board of Commissioners for a ruling at the next Board of Commissioner's meeting (April 3rd, 5:00 pm). The P&Z Board voted to recommend accepting the developer's request for rezoning, with three members opposed to accepting. One board member, Henry Minneboo, spoke up for respecting and supporting Binding Development Plans in general and ours in particular (a mass showing). He was also the only member who was around in 2004 when our community successfully implemented our existing BDP. The decision is now up to the Board of Commissioners and they do not necessarily have to abide by the P&Z Board's recommendation. The P&Z Board is requiring the developer set up a meeting with our community to present details of their plans and to solicit our input and concerns. The date and time of this meeting is TBD but should be before the April 3rd Board of Commissioners meeting.

We prepared this letter to the P&Z Board. Our plan was to read it to them as part of community comments, however we were only given three minutes to speak so we had to summarize it on the fly. This is the full text of the letter that we turned into the P&Z Clerk for inclusion in the minutes. Since it may be a bit difficult to locate online, we thought we would share it with you all.

P&Z Planning Board Testimony 3/17/2025

Board Members,

Here is a bit of history regarding our neighborhood and the ongoing efforts to preserve our community's essential character.

Our community is between the Indian River and the east side of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points

fire station. It is a rather large area that we as a community have worked hard over the years to protect against high density development.

We are facing yet another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for us to challenge future inappropriate development.

Some years ago, in response to a proposed massive condominium project in the middle of our community, all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, we worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities we set were guided by and compatible with the current zoning and existing land uses in our area, but were somewhat simpler and in many cases more generous.

Nevertheless, our current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, we find ourselves before the Planning and Zoning Board and then the County Commissioners defending our density limits and our Comprehensive Land Use Plan.

In the past, once the developers became aware of community concerns, either on their own or by advisement from county officials, community/developer meetings were scheduled where the developers presented their plans to solicit community input and address concerns. These type of meetings can be very helpful and may result in a mutually satisfactory outcome. With the rather short notification time we have been given this time, our first opportunity to voice our community concerns are these County Planning and Zoning Board and Commission meetings scheduled in the coming weeks. Our time to prepare and respond has been considerably shortened this time around. We have not heard of any outreach efforts on the part of City Point Landfall regarding this project. The first substantive notification of a planned effort on their part to change zoning, FLUM and remove the Binding Development Plan came by way of signs planted on Indian River Drive and at the entrance to Parkchester two weeks ago. Hardly an indication of concern for community involvement.

A big area of our concern is in setting a precedence. Since we fought so hard to establish safeguards to our community at the local, county and state levels, we are keen to continue keeping them in place so that future developers cannot cite exceptions given to other developers as a defense for whatever changes they would desire for future projects. We want to stick to our guns and defend our community's character and

environment.

The existing Binding Development Plan was executed October 28, 2008, signed by the owner of the property at that time and became permanently attached to the property as a safeguard to our community. The following restrictions were placed on the interior 7 acres of the property (referred to in the BDP as the “Subdivision”):

- A. There shall be a 15 foot natural buffer on the exterior of the subdivision;**
- B. There shall be no access for said subdivision to Indian River Drive;**
- C. The number of lots shall not exceed 7;**
- D. The subdivision shall have no access to Parkchester subdivision;**
- E. The minimum house size shall be 2,200 square feet under air;**
- F. The subdivision shall have an Association to maintain common elements and architectural control;**
- E. The Property shall have EU zoning.**

These restrictions and all of the provisions of the Binding Development Plan are present on the property today and were present when City Point Landfall purchased the property. We assume City Point Landfall knew what they were buying. We assume they also knew what the zoning and FLUM designations were when they made the purchase.

We agree with all of the provisions and restrictions called out in the Binding Development Plan and desire that it remain in force.

Irregardless of the PUD outlined in City Point Landfall’s Proposed Development Plan, by changing the FLUM to RES4 for the entire property, City Point Landfall will end up with the potential for 14.86 acres times 4 housing units each acre. This would be about 59 units if it was zoned to the maximum extent possible. While we appreciate the thought and some of the features of the PUD in City Point Landfall’s Proposed Development Plan, we worry that there is the possibility that the PUD may never be built, but the FLUM and Zoning changes, if enacted, will then be permanently attached to the property. It seems possible that funding could fall through, the economics of the project could change for the worse, the desire on the part of developers could wane - any number of things could conspire to make the PUD not come to fruition. City Point Landfall might be compelled to redesign and go with a completely different PUD or they might have to sell the property to a new buyer who would then have the opportunity to build a completely different project with greatly increased density.

We believe that the current Future Land Use Map, Zoning and Existing Binding Development Plan are adequate for development of a profitable and appropriate subdivision within our community. We therefore ask that Planning and Zoning Board recommend that the Board of Commissioners reject the changes requested by City Point Landfall LLC at the earliest opportunity.

Thank You for your attention and consideration,

James and Beverly Sudermann
3469 Indian River Drive
Cocoa, FL

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: ID# 24PUD00003 & 24SS00009
Date: Thursday, March 27, 2025 11:57:58 AM

From: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Sent: Tuesday, March 25, 2025 10:57 AM
To: Diane Burroughs <ddburroughs68@gmail.com>
Subject: Re: ID# 24PUD00003 & 24SS00009

Good morning Ms. Burroughs

On behalf of Commissioner Delaney, I want to acknowledge receipt of your email. It will be submitted to the Commissioner for her consideration.

Thank you for contacting her office and sharing your concerns.

Ruth Amato
Administrative Aide to the County Commissioner
County Commissioner Katie Delaney District 1
7101 S US Hwy 1
South Titusville, FL 32780
321-607-6901

From: Diane Burroughs <ddburroughs68@gmail.com>
Sent: Tuesday, March 25, 2025 10:00 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: ID# 24PUD00003 & 24SS00009

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Morning,

I am a resident of the Parkchester subdivision and reside at 381 Chester Drive. I am writing this to voice my concerns regarding the planned City Point Landfall development at property 3477 North Indian River Drive with entrance and exit into the planned development off Roundtree Drive just off US1.

Townhomes and large scale storage are NOT consistent with and NOT compatible within our neighborhood. Townhomes are an open invitation to become rental properties that could be suitable for Airbnb and Vrbo rentals to large groups of non-local individuals and is a

welcoming situation for loud parties and for unknown people to wander onto the property. They are unsightly and open the door to unsightly high density housing in this precious area that needs to be protected.

This plan also conflicts with the binding development plan that must be honored which states NO ACCESS TO THE PARKCHESTER SUBDIVISION OR INDIAN RIVER DRIVE. We oppose any and all changes to this portion of the existing binding agreement. Webster defines 'binding' as

(of an agreement or promise) involving an obligation that cannot be broken.

"business agreements are intended to be legally binding"

Why create a binding development plan if it is tossed aside? It must be honored.

As a member of the Parkchester community, the safety of our residents is paramount and this plan is ripe for congestion and injury entering and exiting the neighborhood.

Also - what will happen to the City Point Cemetery. How will this be protected?

Please protect our neighborhood and the consistency of the housing in this part of your district. Vote NO to this plan.

Sincerely,

Diane Burroughs
381 Chester Drive
Cocoa, FL 32926
352-425-8408

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: CITY POINT LANDFALL LLC 24PUB00003 & 24SS00009
Date: Thursday, March 27, 2025 11:57:40 AM

From: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Sent: Tuesday, March 25, 2025 4:04 PM
To: Mark W. Ward <mward@wardlawless.com>
Subject: Re: CITY POINT LANDFALL LLC 24PUB00003 & 24SS00009

Good afternoon,

On behalf of Commissioner Delaney, I want to acknowledge receipt of your email. It will be submitted to the Commissioner for her consideration.

Thank you for contacting her office and sharing your concerns.

Ruth Amato
Administrative Aide to the County Commissioner
County Commissioner Katie Delaney District 1
7101 S US Hwy 1
South Titusville, FL 32780
321-607-6901

From: Mark W. Ward <mward@wardlawless.com>
Sent: Tuesday, March 25, 2025 2:55 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Cc: 'Mark and Maggie Ward' <mmward97@gmail.com>
Subject: CITY POINT LANDFALL LLC 24PUB00003 & 24SS00009

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner Delaney,

This letter is a follow-up to my previous email on the same subject.

As the owner of 382 Chester Drive in the Parkchester Community, Unincorporated Brevard County, District 1, I am writing to urge you to vote NO on the Planning & Zoning Committee's recommendation to remove the Biding Development Plan that was hashed out in 2008 and contains protections for the PARKCHESTER community. I respectfully request that you gather support of all Commissioners in support of their "NAY" votes as well.

To that end, MBV Engineering will be holding a community meeting to discuss this matter because they said it was not until the March 17 P&Z meeting that they learned of any community opposition to the plan. A letter from Bruce Moine, P.E., President was then drafted and mailed on March 19 in which they are inviting only a select few residents (only those who live within 500 feet of the proposed development), to a meeting on April 1, 2025. The letter states that they desire to discuss and answer any questions and record feedback... and promise to present to "County Staff, the Planning and Zoning Board as well as Council as we move through the review and public hearing process for this request." It is really too late to present to the P&Z Board, as that meeting was held 2 days prior to the drafting of the notice (see attached). I respectfully request your attendance at the April 1 Meeting, as well.

Unless the engineers remove any access to Parkchester from the proposed PUD, I will be gathering and presenting, as representative of Parkchester, the signatures of all Parkchester residents in opposition of the removal of the BDP. A survey of homeowners indicates 100% are against the removal of the BDP.

While the access through our neighborhood is the main issue, there are a few other items of concern for our community. They are outlined here:

1. One developer should not set a precedent over our entire area: If we do not protect our FLU map and BDP, this developer will have opened a much wider door for high density housing (condos, apartments, etc.) affecting the future of our entire county and providing for adverse effects in all of our local communities. The developer can state that they will easily promise to fix infrastructure but, this plan will also remove the protection of the FLU and BDP surrounding areas' entire footprint and way of life by seeking fundamental changes to the legal protections we have in place. A binding agreement should be BINDING. These restrictions and all of the provisions of the Binding Development Plan are present on the property today and were present when City Point Landfall purchased the property. We assume City Point Landfall knew what they were buying. We assume they also knew what the zoning and FLU designations were when they made the purchase. We agree with all of the provisions and restrictions called out in the 2008 BDP and desire that it remain in force.
2. When a developer buys land, they should be held to any FLU and BDP that go along with the property and not change it through petition to a board that once voted against it. Since we fought so hard to establish safeguards for our community at the local, county and state levels, we are keen to continue keeping them in place so that future developers cannot cite exceptions given to other developers as a defense for whatever changes they would desire for future projects. We want to stick to our guns and defend our community's character and environment. The existing Binding Development Plan was executed October 28, 2008, signed by the owner of the property at that time and became permanently attached to the property as a safeguard to our community. The following restrictions were placed on the interior seven acres of the property (referred to in the BDP as the "Subdivision"):
 - a. There shall be a 15-foot natural buffer on the exterior of the subdivision;
 - b. There shall be no access for said subdivision to Indian River Drive;
 - c. The number of lots shall not exceed 7;
 - d. The subdivision shall have no access to the Parkchester subdivision;
 - e. The minimum house size shall be 2,200 square feet under air;

f. The subdivision shall have an Association to maintain common elements and architectural control;

g. The Property shall have EU zoning.

3. Parkchester has only ONE entrance/egress point; It has been thought that, because of this, the crime has remained relatively low in our neighborhood; This also gives concern due to the additional traffic using Roundtree Drive as a point of entrance/egress for the current plan of 19 additional homes without sufficient traffic control on US Route 1. The attorney for the developer, Kimberly Rezanka, even told the Planning and Zoning Board that the access off of Roundtree Drive is not intended to be used to enter our community but, rather, access to the new development; We find this to be a very disingenuous and misleading statement as that is the only access point for our neighborhood and "intention" or not, it is. Are they going to erect a guard shack and entry gate to prevent it? But this is more than just an inconvenience to our residents; it is a safety matter of traffic and invites crime, increases traffic and associated accident chances.
4. After rezoning, the developer can very easily walk away from the project and sell the property for much more than was initially purchased as, once the FLU and BDP are changed, the change opens the floodgates for even higher density if that should happen. Thus, the PUD outlined in City Point Landfall's Proposed Development Plan, by changing the FLUM to RES4 for the entire property, City Point Landfall will end up with the potential for 14.86 acres times four housing units each acre. This would be about fifty-nine units if it were zoned to the maximum extent possible. While we appreciate the thought and environmental features of the PUD in City Point Landfall's Proposed Development Plan, there is concern that the PUD may never be built, but the FLU and Zoning changes, if enacted, will then be permanently attached to the property. It seems possible that funding could fall through, the economics of the project could change for the worse, the desire on the part of developers could wane - any number of things could conspire to make the PUD not come to fruition. City Point Landfall might be compelled to redesign and go with a completely different PUD or they might have to sell the property to a new buyer who could then build a completely different project with greatly increased density. This is similar to what happened with the development projects in West Cocoa.
5. Regardless of what the Developer and their attorney, Kimberly Rezanka state, TOWNHOMES are not consistent with the character of the surrounding neighborhoods: There are absolutely no townhomes in Twin Lakes, Parkchester, Indian River Drive, High Point, Westchester or River Heights. In fact, you have to get to Dixon Avenue before any type of building has been approved, and that is within the City of Coca.

We believe that the current Future Land Use Map, Zoning and Existing Binding Development Plan are adequate for the development of a profitable and appropriate subdivision within our community. We therefore ask that Planning and Zoning Board recommendations be DENIED and sent back to the developer to re-work within the confines of the exiting agreement.

Please vote NO against the Planning & Zoning Board's Recommendation and have the developers re-engineer the plans that conform to the BDP.

I may be reached at 301-807-8704

Sincerely,
Mark W. Ward

Mark W. Ward
Ward & Lawless LLC
2410 Armadillo Court
Cocoa, Florida 32926
TEL: 888-658-8484 x1
FAX: 877-658-8484
www.wardlawless.com



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From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Sammy Carpenter in favor (City Pointe)
Date: Thursday, March 27, 2025 12:02:42 PM

From: Gianella, Janette <Janette.Gianella@brevardfl.gov>
Sent: Thursday, March 27, 2025 11:55 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Cc: D5_Users <D5_Users@brevardcounty.us>
Subject: Sammy Carpenter in favor (City Pointe)

Good morning,

Sammy Carpenter (321-917-5420) contacted our office in favor of the City Pointe Landfall LLC request to change from RES1 and NC to RES4 CC.

Thank you!

Janette Gianella
Legislative Affairs Director
Brevard County Commissioner Thad Altman, District 5
150 5th Avenue Suite D Indialantic, FL 32903
Phone: (321)253-6611
Janette.Gianella@brevardfl.gov

To: Rob Feltner, Chair, Commissioner District Five
Tom Goodson, Vice-Chair, Commissioner District Two
Katie Delaney, Commissioner, District One
Kim Adkinson, Commissioner, District Three
Thad Altman, Commissioner District Four
From: Tom and Linda Weinberg, 104 Sonya Drive, Cocoa (unincorporated)
Re: Application of City Pointe Landfall, LLC
24 PUD00003 - PUD /rezoning
April 3, 2025 Board Meeting
Date: March 27, 2025

This email is in regard to the above referenced request by City Pointe Landfall, LLC to change the Future Land Use and Zoning of two parcels of land from Rural Estate Use and Residential Professional to a Planned Unit Development that is designed, among other things, to nearly triple the residential component, encroach upon existing wetlands and permit townhomes along some of the most scenic areas of a Florida Scenic Highway. Despite claims otherwise, allowing such a change is a dramatic departure from the existing uses, diminishes the quality and character of the surrounding area as well as sets a negative precedent for the entire Indian River Drive area. It also extinguishes a Binding Development Agreement that was negotiated on the property in 2008.

In 2008, the bulk of this property, a 7.5-acre parcel, was owned by G&D Developers, LLC. These developers had initially requested a land use and zoning change, but after many discussions with the neighborhood and County staff, modified their request for only a zoning change from the then-existing AU to EU. The developer's attorney told the County Commission that this modification would make their request "consistent with the surrounding residential uses and zoning". At a September 4, 2008, Board meeting, the County Commission approved a negotiated Binding Development Agreement with G&D Development, in which the parties agreed to the following:

- EU zoning with the number of developable lots not to exceed seven
- Single family detached homes of a minimum size of 2,200 square feet
- No subdivision access to Indian River Drive

- No subdivision access to Parkchester subdivision

This Binding Development Agreement was prepared by Hank Evans, a respected land use attorney in Brevard County and executed by County Chairman Truman Scarborough.

Unfortunately, the meeting video is not available online however, a review of the official minutes of this September 4, 2008, County Commission meeting is highly instructive. (The relevant portion of the minutes are included at the end of this email). One resident thanked the Board “for working on this so diligently, especially Chairman Scarborough, also Laura on the Planning and Zoning Board: [and] all the people who have worked for almost five years on this small area development plan”. Chairman Scarborough noted that “there was a tremendous amount of interest in this as there was going to be a change in the land use; the land use occurred from a small area plan that the community worked on for multiple years; and the residents wondered why he or she should have a small area plan if it can be changed so rapidly.” The BCC unanimously agreed and approved the rezoning from AU to EU with a Binding Development Agreement allowing a maximum of seven units and the applicant withdrawing its request for a Future Land Use designation change.

City Pointe Landfall, LLC purchased this property in Nov 5, 2021 from G&D Developers with full awareness and knowledge of the Binding Development Agreement restrictions that were negotiated by the Sellers and placed upon the property. ***There have been no changes in the character or circumstances of the surrounding area and there is no reason to extinguish the Binding Development Agreement.*** This area is part of a thoughtfully created small area study that is designed to promote and protect expansion of non-residential elements into the area.

Of the utmost importance to note in this recent proposal is that the P&Z staff report posting online for the March meeting is woefully incomplete and insufficient in summarizing the facts and circumstances that led to the creation of the Binding Development Plan that runs with the property. It does not note the dramatic departure in land use that would result from this proposal being approved. Nor does it mention the negative impact to the surrounding community or small area study that are likely to occur if this project were

approved. Thus, the volunteer members of the P&Z Board did not have the full background necessary to make an informed decision and vote. How that could happen may be related to turnover in staff, but it is dramatic departure from what the minutes reflect in the Board discussion of Set 4, 2008 when the BDA was approved.

There have been numerous concerns to this proposal expressed by residents in surrounding communities, many of whom spoke at the P&Z meeting. Overall, these concerns include:

- Exacerbating the existing drainage problems and flooding along Indian River Drive which already frequently floods in front of this property
- Impact on the wetlands from a walking path and proposed parking lot
- Creation of townhomes visible from Indian River Drive which is a dramatic departure from the single-family home character of the surrounding area. There are no townhomes along Indian River Drive north of Cocoa Village.
- More wetlands impact as well as security concerns associated with a proposed parking lot on Indian River Drive. This parking lot makes NO sense from an ecological, environmental, drainage, safety, traffic or practical perspective.

The property in question is in a highly desirable area along the Indian River Lagoon. The major reason for this desirability is because of land and zoning protections that have ensured residential compatibility with the surrounding area. These residential protections not only benefit surrounding residents but the entire county. Indian River Drive has been designated by the State of Florida as one of only 27 Florida Scenic Drives – the mission of which is to highlight and conserve natural resources and provide high quality experiences to visitors. Taking the Indian River Drive north of Cocoa Village to US 1, you will find no townhomes and no parking lots. It is a beautiful residential drive that attracts multitudes of drivers, motorcyclists, bikers, runners and walkers.

The Action we are requesting is that the rezoning and land use request of City Pointe Landfall, LLC be DENIED and that the Binding Development Agreement remain in place and govern whatever land uses are proposed for the property.

Thank you for your time and attention in ensuring our community is valued and respected.

not been resolved. He advised he would like to tie that in with the whole process of getting the water taken care of. Chairman Scarborough advised as it moves forward perhaps that will happen; and staff will keep Mr. Teele in the loop.

TABLED ITEMS

Chairman Scarborough called for a public hearing to consider items tabled by the Board of County Commissioners on April 3, 2008 and August 7, 2008.

VI.A.1. (Z0801103) G & D Developers, L.C.'s request for a Small Scale Plan Amendment (08S.03) to change the Future Land Use designation from Res. 1 & Res. 2 to Res. 4, and a change from AU to EU on 7.434 acres located east of U.S. 1, south of Cidco Road, which was recommended for approval by the Local Planning Agency and the Planning and Zoning Board.

Chairman Scarborough inquired if the request was amended where there would be no request for change in the land use and it is just a zoning request now; with Attorney Richard Stadler responding that is correct. Mr. Stadler distributed copies of a Binding Development Plan to the Board and to the homeowners.

Attorney Richard Stadler stated he represents G & D Developers who originally requested a land use change and zoning request to the property that is shown in yellow on the map; it is an interior portion that is currently zoned AU and has a Res. 1 designation for the land use code; and it was originally used as a grove, which is why the zoning is AU. He stated the applicant is withdrawing the request for a change in the land use designation; at this point in time the applicant is requesting an EU zoning change to change it from AU to EU; that would be consistent with the surrounding residential uses and the zoning; those are all marked on the map in blue and green; everything around it designated either EU or RU-1-11; and all the land use designations are all higher than Res. 1. He stated the applicant is willing to, after meeting with the homeowner's, compromise and stick with Res. 1. He advised there is also a Binding Development Plan, the terms of which would provide for a maximum of seven units in the area to be rezoned.

John Willis stated he wants to thank the Board for working on this so diligently, especially Chairman Scarborough, also Laura on the Planning and Zoning Board; he also wants to thank all of the people who have worked for almost five years on this small area development plan; and on behalf of all of the homeowners, he wants to thank Mr. Owens office and Mr. Papp for finally seeing the way that the land was designed to use. He stated they have a nice neighborhood and would like to keep it that way.

R. Victor Brungart stated it looks like Zoning Official Rick Enos has worked well with the homeowners to help get this squared away; and in other states he has worked with zoning-type things. He stated it looks like this should be approved as everyone is working together.

Chairman Scarborough stated a lot of people did not come to the meeting this evening; there was a tremendous amount of interest in this as there was going to be a change in the land use; the land use occurred from a small area plan that the community worked on for multiple years; and the residents wondered why he or she should have a small area plan if it can be changed so rapidly.

There being no objections heard, motion was made by Commissioner Voltz, seconded by Commissioner Nelson to approve Item VI.A.1 with a Binding Development Agreement allowing a maximum of seven units; and applicant withdrawing request for Future Land Use designation change. Motion carried and ordered unanimously. (See page
for Binding Development Plan.)

PUBLIC HEARING RE: PLANNING AND ZONING RECOMMENDATIONS OF

From: [Hernandez, Sonja D. \(KSC-AEGIS-4000\)\[AEGIS\]](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: suderma@bellsouth.net; [FRYE, ERIN L. \(KSC-COMET-6000\)\[COMET Primary\]](#); [Schneider, Jennifer CIV USARMY PEO STRI \(USA\)](#)
Subject: Zoning action: 24Z00025 PUD AMENDMENT: 24PUD0003 COMP PLAN: 24SS0009
Date: Sunday, March 30, 2025 10:23:11 AM
Importance: High

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Honorable Commissioner Kathryn Delaney
Honorable Commissioner Kim Adkinson
Honorable Commissioner Vice Chair Tom Goodson
Honorable Commissioner Thad Altman
Honorable Commissioner Chair Rob Feltner

We are 23-year residents of the Indian River Drive North Community and I am asking for you to Vote Against this change and protect Conservative values. The City Point Landfall change in zoning request was recklessly approved by the Planning and Zoning Board. There is already a binding agreement in place that aligns with sustainable growth management and infrastructure; decorum; preserves our natural resources; and maintains our quality of life. I believe you can agree that the Indian River is already struggling under the immense amount of residential and commercial development impacting the natural coquina shelf; increased sewage runoff and other issues contaminating this natural resource. Please be considerate of the residents of this community who have been residents and stewards of this community and protect our future and property values. This is a highly visible issue within our community and there are many residents who would be extremely upset if this change in zoning is passed. I appreciate your support in advance!

Sonja & Michael Hernandez
185 Sonya Drive
Cocoa, FL 32926
321-289-6331

From: [Michele Meyer-Arendt](#)
To: [Commissioner, D4](#)
Subject: zoning change
Date: Sunday, March 30, 2025 3:31:42 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Commissioner Feltner,

Please vote NO to the requests for a zoning and land use change for a planned urban development for the property at 3477 North Indian River Dr., Cocoa. (Zoning action: 24Z00025)

This acreage has a binding comprehensive land use plan from 2004 that limits the property to no townhomes, and no access to Indian River Drive. This Amendment 2004 A.5 set land use densities that cannot be exceeded by rezoning.

Sincerely, Michele Meyer-Arendt

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Zoning & Land Use Change
Date: Monday, March 31, 2025 9:00:27 AM

From: DOUGLAS R DUNCAN <dougmel@aol.com>
Sent: Saturday, March 29, 2025 8:14 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Zoning & Land Use Change

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Ref: Zoning Action 24Z00025

As a native Floridian with a residence on City Point Road in Cocoa, I am asking that you please honor the Binding Development Plan that was agreed upon and approved in 2008 for property located at 3477 North Indian River Drive. This property was purchased a few years ago with full disclosure of this legal instrument which was in place. The new request for rezoning is completely incompatible with the history and character of the community, the health of the Indian River Lagoon, flow of underground springs, stability of coquina rock formations, Indian River Drive flooding issues, and scenic skyline value and most important of all, it does not reflect the desires of the community.

No pressure but we are depending on you.

Thank you,
Melanie Duncan
190 City Point Road
Sent from my iPhone

From: lintomw@aol.com
To: [Commissioner, D3](#); [Commissioner, D1](#); [Commissioner, D4](#); [Commissioner, D5](#); [Commissioner, D2](#)
Subject: Vote No - Zoning Change
Date: Monday, March 31, 2025 12:51:46 PM

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Please vote not to approve.

As a home owner on Indian River Dr, this will contaminate the Indian River Lagoon and lower all property values -

Zoning Action: 24Z00025

PUD Amendment: 24PUD00003

Comp Plan: 24SS00009

Thank you -

Linda Wallander

From: randy_randyshots.com
To: [Commissioner, D4](#)
Subject: Zoning Change for 3477 North Indian River Drive
Date: Saturday, March 29, 2025 12:09:38 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Commissioner,

My name is Randy Lathrop and I have been a resident here on Indian River Drive for over fifty years. The area has changed greatly in the last fifty years, and continues to do so, our neighborhood is now threatened with more development which will have a great impact on current local residents.

I'm writing to ask you vote against the current approved plan which includes 8 townhomes that were not included in the original proposal. The current plan impacts the river, the neighborhood, and has a "binding Plan", that limits property larger lots, no town homes, and no access to Indian River Drive.

Please stay with that original plan and help us retain and conserve our lifestyle and environment we have know for many years.

Sincerely

Randy Lathrop
204 Forest Hill Drive
Cocoa, Fla. 32926

From: [Dave Andrews](#)
To: [Commissioner, D4](#)
Subject: Zoning change request by City Point Lanfall, LCC at the April 3rd meeting
Date: Monday, March 31, 2025 5:48:53 PM

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To Rob Feltner (Commissioner District 4)-Chairman

As President representing the Point View Place HOA, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it

currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Sincerely,
David A. Andrews
President
Point View Place HOA
(321) 693-0657

From: [Nathan Krohne](#)
To: [Commissioner, D4](#)
Subject: Cocoa rezoning
Date: Tuesday, April 1, 2025 12:46:35 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we

have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Nathan Krohne

211 Forest Hill Dr.
Cocoa, Florida. 32926
321 604 0467

From: [Mike Futch](#)
To: [Commissioner, D4](#)
Subject: Zoning Change Request for 3477 North Indian River Drive, Cocoa, FL
Date: Monday, March 31, 2025 4:53:32 PM
Attachments: [image001.png](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To: Rob Feltner

From: Michael C Futch, Homeowner of 3620 North Indian River Drive, Cocoa, FL 32926

I am sending this email to express my and my family's concerns over the zoning change request for the property at 3477 North Indian River Drive, Cocoa, FL. This zoning change is on the slate for your April 3, 2025 meeting date. I am adamantly opposed to any change that allows townhomes or parking lots on our street and in our neighborhood. I am organizing neighbors to attend this meeting and protest this zoning change.

Please deny this zoning change and maintain the prior, binding development plan. Thank you.

Mike Futch

President & CEO



O: 919.855.5505

M: 919.523.8803

E: mfutch@tompkinsrobotics.com

www.tompkinsrobotics.com

From: [J A HOLMAN](#)
To: [Commissioner, D4](#)
Subject: Zoning Change for 3477 N Indian River Dr (Zoning Action 24Z00025)
Date: Monday, March 31, 2025 5:55:09 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing concerning the Zoning and Land Use Change (Zoning Action 24Z00025) for the property at 3477 North Indian River Drive requested by Mr. Brian McKee, City Point Landfall, LLC that will be decided at the County Commissioners meeting Thursday, April 3, 2025. This tract of land already has a comprehensive binding development plan in place that limits the property to larger lots, no multi-family dwellings and access only via US1. I am respectfully asking the County Commission to deny this zoning change due to the following.

. Multi-family dwellings are not consistent with nor compatible with our neighborhood. More septic

systems and their potential sewage discharges would be detrimental to the health of the Indian

River Lagoon.

. N Indian River Drive being a narrow winding two lane roadway is ill equipped to handle the

increased traffic that would be generated by the proposed development.

. Flooding is already a concern along that stretch of roadway. The increased runoff created by an

access road connecting to Indian River Drive and a parking lot would only add to the flooding

potential.

. City Point Landfall, LLC should have known and understood the zoning and development plan in

place for the property before making their purchase. Requesting a zoning change now is only a

back handed attempt to increase their profits at the expense of our neighborhood.

James A Holman

3767 N Indian River Dr

Cocoa, FL 32926

jaholman@bellsouth.net

From: [Kevin Jackson](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Zoning Action 24Z00025 - Proposed City Point Rezoning/Development
Date: Monday, March 31, 2025 2:52:20 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

I am writing to object to the proposed residential development and rezoning just north of City Point Rd. north of Cocoa. Indian River Drive is a special place that we have been fortunate enough to live near in the Twin Lakes subdivision for 4 years. I contend the character of this road and surrounding area will be negatively affected by this rezoning and proposed development for the following reasons.

1. The natural beauty of the area along with the unique scenery of the many one-of-a-kind homes will be ruined by a modern, zero lot line, cinder block and stucco, generic subdivision plopped right in the middle of it.
2. Indian River Drive is incredibly narrow along the northern section but especially so at the exact point of this proposed development. Traffic is stop and go thru this area already after any significant rainfall. In addition, many walkers, runners and bicyclists add to existing congestion. That area already has blind curves that present a hazard for any recreational use of the road. A new subdivision will make this situation worse by orders of magnitude.
3. Indian River Drive at the site of the proposed development is at its lowest point (in relation to the river level) along its entire length. The road is literally inches above the normal river level. During periods of strong NE winds, the road is completely covered by water. During hurricanes, that area is impassable by a normal car. A subdivision in this area would only make this problem worse due to the addition of a large amount of impervious area created by the new roadways, driveways and sidewalks. You are potentially creating a disastrous situation during hurricane season by this road being inundated by onshore winds and then having large amounts of rainfall runoff pouring out of this subdivision into the exact same spot. Any civil engineer could instantly spot the potential large scale flooding of the road and potentially existing houses from the addition of this proposed development.

Please consider these points carefully when making a final ruling on this proposed rezoning/development. Thank you for your time.

Sincerely & respectfully,
Kevin Jackson
118 S Twin Lakes Rd.
Sent from my iPhone

From: [Bob Stover](#)
To: [AdministrativeServices](#)
Subject: Petitions from Twin Lakes for Alice Randall
Date: Tuesday, April 1, 2025 3:52:07 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:

From: Bob Stover <b.stover@me.com>
Date: April 1, 2025 at 3:09:10 PM EDT
To: Bob Stover <bobstover@outlook.com>
Subject: **Petitions**

Petition Objecting to City Point Landfall, LLC requests for a New Comprehensive Plan Amendment, Zoning Reclassification and Removal of Existing Binding Development Plan.

Pertinent Documents are:
 Planned Unit Development 24PUD00003
 Small-Scale Comprehensive Plan Amendment (3rd of 2025, 24S.11)
 Preliminary Development Plan, City Point PUD (MBV # 23-1071, August 19, 2024)

We the undersigned would like to register the following objections to the City Point Landfall, LLC requests;

1. We object to the request to change our community's existing Florida Land Use Map designations from their current configuration.
2. We object to the request to change our community's existing Brevard County Zoning from its current configuration.
3. We object to the removal of the current Binding Development Plan and the replacement of it with the proposed PUD.

Our community has been well protected from inappropriate development projects by this combination of Florida Land Use Map, Zoning and Binding Development Plan provisions since they were enacted in 2004 after a very lengthy review and negotiation process between Brevard County, the State of Florida, Indian River homeowner's associations, individual homeowners and the previous owners of the tract of land now owned by City Point Landfall, LLC. City Point Landfall, LLC purchased this tract with all of the provisions in force and we have always expected any new project to adhere to them.

We want the Commissioners to leave the Florida Land Use Map, Zoning and Binding Development Plan in place unchanged.

NAME / Signature	Address	Twin Lakes Homeowners Association
------------------	---------	-----------------------------------

Jane McGillum Jane McGillum	102 N. Twin Lakes Rd	✓
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[Signature]	143 N. Twin Lakes Rd	
[Signature]	" "	

Dusty Michele Parker	142 N. Twin Lakes Rd.	✓
----------------------	-----------------------	---

Gemini Gerard	140 N. Twin Lakes Rd	
---------------	----------------------	--

Charles Richards	133 S Twin Lakes Rd	✓
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Tom Morgan	142 S. Twin Lakes Rd	
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Dana Little	130 S TWIN LAKES RD	✓
-------------	---------------------	---

Rachel Gullist	130 S TWIN LAKES RD	
----------------	---------------------	--

[Signature]	126 S Twin Lakes Rd	
-------------	---------------------	--

[Signature]	126 South twin lakes rd - Cocoa, FL 32926	
-------------	---	--

Tommy Hoade	137 South Twin Lakes Rd, Cocoa, FL 32926	
-------------	--	--

LARRY RAY	145 South Twin Lakes Rd. Cocoa, FL 32926	
-----------	--	--

ELLYN RAY E.R.	145 South Twin Lakes Rd, Cocoa, FL 32926	
----------------	--	--

K. H.	118 S TWIN LAKES RD. COCOA, FL 32926	
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Petition Objecting to City Point Landfall, LLC requests for a New Comprehensive Plan Amendment, Zoning Reclassification and Removal of Existing Binding Development Plan.

Pertinent Documents are:
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We want the Commissioners to leave the Florida Land Use Map, Zoning and Binding Development Plan in place unchanged.

NAME	Address	Twin Lakes Homeowners Association
Bob Stoves	102 N. Twin Lakes Rd.	✓
Earline G. Ford	3600 Indian River Drive	✓
Wm H. Hill	3550 Indian River Drive	✓
Cynthia Shrovel	3550 Indian River Dr.	✓
John D. Caffell	117 S Twin Lakes Rd	✓
Bob MacConnell	135 N. Twin Lakes Rd	✓
Tom Foster	135 N Twin Lakes Rd	✓
Joel Gynell	132 N. Twin Lakes Rd.	✓
L. C. Brown	120 N. TWIN LAKES RD	✓
B. G. K.	107 N Twin Lakes Rd	✓
B. H. K.	127 N. TWIN LAKES RD	✓
John H. K.	133 S TWIN LAKES RD	✓

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Cocoa plans
Date: Tuesday, April 1, 2025 11:02:30 AM

From: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Sent: Tuesday, April 1, 2025 11:01 AM
To: Myah Gallen <myah.belew@gmail.com>
Subject: Re: Cocoa plans

Good morning,

On behalf of Commissioner Delaney, I want to acknowledge receipt of your email. It will be submitted to the Commissioner for her consideration.

Thank you for contacting her office and sharing your concerns.

Sincerely,

Ruth Amato
Administrative Aide to the County Commissioner
County Commissioner Katie Delaney District 1
7101 S US Hwy 1
South Titusville, FL 32780
321-607-6901

From: Myah Gallen <myah.belew@gmail.com>
Sent: Tuesday, April 1, 2025 10:50 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Cocoa plans

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive

rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards,
Myah Gallen

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting
Date: Tuesday, April 1, 2025 11:01:19 AM

From: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Sent: Tuesday, April 1, 2025 11:01 AM
To: Jane Crowley <jbcrowley7@gmail.com>
Subject: Re: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting

Good morning Ms. Crowley,

On behalf of Commissioner Delaney, I want to acknowledge receipt of your email. It will be submitted to the Commissioner for her consideration.
Thank you for contacting her office and sharing your concerns.

Sincerely,

Ruth Amato
Administrative Aide to the County Commissioner
County Commissioner Katie Delaney District 1
7101 S US Hwy 1
South Titusville, FL 32780
321-607-6901

From: Jane Crowley <jbcrowley7@gmail.com>
Sent: Tuesday, April 1, 2025 10:15 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Fwd: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

----- Forwarded message -----

From: **Suzie DeBusk - HOA** <highpointcivicassoc@gmail.com>
Date: Tue, Apr 1, 2025 at 10:03 AM
Subject: Fwd: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting
To:

Hi all, I took the liberty of sending this email to the 5 county commissioners, individually. I don't want a new neighborhood with higher density going in just north of us. I know you saw the letter from the other folks around and I've been getting emails about it, but didn't want to inundate you all with them.

Here is my letter below my signature. My version said "As the President of", I have already modified it to say "As a resident of". Please forward it, if you see fit to do so. Here are the individual emails for each of them:

District 1: D1.Commissioner@brevardfl.gov

District 2: D2.Commissioner@brevardfl.gov

District 3: D3.Commissioner@brevardfl.gov

District 4: D4.Commissioner@brevardfl.gov

District 5: D5.Commissioner@brevardfl.gov

BEFORE YOU FORWARD IT: Please add your own signature after the Regards,

Thank you,

Suzie DeBusk

President, High Point Civic Assoc

Email: HighPointCivicAssoc@gmail.com

Mobile: 321-223-5257

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

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Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Zoning Changes
Date: Tuesday, April 1, 2025 12:36:35 PM

Good afternoon Ms. Deuchler,

On behalf of Commissioner Delaney, I want to acknowledge receipt of your email. It will be submitted to the Commissioner for her consideration.

Thank you for contacting her office and sharing your concerns.

Ruth Amato
Administrative Aide to the County Commissioner
County Commissioner Katie Delaney District 1
7101 S US Hwy 1
South Titusville, FL 32780
321-607-6901

From: patti deuchler <patches971@yahoo.com>
Sent: Tuesday, April 1, 2025 12:08 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Zoning Changes

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for

those in the community to challenge future inappropriate development.

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Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Patricia Deuchler
High Point Community

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: Opposition to Zoning Change
Date: Tuesday, April 1, 2025 11:00:35 AM

From: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Sent: Tuesday, April 1, 2025 11:00 AM
To: Della On RR <dellakennelly@cfl.rr.com>
Subject: Re: Opposition to Zoning Change

Good morning,

On behalf of Commissioner Delaney, I want to acknowledge receipt of your email. It will be submitted to the Commissioner for her consideration.
Thank you for contacting her office and sharing your concerns.

Sincerely,

Ruth Amato
Administrative Aide to the County Commissioner
County Commissioner Katie Delaney District 1
7101 S US Hwy 1
South Titusville, FL 32780
321-607-6901

From: Della On RR <dellakennelly@cfl.rr.com>
Sent: Tuesday, April 1, 2025 10:14 AM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Opposition to Zoning Change

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

My husband and I own and reside in a home at 3711 Indian River Drive near the Brookhill Subdivision. It is my understanding the Brevard County Commission is considering a zoning and land use change which would permit the building of townhomes, a larger number of single-family residences and a parking lot at 3477 Indian River Drive. We believe this type of development is inconsistent with the nature of the existing community and would lower the value of our homes, increase traffic along the road, and exacerbate existing flooding problems. So, I am writing to request that you vote NO to zoning action 24Z00025 and PUD amendment 24PUD00003.

This property has an existing binding development plan, that limits the development to larger lots with no vehicle access to Indian River Drive. Such a plan preserves the nature of the area, especially if the resulting homes are of high-quality construction and substantial size. We ask you to retain the existing zoning plan.

Thanks for your help in protecting this beautiful natural area from over development.
Sent from my iPad

From: [Commissioner, D1](#)
To: [AdministrativeServices](#)
Subject: Fw: City Point
Date: Tuesday, April 1, 2025 12:35:51 PM

From: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Sent: Tuesday, April 1, 2025 12:35 PM
To: Nathan Krohne <nrkrohne@gmail.com>
Subject: Re: City Point

Good afternoon Nathan Krohne,

On behalf of Commissioner Delaney, I want to acknowledge receipt of your email. It will be submitted to the Commissioner for her consideration.
Thank you for contacting her office and sharing your concerns.

Ruth Amato
Administrative Aide to the County Commissioner
County Commissioner Katie Delaney District 1
7101 S US Hwy 1
South Titusville, FL 32780
321-607-6901

From: Nathan Krohne <nrkrohne@gmail.com>
Sent: Tuesday, April 1, 2025 12:33 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: City Point

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,
Would like to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1

and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

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amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

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So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Nathan Krohne
211 Forest Hill Dr.
Cocoa, Florida. 32926
321 604 0467

From: i2rbaboon@aol.com
To: D.1Commissioner@Brevardfl.gov; D.2Commissioner@BrevardFL.gov; [Commissioner, D3](#); [Commissioner, D4](#); D5Commissioner@BrevardFL.gov
Subject: 3477 North Indian River Drive
Date: Tuesday, April 1, 2025 1:00:58 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Wendy McAllister, 3704 Windsor Drive, Cocoa

I don't know who Brian McKee is, but still, I do feel strongly about what I have written here. If these facts are correct.

RE: 3477 North Indian River Drive:

I am going to start this with my first thoughts:

Normally, or one might say, 99 percent of the time, I read these complaints from the neighboring area and sympathize with the letter bearer, but throw the letter in the garbage.

As a licensed CAM in the state of Florida, and after running HOAs, I can tell you that I have seen over and over again good intentions go wrong.

I will give you one example:

In one of the HOAs which was a single-family residence; one house had their daughter and her family move in with Mom and Dad. They were having hard times and we didn't want to come off as the hard guys, so we allowed this indiscretion. By the end of the year, we had ten houses with families moving in, even board members were doing it. Two board members. We were stuck! Then came more problems with parking, for there had become excess cars. Etc. No parking was allowed on the street, so people were parking on the front lawn.

Townhouses:

My granddaughter lives in a townhouse up in Jacksonville, which is off a very quiet street a block from the ocean and beaches. At first all was fine, until the townhouse parking lot became a problem. My granddaughter could never find a spot in the parking lot, and there was limited parking on the street. This happened because the residents had company or other people moving in with them. Too many cars, and then the noise became a problem and more. The area is a shared area, and each person had their own idea of what was or was not acceptable.

Here's the problem in one sentence of a simple children's book: What happens if you give a mouse a cookie? The answer, he wants a glass of milk. If you give him a glass of milk, he wants a straw, And so on....

It is best not to open the can of worms you cannot close.

In Closing:

This is not a big city, (Jacksonville) nor do any of the homeowners want it to be, or they would have moved there not here. These builders are not doing this to improve the area, people moved here (As I have) to get away from the congestion, people pay big taxes and sometimes straining to do so, to live as we feel it should be, homes, neighbors. The quiet place. These builders see money, and that is all. Money at other people's expense. This will at first look innocent, but in no time escalate, not to mention, change things to a point where it will never go back to being just Cocoa, a nice place to live. I have seen this too many times, I think we all have.

Please do not vote in approval of townhouses, for once you open that can of worms, it cannot be closed. The builders will make it sound as if it is not a precedence, But it is. Again, being involved in law for many years, this one has come back to bite many people.

There is no reason why this is worth voting yes, for only the **builders** want that vote, no one else. Only the builders will make out. Taxes? There are plenty that we pay, however, I am sure the people would take a higher tax than to have these

townhouses. I know I would. Don't let them destroy Cocoa. One of the last remaining real neighborhoods.
Thank you,

From: [Suzie DeBusk - HOA](#)
To: [Commissioner, D4](#)
Subject: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting
Date: Tuesday, April 1, 2025 9:49:04 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As President representing the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we

have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Suzanne DeBusk
President, High Point Civic Assoc
Email: HighPointCivicAssoc@gmail.com
Mobile: 321-223-5257

From: [Sue](#)
To: [Commissioner, D4](#)
Subject: Rezoning Property Proposal
Date: Tuesday, April 1, 2025 2:51:38 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

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have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Sue A Lathrop

From: [Myah Gallen](#)
To: [Commissioner, D4](#)
Subject: Cocoa plans
Date: Tuesday, April 1, 2025 10:51:09 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

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So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards,
Myah Gallen

Dear Commissioner Goodson,

My wife and I have lived in the Twin Lakes Subdivision, just north of SR 528, for 21 years. When we moved here in 2004 we became neighbors with people who had thrived here for four or five decades. Several of them became our close friends, including next door neighbors Bernie and LaVonn Simpkins and Fletcher and Leila Sheriff. They built homes here in the 1960s, raised families and flourished as state-wide entrepreneurs. Their business accomplishments included developing Melbourne's Bay Tree community. They were successful enough to live anywhere but they stayed in Twin Lakes for the rest of their lives because the neighborhood was such a great place to live.



In retirement Bernie kept Peking Ducks in the two lakes, feeding them like clockwork each afternoon. The Simpkins' and Sheriff's contributions to Twin Lakes are honored with benches and stone seating areas that bear their names in the neighborhood's Indian River front park, which is a great place to watch rocket launches. Residents here have cherished the legacy they and other pioneers of this area created in Twin Lakes and a few other nearby subdivisions. Over the years we have cheered the runners in the annual Thanksgiving weekend marathon along Indian River Drive. We enjoy walking the area, and when we drive out of the neighborhood we drive very slowly so as not to endanger the hundreds of residents who walk or ride bicycles for exercise along the narrow, winding road.

But there are some difficulties. The winding, narrow road is prone to flooding – and washouts, and in heavy storms we've even seen the two lakes unite as one. I have attached photos from last October when we were brushed by the back of a hurricane. But it doesn't require a tropical storm to flood this road in several places. More intensive nearby development could make it worse. I certainly wouldn't recommend a parking lot on Indian River Drive in one of its lowest places.





Importantly, as Twin Lakes' original residents passed away, new families - many with children - have moved in, renovating and upgrading single family homes and improving landscapes.

They've "invested" financially and emotionally in this community. Their engagement has ensured that this remains a vibrant, cohesive, safe area with residents able to enjoy the cadence of an established neighborhood that is well cared for. A few other subdivisions nearby have also maintained this stability.

Many of us fear that these decades of investment in the community will be threatened by the **proposal to rezone Planned Unit Development 24PUD00003 and to remove the existing Binding Development Plan** for this area. It is on the Commission agenda this coming Thursday. If this is approved now, there will be other proposals to fight in the future.

Please, do not approve this proposal.

Developers have suggested that more intense development would increase the tax base. That may be true in the short term, but it might reduce the value of what is already here and potentially cost the county more to serve. Also, if this is approved, we know it won't be the last request for more intensive development in an area that you have so far managed to protect with thoughtful planning.

Thank you for your consideration. In less than 24 hours we were able to get more than two dozen homeowners' signatures on petitions opposing the zoning change in our subdivision. I'm sending them to you, too.

Sincerely,

Bob Stover

From: sallyh12@cfl.rr.com <sallyh12@cfl.rr.com>

Sent: Tuesday, April 1, 2025 5:03 PM

To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>

Subject: Regarding Zoning change for 3477 North Indian River Drive

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Delaney

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our 90 single family home subdivision is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

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Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards
Sally Henderson

From: [kathy.mardirosian](#)
To: [Commissioner, D4](#)
Subject: Zoning change request for 3477 N. Indian River Dr.
Date: Tuesday, April 1, 2025 7:04:07 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

am writing to request that you **vote to NOT approve the request for zoning changes for the above-noted address.** I am a resident and homeowner in Brookhill subdivision (3702 Windsor Dr. Cocoa).

I am deeply concerned about the impact a zoning change would have on this road, which is the only access to my neighborhood. A coquina rock shelf lies just beneath the subject property and would be subject to any potential septic systems and its sewage discharges that may occur from development. Plus there is already an issue with flooding on this area of Indian River Dr. Each time we have a hurricane come through, this part of the road floods significantly. There is also a section of the road that is under water after each hurricane north of Brookhill subdivision. Repeatedly we have had no access to our neighborhood because of this flooding and have had to park our cars at businesses on Hwy 1 and walk through private property and down a steep incline to get into our neighborhood. While this is still a significant problem, we do not need to deal with the potential impact of more development on this road.

Also, this tract already has a current binding development plan in place that limits the property to larger lots and NO townhomes and NO access to Indian River Dr. Those of us who live in this area chose it for multiple reasons-- including the limits on development that are currently in place. There are good reasons for these current restrictions and there is no good reason to change them.

Thank you for serving the residents of Brevard County, -Kathy Mardirosian

From: [Sally Henderson](#)
To: [Commissioner, D2](#)
Subject: Regarding Proposed Zoning Change for 3477 North Indian River Drive
Date: Tuesday, April 1, 2025 5:05:31 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Goodson

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our 90 single family home subdivision is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

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Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Sally Henderson

From: [kathy.mardirosian](#)
To: [Commissioner_D2](#)
Subject: zoning change request for 3477 N. Indian River Dr
Date: Tuesday, April 1, 2025 7:01:03 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioner Goodson-

I am writing to request that you **vote to NOT approve the request for zoning changes for the above-noted address**. I am a resident and homeowner in Brookhill subdivision (3702 Windsor Dr. Cocoa).

I am deeply concerned about the impact a zoning change would have on this road, which is the only access to my neighborhood. A coquina rock shelf lies just beneath the subject property and would be subject to any potential septic systems and its sewage discharges that may occur from development. Plus there is already an issue with flooding on this area of Indian River Dr. Each time we have a hurricane come through, this part of the road floods significantly. There is also a section of the road that is under water after each hurricane north of Brookhill subdivision. Repeatedly we have had no access to our neighborhood because of this flooding and have had to park our cars at businesses on Hwy 1 and walk through private property and down a steep incline to get into our neighborhood. While this is still a significant problem, we do not need to deal with the potential impact of more development on this road.

Also, this tract already has a current binding development plan in place that limits the property to larger lots and NO townhomes and NO access to Indian River Dr. Those of us who live in this area chose it for multiple reasons-- including the limits on development that are currently in place. There are good reasons for these current restrictions and there is no good reason to change them.

Thank you for serving the residents of Brevard County, -Kathy Mardirosian

To: Rob Feltner, Chair, Commissioner District Five
Tom Goodson, Vice-Chair, Commissioner District Two
Katie Delaney, Commissioner, District One
Kim Adkinson, Commissioner, District Three
Thad Altman, Commissioner District Four
From: Tom and Linda Weinberg, 104 Sonya Drive, Cocoa (unincorporated)
Re: Application of City Pointe Landfall, LLC
24 PUD00003 - PUD /rezoning
April 3, 2025 Board Meeting
Date: March 27, 2025

This email is in regard to the above referenced request by City Pointe Landfall, LLC to change the Future Land Use and Zoning of two parcels of land from Rural Estate Use and Residential Professional to a Planned Unit Development that is designed, among other things, to nearly triple the residential component, encroach upon existing wetlands and permit townhomes along some of the most scenic areas of a Florida Scenic Highway. Despite claims otherwise, allowing such a change is a dramatic departure from the existing uses, diminishes the quality and character of the surrounding area as well as sets a negative precedent for the entire Indian River Drive area. It also extinguishes a Binding Development Agreement that was negotiated on the property in 2008.

In 2008, the bulk of this property, a 7.5-acre parcel, was owned by G&D Developers, LLC. These developers had initially requested a land use and zoning change, but after many discussions with the neighborhood and County staff, modified their request for only a zoning change from the then-existing AU to EU. The developer's attorney told the County Commission that this modification would make their request "consistent with the surrounding residential uses and zoning". At a September 4, 2008, Board meeting, the County Commission approved a negotiated Binding Development Agreement with G&D Development, in which the parties agreed to the following:

- EU zoning with the number of developable lots not to exceed seven
- Single family detached homes of a minimum size of 2,200 square feet
- No subdivision access to Indian River Drive

- No subdivision access to Parkchester subdivision

This Binding Development Agreement was prepared by Hank Evans, a respected land use attorney in Brevard County and executed by County Chairman Truman Scarborough.

Unfortunately, the meeting video is not available online however, a review of the official minutes of this September 4, 2008, County Commission meeting is highly instructive. (The relevant portion of the minutes are included at the end of this email). One resident thanked the Board “for working on this so diligently, especially Chairman Scarborough, also Laura on the Planning and Zoning Board: [and] all the people who have worked for almost five years on this small area development plan”. Chairman Scarborough noted that “there was a tremendous amount of interest in this as there was going to be a change in the land use; the land use occurred from a small area plan that the community worked on for multiple years; and the residents wondered why he or she should have a small area plan if it can be changed so rapidly.” The BCC unanimously agreed and approved the rezoning from AU to EU with a Binding Development Agreement allowing a maximum of seven units and the applicant withdrawing its request for a Future Land Use designation change.

City Pointe Landfall, LLC purchased this property in Nov 5, 2021 from G&D Developers with full awareness and knowledge of the Binding Development Agreement restrictions that were negotiated by the Sellers and placed upon the property. ***There have been no changes in the character or circumstances of the surrounding area and there is no reason to extinguish the Binding Development Agreement.*** This area is part of a thoughtfully created small area study that is designed to promote and protect expansion of non-residential elements into the area.

Of the utmost importance to note in this recent proposal is that the P&Z staff report posting online for the March meeting is woefully incomplete and insufficient in summarizing the facts and circumstances that led to the creation of the Binding Development Plan that runs with the property. It does not note the dramatic departure in land use that would result from this proposal being approved. Nor does it mention the negative impact to the surrounding community or small area study that are likely to occur if this project were

approved. Thus, the volunteer members of the P&Z Board did not have the full background necessary to make an informed decision and vote. How that could happen may be related to turnover in staff, but it is dramatic departure from what the minutes reflect in the Board discussion of Set 4, 2008 when the BDA was approved.

There have been numerous concerns to this proposal expressed by residents in surrounding communities, many of whom spoke at the P&Z meeting. Overall, these concerns include:

- Exacerbating the existing drainage problems and flooding along Indian River Drive which already frequently floods in front of this property
- Impact on the wetlands from a walking path and proposed parking lot
- Creation of townhomes visible from Indian River Drive which is a dramatic departure from the single-family home character of the surrounding area. There are no townhomes along Indian River Drive north of Cocoa Village.
- More wetlands impact as well as security concerns associated with a proposed parking lot on Indian River Drive. This parking lot makes NO sense from an ecological, environmental, drainage, safety, traffic or practical perspective.

The property in question is in a highly desirable area along the Indian River Lagoon. The major reason for this desirability is because of land and zoning protections that have ensured residential compatibility with the surrounding area. These residential protections not only benefit surrounding residents but the entire county. Indian River Drive has been designated by the State of Florida as one of only 27 Florida Scenic Drives – the mission of which is to highlight and conserve natural resources and provide high quality experiences to visitors. Taking the Indian River Drive north of Cocoa Village to US 1, you will find no townhomes and no parking lots. It is a beautiful residential drive that attracts multitudes of drivers, motorcyclists, bikers, runners and walkers.

The Action we are requesting is that the rezoning and land use request of City Pointe Landfall, LLC be DENIED and that the Binding Development Agreement remain in place and govern whatever land uses are proposed for the property.

Thank you for your time and attention in ensuring our community is valued and respected.

not been resolved. He advised he would like to tie that in with the whole process of getting the water taken care of. Chairman Scarborough advised as it moves forward perhaps that will happen; and staff will keep Mr. Teele in the loop.

TABLED ITEMS

Chairman Scarborough called for a public hearing to consider items tabled by the Board of County Commissioners on April 3, 2008 and August 7, 2008.

VI.A.1. (Z0801103) G & D Developers, L.C.'s request for a Small Scale Plan Amendment (08S.03) to change the Future Land Use designation from Res. 1 & Res. 2 to Res. 4, and a change from AU to EU on 7.434 acres located east of U.S. 1, south of Cidco Road, which was recommended for approval by the Local Planning Agency and the Planning and Zoning Board.

Chairman Scarborough inquired if the request was amended where there would be no request for change in the land use and it is just a zoning request now; with Attorney Richard Stadler responding that is correct. Mr. Stadler distributed copies of a Binding Development Plan to the Board and to the homeowners.

Attorney Richard Stadler stated he represents G & D Developers who originally requested a land use change and zoning request to the property that is shown in yellow on the map; it is an interior portion that is currently zoned AU and has a Res. 1 designation for the land use code; and it was originally used as a grove, which is why the zoning is AU. He stated the applicant is withdrawing the request for a change in the land use designation; at this point in time the applicant is requesting an EU zoning change to change it from AU to EU; that would be consistent with the surrounding residential uses and the zoning; those are all marked on the map in blue and green; everything around it designated either EU or RU-1-11; and all the land use designations are all higher than Res. 1. He stated the applicant is willing to, after meeting with the homeowner's, compromise and stick with Res. 1. He advised there is also a Binding Development Plan, the terms of which would provide for a maximum of seven units in the area to be rezoned.

John Willis stated he wants to thank the Board for working on this so diligently, especially Chairman Scarborough, also Laura on the Planning and Zoning Board; he also wants to thank all of the people who have worked for almost five years on this small area development plan; and on behalf of all of the homeowners, he wants to thank Mr. Owens office and Mr. Papp for finally seeing the way that the land was designed to use. He stated they have a nice neighborhood and would like to keep it that way.

R. Victor Brungart stated it looks like Zoning Official Rick Enos has worked well with the homeowners to help get this squared away; and in other states he has worked with zoning-type things. He stated it looks like this should be approved as everyone is working together.

Chairman Scarborough stated a lot of people did not come to the meeting this evening; there was a tremendous amount of interest in this as there was going to be a change in the land use; the land use occurred from a small area plan that the community worked on for multiple years; and the residents wondered why he or she should have a small area plan if it can be changed so rapidly.

There being no objections heard, motion was made by Commissioner Voltz, seconded by Commissioner Nelson to approve Item VI.A.1 with a Binding Development Agreement allowing a maximum of seven units; and applicant withdrawing request for Future Land Use designation change. Motion carried and ordered unanimously. (See page
for Binding Development Plan.)

PUBLIC HEARING RE: PLANNING AND ZONING RECOMMENDATIONS OF

From: [jacob.mueller](#)
To: [Commissioner_D2](#)
Subject: City point development I concerns
Date: Friday, March 28, 2025 6:15:32 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Mr.Goodson,

My name is Jacob Mueller and I am a resident of Indian river drive. I am writing you today to respectfully urge you to vote no on the city point development.

I have concerns that such a development would increase crime in the area and would further degrade the Indian river. Moreover, I do not think the supporting roadways could handle the increased traffic.

Please feel free to call me at anytime (513) 448-5596. I appreciate your time and fair consideration.

Thank you,
~JM

From: [Nathan Krohne](#)
To: [Commissioner, D2](#)
Subject: City Point
Date: Tuesday, April 1, 2025 12:44:27 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

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I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we

have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Nathan Krohne

211 Forest Hill Dr.
Cocoa, Florida. 32926
321 604 0467

From: [Myah Gallen](#)
To: [Commissioner, D2](#)
Subject: Cocoa plans
Date: Tuesday, April 1, 2025 10:50:51 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards,
Myah Gallen

From: i2rbaboon@aol.com
To: [Commissioner, D2](#); [Commissioner, D1](#); [Commissioner, D5](#)
Subject: Fw: 3477 North Indian River Drive
Date: Tuesday, April 1, 2025 1:43:44 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

----- Forwarded Message -----

From: i2rbaboon@aol.com <i2rbaboon@aol.com>
To: D.1Commissioner@Brevardfl.gov <d.1commissioner@brevardfl.gov>;
D.2Commissioner@BrevardFL.gov <d.2commissioner@brevardfl.gov>;
D3.commissioner@BrevardFL.gov <d3.commissioner@brevardfl.gov>;
D4.Commissioner@BrevardFL.gov <d4.commissioner@brevardfl.gov>;
D5Commissioner@BrevardFL.gov <d5commissioner@brevardfl.gov>
Sent: Tuesday, April 1, 2025 at 01:00:52 PM EDT
Subject: 3477 North Indian River Drive

Wendy McAllister, 3704 Windsor Drive, Cocoa

I don't know who Brian McKee is, but still, I do feel strongly about what I have written here. If these facts are correct.

RE: 3477 North Indian River Drive:

I am going to start this with my first thoughts:

Normally, or one might say, 99 percent of the time, I read these complaints from the neighboring area and sympathize with the letter bearer, but throw the letter in the garbage.

As a licensed CAM in the state of Florida, and after running HOAs, I can tell you that I have seen over and over again good intentions go wrong.

I will give you one example:

In one of the HOAs which was a single-family residence; one house had their daughter and her family move in with Mom and Dad. They were having hard times and we didn't want to come

off as the hard guys, so we allowed this indiscretion. By the end of the year, we had ten houses with families moving in, even board members were doing it. Two board members. We were stuck! Then came more problems with parking, for there had become excess cars. Etc. No parking was allowed on the street, so people were parking on the front lawn.

Townhouses:

My granddaughter lives in a townhouse up in Jacksonville, which is off a very quiet street a block from the ocean and beaches. At first all was fine, until the townhouse parking lot became a problem. My granddaughter could never find a spot in the parking lot, and there was limited parking on the street. This happened because the residents had company or other people moving in with them. Too many cars, and then the noise became a problem and more. The area is a shared area, and each person had their own idea of what was or was not acceptable.

Here's the problem in one sentence of a simple children's book: What happens if you give a mouse a cookie? The answer, he wants a glass of milk. If you give him a glass of milk, he wants a straw, And so on....

It is best not to open the can of worms you cannot close.

In Closing:

This is not a big city, (Jacksonville) nor do any of the homeowners want it to be, or they would have moved there not here. These builders are not doing this to improve the area, people moved here (As I have) to get away from the congestion, people pay big taxes and sometimes straining to do so, to live as we feel it should be, homes, neighbors. The quiet place. These builders see money, and that is all. Money at other people's expense. This will at first look innocent, but in no time escalate, not to mention, change things to a point where it will never go back to being just Cocoa, a nice place to live. I have seen this too many times, I think we all have.

Please do not vote in approval of townhouses, for once you open that can of worms, it cannot be closed. The builders will make it sound as if it is not a precedence, But it is. Again, being involved in law for many years, this one has come back to bite many people.

There is no reason why this is worth voting yes, for only the **builders** want that vote, no one else. Only the builders will make out. Taxes? There are plenty that we pay, however, I am sure the people would take a higher tax than to have these townhouses. I know I would. Don't let them destroy Cocoa.

One of the last remaining real neighborhoods.
Thank you,

From: [Jane Crowley](#)
To: [Commissioner, D2](#)
Subject: Fwd: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting
Date: Tuesday, April 1, 2025 10:26:35 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

----- Forwarded message -----

From: Suzie DeBusk - HOA <highpointcivicassoc@gmail.com>
Date: Tue, Apr 1, 2025 at 10:03 AM
Subject: Fwd: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting
To:

Hi all, I took the liberty of sending this email to the 5 county commissioners, individually. I don't want a new neighborhood with higher density going in just north of us. I know you saw the letter from the other folks around and I've been getting emails about it, but didn't want to inundate you all with them.

Here is my letter below my signature. My version said "As the President of", I have already modified it to say "As a resident of". Please forward it, if you see fit to do so. Here are the individual emails for each of them:

District 1: D1.Commissioner@brevardfl.gov
District 2: D2.Commissioner@brevardfl.gov
District 3: D3.Commissioner@brevardfl.gov
District 4: D4.Commissioner@brevardfl.gov
District 5: D5.Commissioner@brevardfl.gov

BEFORE YOU FORWARD IT: Please add your own signature after the Regards,

Thank you,

Suzie DeBusk
President, High Point Civic Assoc
Email: HighPointCivicAssoc@gmail.com
Mobile: 321-223-5257

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is

about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

From: [Sonja Hernandez](#)
To: [Commissioner, D2](#)
Subject: Please vote no
Date: Tuesday, March 18, 2025 8:31:35 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

P&Z Meeting Report - City Point Landfall, LLC Rezoning Request

Despite our best efforts and testimony by many community members opposing zoning and FLU map changes, the Planning and Zoning Board voted to move the zoning and PUD requests by the developer on to the Board of Commissioners for a ruling at the next Board of Commissioner's meeting (April 3rd, 5:00 pm). The P&Z Board voted to recommend accepting the developer's request for rezoning, with three members opposed to accepting. One board member, Henry Minneboo, spoke up for respecting and supporting Binding Development Plans in general and ours in particular (a mass showing). He was also the only member who was around in 2004 when our community successfully implemented our existing BDP. The decision is now up to the Board of Commissioners and they do not necessarily have to abide by the P&Z Board's recommendation. The P&Z Board is requiring the developer set up a meeting with our community to present details of their plans and to solicit our input and concerns. The date and time of this meeting is TBD but should be before the April 3rd Board of Commissioners meeting.

We prepared this letter to the P&Z Board. Our plan was to read it to them as part of community comments, however we were only given three minutes to speak so we had to summarize it on the fly. This is the full text of the letter that we turned into the P&Z Clerk for inclusion in the minutes. Since it may be a bit difficult to locate online, we thought we would share it with you all.

P&Z Planning Board Testimony 3/17/2025

Board Members,

Here is a bit of history regarding our neighborhood and the ongoing efforts to preserve our community's essential character.

Our community is between the Indian River and the east side of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that we as a community have worked hard over the years to protect against high density development.

We are facing yet another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing

a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for us to challenge future inappropriate development.

Some years ago, in response to a proposed massive condominium project in the middle of our community, all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, we worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities we set were guided by and compatible with the current zoning and existing land uses in our area, but were somewhat simpler and in many cases more generous.

Nevertheless, our current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, we find ourselves before the Planning and Zoning Board and then the County Commissioners defending our density limits and our Comprehensive Land Use Plan.

In the past, once the developers became aware of community concerns, either on their own or by advisement from county officials, community/developer meetings were scheduled where the developers presented their plans to solicit community input and address concerns. These type of meetings can be very helpful and may result in a mutually satisfactory outcome. With the rather short notification time we have been given this time, our first opportunity to voice our community concerns are these County Planning and Zoning Board and Commission meetings scheduled in the coming weeks. Our time to prepare and respond has been considerably shortened this time around. We have not heard of any outreach efforts on the part of City Point Landfall regarding this project. The first substantive notification of a planned effort on their part to change zoning, FLUM and remove the Binding Development Plan came by way of signs planted on Indian River Drive and at the entrance to Parkchester two weeks ago. Hardly an indication of concern for community involvement.

A big area of our concern is in setting a precedence. Since we fought so hard to establish safeguards to our community at the local, county and state levels, we are keen to continue keeping them in place so that future developers cannot cite exceptions given to other developers as a defense for whatever changes they would desire for future projects. We want to stick to our guns and defend our community's character and environment.

The existing Binding Development Plan was executed October 28, 2008, signed by the owner of the property at that time and became permanently attached to the property as a safeguard to our community. The following restrictions were placed on the interior 7

acres of the property (referred to in the BDP as the "Subdivision"):

- A. There shall be a 15 foot natural buffer on the exterior of the subdivision;
- B. There shall be no access for said subdivision to Indian River Drive;
- C. The number of lots shall not exceed 7;
- D. The subdivision shall have no access to Parkchester subdivision;
- E. The minimum house size shall be 2,200 square feet under air;
- F. The subdivision shall have an Association to maintain common elements and architectural control;
- E. The Property shall have EU zoning.

These restrictions and all of the provisions of the Binding Development Plan are present on the property today and were present when City Point Landfall purchased the property. We assume City Point Landfall knew what they were buying. We assume they also knew what the zoning and FLUM designations were when they made the purchase.

We agree with all of the provisions and restrictions called out in the Binding Development Plan and desire that it remain in force.

Irregardless of the PUD outlined in City Point Landfall's Proposed Development Plan, by changing the FLUM to RES4 for the entire property, City Point Landfall will end up with the potential for 14.86 acres times 4 housing units each acre. This would be about 59 units if it was zoned to the maximum extent possible. While we appreciate the thought and some of the features of the PUD in City Point Landfall's Proposed Development Plan, we worry that there is the possibility that the PUD may never be built, but the FLUM and Zoning changes, if enacted, will then be permanently attached to the property. It seems possible that funding could fall through, the economics of the project could change for the worse, the desire on the part of developers could wane - any number of things could conspire to make the PUD not come to fruition. City Point Landfall might be compelled to redesign and go with a completely different PUD or they might have to sell the property to a new buyer who would then have the opportunity to build a completely different project with greatly increased density.

We believe that the current Future Land Use Map, Zoning and Existing Binding Development Plan are adequate for development of a profitable and appropriate subdivision within our community. We therefore ask that Planning and Zoning Board recommend that the Board of Commissioners reject the changes requested by City Point Landfall LLC at the earliest opportunity.

Thank You for your attention and consideration,

James and Beverly Sudermann
3469 Indian River Drive
Cocoa, FL

From: [Sue](#)
To: [Commissioner, D2](#)
Subject: Rezoning property City Point
Date: Tuesday, April 1, 2025 2:49:45 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we

have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Sue A Lathrop

From: lintomw@aol.com
To: [Commissioner, D3](#); [Commissioner, D1](#); [Commissioner, D4](#); [Commissioner, D5](#); [Commissioner, D2](#)
Subject: Vote No - Zoning Change
Date: Monday, March 31, 2025 12:51:46 PM

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Please vote not to approve.

As a home owner on Indian River Dr, this will contaminate the Indian River Lagoon and lower all property values -

Zoning Action: 24Z00025

PUD Amendment: 24PUD00003

Comp Plan: 24SS00009

Thank you -

Linda Wallander

From: [Kevin Jackson](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Zoning Action 24Z00025 - Proposed City Point Rezoning/Development
Date: Monday, March 31, 2025 2:52:20 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

I am writing to object to the proposed residential development and rezoning just north of City Point Rd. north of Cocoa. Indian River Drive is a special place that we have been fortunate enough to live near in the Twin Lakes subdivision for 4 years. I contend the character of this road and surrounding area will be negatively affected by this rezoning and proposed development for the following reasons.

1. The natural beauty of the area along with the unique scenery of the many one-of-a-kind homes will be ruined by a modern, zero lot line, cinder block and stucco, generic subdivision plopped right in the middle of it.
2. Indian River Drive is incredibly narrow along the northern section but especially so at the exact point of this proposed development. Traffic is stop and go thru this area already after any significant rainfall. In addition, many walkers, runners and bicyclists add to existing congestion. That area already has blind curves that present a hazard for any recreational use of the road. A new subdivision will make this situation worse by orders of magnitude.
3. Indian River Drive at the site of the proposed development is at its lowest point (in relation to the river level) along its entire length. The road is literally inches above the normal river level. During periods of strong NE winds, the road is completely covered by water. During hurricanes, that area is impassable by a normal car. A subdivision in this area would only make this problem worse due to the addition of a large amount of impervious area created by the new roadways, driveways and sidewalks. You are potentially creating a disastrous situation during hurricane season by this road being inundated by onshore winds and then having large amounts of rainfall runoff pouring out of this subdivision into the exact same spot. Any civil engineer could instantly spot the potential large scale flooding of the road and potentially existing houses from the addition of this proposed development.

Please consider these points carefully when making a final ruling on this proposed rezoning/development. Thank you for your time.

Sincerely & respectfully,
Kevin Jackson
118 S Twin Lakes Rd.
Sent from my iPhone

From: [Hernandez, Sonja D. \(KSC-AEGIS-4000\)\[AEGIS\]](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: suderma@bellsouth.net; [FRYE, ERIN L. \(KSC-COMET-6000\)\[COMET Primary\]](#); [Schneider, Jennifer CIV USARMY PEO STRI \(USA\)](#)
Subject: Zoning action: 24Z00025 PUD AMENDMENT: 24PUD0003 COMP PLAN: 24SS0009
Date: Sunday, March 30, 2025 10:23:10 AM
Importance: High

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Honorable Commissioner Kathryn Delaney
Honorable Commissioner Kim Adkinson
Honorable Commissioner Vice Chair Tom Goodson
Honorable Commissioner Thad Altman
Honorable Commissioner Chair Rob Feltner

We are 23-year residents of the Indian River Drive North Community and I am asking for you to Vote Against this change and protect Conservative values. The City Point Landfall change in zoning request was recklessly approved by the Planning and Zoning Board. There is already a binding agreement in place that aligns with sustainable growth management and infrastructure; decorum; preserves our natural resources; and maintains our quality of life. I believe you can agree that the Indian River is already struggling under the immense amount of residential and commercial development impacting the natural coquina shelf; increased sewage runoff and other issues contaminating this natural resource. Please be considerate of the residents of this community who have been residents and stewards of this community and protect our future and property values. This is a highly visible issue within our community and there are many residents who would be extremely upset if this change in zoning is passed. I appreciate your support in advance!

Sonja & Michael Hernandez
185 Sonya Drive
Cocoa, FL 32926
321-289-6331

From: [J A HOLMAN](#)
To: [Commissioner, D2](#)
Subject: Zoning Change for 3477 N Indian River Dr (Zoning Action 24Z00025)
Date: Monday, March 31, 2025 5:48:16 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing concerning the Zoning and Land Use Change (Zoning Action 24Z00025) for the property at 3477 North Indian River Drive requested by Mr. Brian McKee, City Point Landfall, LLC that will be decided at the County Commissioners meeting Thursday, April 3, 2025. This tract of land already has a comprehensive binding development plan in place that limits the property to larger lots, no multi-family dwellings and access only via US1. I am respectfully asking the County Commission to deny this zoning change due to the following.

. Multi-family dwellings are not consistent with nor compatible with our neighborhood. More septic

systems and their potential sewage discharges would be detrimental to the health of the Indian

River Lagoon.

. N Indian River Drive being a narrow winding two lane roadway is ill equipped to handle the

increased traffic that would be generated by the proposed development.

. Flooding is already a concern along that stretch of roadway. The increased runoff created by an

access road connecting to Indian River Drive and a parking lot would only add to the flooding

potential.

. City Point Landfall, LLC should have known and understood the zoning and development plan in

place for the property before making their purchase. Requesting a zoning change now is only a

back handed attempt to increase their profits at the expense of our neighborhood.

James A Holman

3767 N Indian River Dr

Cocoa, FL 32926

jaholman@bellsouth.net

From: [Suzie DeBusk - HOA](#)
To: [Commissioner, D2](#)
Subject: Zoning change request by City Point Landfall, LLC at the April 3rd Comm. meeting
Date: Tuesday, April 1, 2025 9:20:29 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As President representing the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we

have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Suzanne DeBusk
President, High Point Civic Assoc
Email: HighPointCivicAssoc@gmail.com
Mobile: 321-223-5257

From: [Mike Futch](#)
To: [Commissioner, D2](#)
Subject: Zoning Change Request for 3477 North Indian River Drive, Cocoa, FL
Date: Monday, March 31, 2025 4:54:39 PM
Attachments: [image001.png](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To: Tom Goodson

From: Michael C Futch, Homeowner of 3620 North Indian River Drive, Cocoa, FL 32926

I am sending this email to express my and my family's concerns over the zoning change request for the property at 3477 North Indian River Drive, Cocoa, FL. This zoning change is on the slate for your April 3, 2025 meeting date. I am adamantly opposed to any change that allows townhomes or parking lots on our street and in our neighborhood. I am organizing neighbors to attend this meeting and protest this zoning change.

Please deny this zoning change and maintain the prior, binding development plan.
Thank you.

Mike Futch

President & CEO



O: 919.855.5505

M: 919.523.8803

E: mfutch@tompkinsrobotics.com

www.tompkinsrobotics.com

From: [Robert Baumann](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#); [Robert Baumann](#)
Subject: Zoning change: 3477 Indian River Drive Cocoa, FL
Date: Tuesday, April 1, 2025 9:09:01 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

I live on point view place, just south of City Point RD, I want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before

the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Robert A Baumann
Point View Place, Cocoa
443 221 0925

--

Robert A Baumann
443 221 0925

From: [patti deuchler](#)
To: [Commissioner, D2](#)
Subject: Zoning Changes
Date: Tuesday, April 1, 2025 12:09:37 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we

have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards

Patricia Deuchler
High Point Community

From: [Dave Andrews](#)
To: [Commissioner, D2](#)
Subject: Zoning change request by City Point Landfall, LLC at the April 3rd meeting
Date: Monday, March 31, 2025 5:23:08 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Tom Goodson (Commissioner District 2)-Vice Chairman

As President representing the Point View Place HOA, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

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currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Sincerely,
David A. Andrews
President
Point View Place HOA
(321) 693-0657

From: [Dave Andrews](#)
To: [Commissioner, D3](#)
Subject: Re: Zoning change request by City Point Landfall, LCC at the April 3rd meeting
Date: Monday, March 31, 2025 5:51:18 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Sorry, my mistake! I sent you this e-mail meant for Rob! I sent it to him again after I learned of my mistake. I did send a similar e-mail to Kim!

Dave Andrews

On Mon, Mar 31, 2025 at 5:32 PM Dave Andrews <andrewda29@gmail.com> wrote:
To Rob Feltner (Commissioner District 4)-Chairman

As President representing the Point View Place HOA, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

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So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Sincerely,
David A. Andrews
President
Point View Place HOA
(321) 693-0657

From: [Kevin Jackson](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Subject: Zoning Action 24Z00025 - Proposed City Point Rezoning/Development
Date: Monday, March 31, 2025 2:52:20 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

I am writing to object to the proposed residential development and rezoning just north of City Point Rd. north of Cocoa. Indian River Drive is a special place that we have been fortunate enough to live near in the Twin Lakes subdivision for 4 years. I contend the character of this road and surrounding area will be negatively affected by this rezoning and proposed development for the following reasons.

1. The natural beauty of the area along with the unique scenery of the many one-of-a-kind homes will be ruined by a modern, zero lot line, cinder block and stucco, generic subdivision plopped right in the middle of it.
2. Indian River Drive is incredibly narrow along the northern section but especially so at the exact point of this proposed development. Traffic is stop and go thru this area already after any significant rainfall. In addition, many walkers, runners and bicyclists add to existing congestion. That area already has blind curves that present a hazard for any recreational use of the road. A new subdivision will make this situation worse by orders of magnitude.
3. Indian River Drive at the site of the proposed development is at its lowest point (in relation to the river level) along its entire length. The road is literally inches above the normal river level. During periods of strong NE winds, the road is completely covered by water. During hurricanes, that area is impassable by a normal car. A subdivision in this area would only make this problem worse due to the addition of a large amount of impervious area created by the new roadways, driveways and sidewalks. You are potentially creating a disastrous situation during hurricane season by this road being inundated by onshore winds and then having large amounts of rainfall runoff pouring out of this subdivision into the exact same spot. Any civil engineer could instantly spot the potential large scale flooding of the road and potentially existing houses from the addition of this proposed development.

Please consider these points carefully when making a final ruling on this proposed rezoning/development. Thank you for your time.

Sincerely & respectfully,
Kevin Jackson
118 S Twin Lakes Rd.
Sent from my iPhone

From: [Dave Andrews](#)
To: [Commissioner, D3](#)
Subject: Zoning change request by City Point Landfall, LCC at the April 3rd meeting
Date: Monday, March 31, 2025 5:32:44 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Rob Feltner (Commissioner District 4)-Chairman

As President representing the Point View Place HOA, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

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So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Sincerely,
David A. Andrews
President
Point View Place HOA
(321) 693-0657

123 Briarwood Ct.

Cocoa, FL32926-5938

March 31, 2025

Kim Adkinson

Commissioner District 3

Dear Commissioner:

Because I am recovering from major spinal surgery, I cannot attend the April 3, 2025, meeting. But I would like to voice my **opposition** to the proposed zoning change adjacent to Parkchester subdivision. NO way should you allow 8 Townhomes and 11 single family residences. The area is a critical water recharge area that drains into Indian River Lagoon. Right now, with every heavy rain, Indian River Drive floods in multiple places. With sea levels rising, this is already a serious issue which will only get worse. The more we pave over land, the more flooding we will have. The water has to go somewhere! I'm sure you don't want it flooding homes.

The tract of land already has a binding development plan in place that limits the property to larger lots, NO townhomes, NO access to Indian River Drive (IRD). Plus the applicant wants to construct a PARKING lot on Indian River Drive! Indian River Drive is in constant need of patching. Allowing a parking lot will destroy the road surface, cause increased traffic and constant problems for IRD residents and the several subdivisions affected by the proposed zoning changes. Constructing townhomes means rental properties, sewage issues, water usage, fertilizer run-off, and other potentially hazardous chemicals spilling into Indian River Lagoon. The lagoon already needs clean-up; do we really want to add to the problem?

Please DO NOT allow the proposed changes to occur, especially townhomes but instead maintain the current binding development plan. Please consider the wishes of the adjacent property owners, not to mention the wishes of those neighborhoods along IRD which would be negatively affected!

Sincerely



Lynne Hill

321-632-7297

From: [Hernandez, Sonja D. \(KSC-AEGIS-4000\)\[AEGIS\]](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: suderma@bellsouth.net; [FRYE, ERIN L. \(KSC-COMET-6000\)\[COMET Primary\]](#); [Schneider, Jennifer CIV USARMY PEO STRI \(USA\)](#)
Subject: Zoning action: 24Z00025 PUD AMENDMENT: 24PUD0003 COMP PLAN: 24SS0009
Date: Sunday, March 30, 2025 10:23:11 AM
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Honorable Commissioner Kathryn Delaney
Honorable Commissioner Kim Adkinson
Honorable Commissioner Vice Chair Tom Goodson
Honorable Commissioner Thad Altman
Honorable Commissioner Chair Rob Feltner

We are 23-year residents of the Indian River Drive North Community and I am asking for you to Vote Against this change and protect Conservative values. The City Point Landfall change in zoning request was recklessly approved by the Planning and Zoning Board. There is already a binding agreement in place that aligns with sustainable growth management and infrastructure; decorum; preserves our natural resources; and maintains our quality of life. I believe you can agree that the Indian River is already struggling under the immense amount of residential and commercial development impacting the natural coquina shelf; increased sewage runoff and other issues contaminating this natural resource. Please be considerate of the residents of this community who have been residents and stewards of this community and protect our future and property values. This is a highly visible issue within our community and there are many residents who would be extremely upset if this change in zoning is passed. I appreciate your support in advance!

Sonja & Michael Hernandez
185 Sonya Drive
Cocoa, FL 32926
321-289-6331

From: [Michele Meyer-Arendt](#)
To: [Commissioner, D3](#)
Subject: zoning change
Date: Sunday, March 30, 2025 3:30:40 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Commissioner Adkinson,

Please vote NO to the requests for a zoning and land use change for a planned urban development for the property at 3477 North Indian River Dr., Cocoa. (Zoning action: 24Z00025)

This acreage has a binding comprehensive land use plan from 2004 that limits the property to no townhomes, and no access to Indian River Drive. This Amendment 2004 A.5 set land use densities that cannot be exceeded by rezoning.

Sincerely, Michele Meyer-Arendt

From: kathy mardirosian <kathymardirosian@gmail.com>
Sent: Tuesday, April 1, 2025 6:58 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>
Subject: Zoning change- 3477 N. Indian River Dr. Cocoa FL

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to request that you **vote to NOT approve the request for zoning changes for the above-noted address**. I am a resident and homeowner in Brookhill subdivision (3702 Windsor Dr. Cocoa).

I am deeply concerned about the impact a zoning change would have on this road, which is the only access to my neighborhood. A coquina rock shelf lies just beneath the subject property and would be subject to any potential septic systems and its sewage discharges that may occur from development. Plus there is already an issue with flooding on this area of Indian River Dr. Each time we have a hurricane come through, this part of the road floods significantly. There is also a section of the road that is under water after each hurricane north of Brookhill subdivision. Repeatedly we have had no access to our neighborhood because of this flooding and have had to park our cars at businesses on Hwy 1 and walk through private property and down a steep incline to get into our neighborhood. While this is still a significant problem, we do not need to deal with the potential impact of more development on this road.

Also, this tract already has a current binding development plan in place that limits the property to larger lots and NO townhomes and NO access to Indian River Dr. Those of us who live in this area chose it for multiple reasons-- including the limits on development that are currently in place. There are good reasons for these current restrictions and there is no good reason to change them.

Thank you for serving the residents of Brevard County, -Kathy Mardirosian

Zoning Action: 24Z00025

PUD Amendment: 24PUD00003

Comp Plan: 24SS00009

Please vote not to approve.

As a homeowner on Indian River Drive - This will further contaminate the Indian River Lagoon and will lower everyone's property values.

Thank you -

Thomas Wallander

Debra Green<Debra.Green@hilton.com>

To:Commissioner, D1

Wed 4/2/2025 4:35 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good afternoon Katie. I respectfully ask you to vote against a request by City Pointe Landfall LLC to change the zoning and land use for property at 3477 North Indian River Dr. This track of land already has a current binding development plan that PROHIBITS townhomes. This area is also being sought for a large parking lot. These projects are not compatible with the neighborhood and will be unfavorable to current single homes values. In this parcel is also a proposal for 11 single family homes and should be of upscale standards.

Thank you for your valuable time

Debra Green | General Manager

Home address: 221 City Point



Sabal Ch...plan.pdf

HD

Hernandez, Sonja D. (KSC-AEGIS-4000)[AEGIS]<sonja.d.hernandez@nasa.gov>

To:Commissioner, D1;Commissioner, D2;Commissioner, D3;+2 others

Cc:suderma@bellsouth.net;+2 others

Wed 4/2/2025 5:13 PM

Sabal Chase Petition Against change to binding development plan.pdf

Downloaded

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

I wanted to provide you with a petition of residents in Sabal Chase on Sonya Drive, Cocoa FL who feel we will be negatively impacted by proposed change in zoning mentioned below. Please vote against this zoning change. I will have the original signed document with me for the meeting tomorrow.

Many thanks!

Sonja Hernandez

185 Sonya Drive

Cocoa, FL 32926

321-289-6331

From: Hernandez, Sonja D. (KSC-AEGIS-4000)[AEGIS]

Sent: Sunday, March 30, 2025 10:23 AM

To: D1.Commissioner@BrevardFL.gov; D2.Commissioner@BrevardFL.gov;
d3.commissioner@BrevardFL.gov; d4.commissioner@BrevardFL.gov;
d5.commissioner@BrevardFL.gov

Cc: suderma@bellsouth.net; FRYE, ERIN L. (KSC-COMET-6000)[COMET Primary]
<erin.l.frye@nasa.gov>; Schneider, Jennifer CIV USARMY PEO STRI (USA)
<jennifer.schneider7.civ@army.mil>

Subject: Zoning action: 24Z00025 PUD AMENDMENT: 24PUD0003 COMP PLAN: 24SS0009

Importance: High

Honorable Commissioner Kathryn Delaney

Honorable Commissioner Kim Adkinson

Honorable Commissioner Vice Chair Tom Goodson

Honorable Commissioner Thad Altman

Honorable Commissioner Chair Rob Feltner

We are 23-year residents of the Indian River Drive North Community and I am asking for you to Vote Against this change and protect Conservative values. The City Point Landfall change in zoning request was recklessly approved by the Planning and Zoning Board. There is already a binding agreement in place that aligns with sustainable growth management and infrastructure; decorum; preserves our natural resources; and maintains our quality of life. I believe you can agree that the Indian River is already struggling under the immense amount of residential and commercial development impacting the natural coquina shelf; increased sewage runoff and other issues contaminating this natural resource. Please be considerate of the residents of this community who have been residents and stewards of this community and protect our future and property values. This is a highly visible issue within our community and there are many residents who would be extremely upset if this change in zoning is passed. I appreciate your support in advance!

Sonja & Michael Hernandez

185 Sonya Drive

Cocoa, FL 32926

Loren Price<loren.price621@gmail.com>

To:Commissioner, D1

Wed 4/2/2025 7:05 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

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Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards,

Loren Price & Douglas Webber

PARKCHESTER NEIGHBORHOOD
UNINCORPORATED BREVARD COUNTY, DISTRICT 1

Via e-mail delivery

April 3, 2025

Parkchester Neighborhood
c/o Mark W. Ward
382 Chester Drive
Cocoa, FL 32926

District 1 Commissioner Katie Delaney
District 2 Commissioner Tom Goodson (Vice Chair)
District 3 Commissioner Kim Adkinson
District 4 Commissioner Rob Feltner (Chair)
District 5 Commissioner Thad Altman
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, FL 32940

RE: CITY POINT LANDFALL LLC 24PUB00003 & 24SS00009

Dear Commissioners Delaney, Goodson, Adkinson, Feltner and Altman,

I am honored to be asked by the owners and residents of Parkchester to represent them in our collective opposition to the Brevard Planning and Zoning Board's approval of the above project recommendations. We ask that you, Commissioners, vote NO against the P&Z recommendation and require the developers to return to the design phase to operate within the confines of the existing land use and binding development agreement which all surrounding communities fought for in 2008.

Mr. Henry Minneboo, who was on the Planning and Zoning Board in 2008 (and still serves on the Planning and Zoning board today) indicated at the recent P&Z Hearing held on March 17, 2025, that he remembers the 2008 case very vividly and he opined that the binding development plan should remain in force. He recalled that, in 2008, it was one of the few times that residents, developers, owners.. just about everyone left happy when that agreement was reached. Yet, on March 17, 2025, Mr. Minneboo was, sadly, one of just three members who voted against the removal of that very Binding Development Plan agreement. Before the vote, Mr. Minneboo even cautioned his fellow board members that "we should not terrorize these people like we did those out on 524." We, in Parkchester, could not agree more. Now, it's your

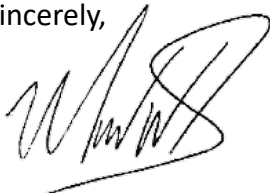
turn, to do the right thing, Commissioners; Please, Commissioners, do the right thing and vote NO. A binding agreement hashed out by owners, developers and surrounding communities should remain binding, especially when so many neighboring residents still oppose the changes being suggested.

To that end, Parkchester is a community of 63 properties. In short order, we have been able to obtain signatures from 59 out of the 63 owners requesting a "NO: vote from you. That's 94% in just three days. I failed to obtain four signatures: One is a corporate land leasing owner out of Chicago with limited contact information (HPA Borrower II LLC); Claude Blake passed away in late December and I have had trouble locating his sons for signature, but I am certain they will gladly sign when I finally locate them, especially given the proposed development will be just 15' behind their residence; Brenda Whidden's husband recently passed away and she has been spending time with family in Georgia, according to neighbors. Further, given her house is on the corner, directly across them the proposed drive entrance to the development, I am sure she would oppose having additional traffic right outside her bedroom window;; and, Bob and Betty Everette left for their 2nd home in Texas and repeated calls have gone unanswered; Both are elderly and we certainly hope nothing ill has befallen either of them. To that end, both Bob and Betty were instrumental in the neighborhood's fight against the development in 2008 and I know of no reason that they would have changed their minds now.

In addition to the 59 owners, 46 additional spouses or voting age, immediate family members residing within the owner's homes have signed the petition, giving us a total of 107 people within Parkchester, alone, opposing the change in zoning on the parcel in question.

Please vote NO.

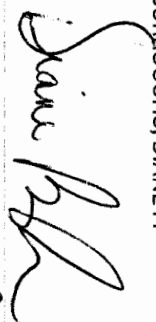
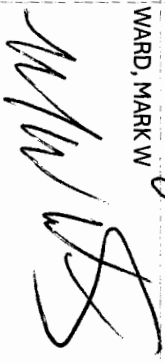
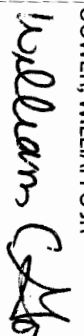
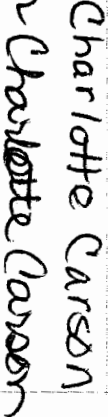
Sincerely,

A handwritten signature in black ink, appearing to read 'Mark W. Ward', with a stylized, cursive script.

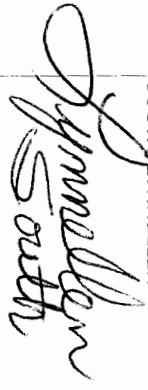
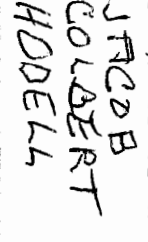
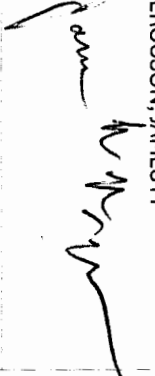
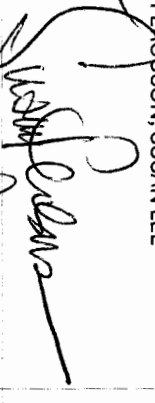
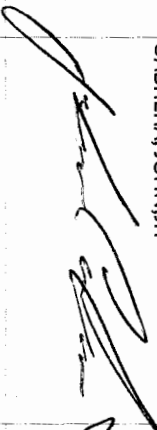
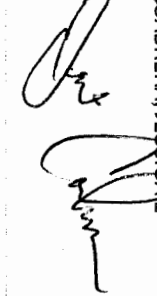
Mark. W. Ward

On Behalf of Myself the Other 106 Undersigned Owners & Residents
Of Parkchester, Unincorporated Brevard County

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

381 CHESTER	BURROUGHS, GREG 	BURROUGHS, DIANE M 	Haley McInnes	Darril McInnes
382 CHESTER	WARD, MARK W 	WARD, MARGARET C 	Haley McInnes	Darril McInnes
383 CHESTER	DOWNNEY, BENJAMIN 	SEE Collector, Sierra 		
384 CHESTER	WARMUS, JAMES W 	WARMUS, REBEKAH 		
385 CHESTER	GOWER, WILLIAM C JR 	Charlotte Carson 		
387 CHESTER	YMOSENCIO, DIANE 	ROSS, STEPHEN 		

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

388 CHESTER	SOUTH,LYNNELLEN	SOUTH, ERIC CHRISTOPHER	HODELL, JACOB COLBERT		
					
389 CHESTER	BLAKE, MICHAEL CAINE	BLAKE, MATTHEW RYAN			
390 CHESTER	ARMSTRONG, JEFFREY	ARMSTRONG, HEATHER			
					
3504 E ROUNDTREE	FERGUSON, JAMES M	FERGUSON, SUSAN LEE			
					
3506 E ROUNDTREE	CABRERA, JOHN, JR	CABRERA, JESSICA E			
					
3508 E ROUNDTREE	DE CRISTOFARO, ESTHER S				
					

Doubt
by

1

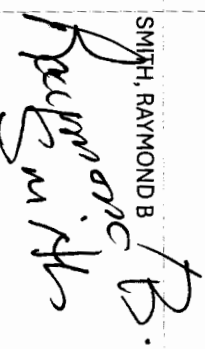
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3510 E ROUNDTREE	JONES, SARAH ILEENE	Sarah Jones (Emerson)			
3512 E ROUNDTREE	EVERETTE, ROBERT B				
	713-553-7922 Be the				
3514 E ROUNDTREE	CAMPANELLA BRAND	Brand Stankin	Aiden	Alexia	
3516 E ROUNDTREE	HPA II BORROWER 2020-1 ML LLC		Sam Pennell	Alvin Pennelli	
3518 E ROUNDTREE	MC GRATH, CHARLES A JR	MC GRATH, JO ELLEN			
	Rev Charles A McGrath	Joe Ellen McGrath			
3520 E ROUNDTREE	MILLER, SHIRLEEN V	Shirleen Miller Homer Piercy			

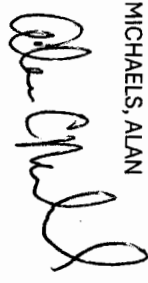
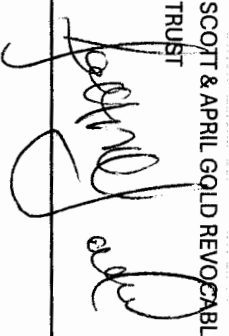
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3522 E ROUNDTREE	BAYER, CHERYLE	WHEAT, Edward L.			
VACANT LOT E ROUNDTREE	DENSMORE, MARGARET S <i>Decided</i>	DENSMORE, DELANO T TRUSTEES <i>Decided</i>			
301 GLEN RIDGE	IMRE, WILLIAM F	Laura E. Cole <i>[Signature]</i>			
302 GLEN RIDGE	FOLLETTE, CHRISTOPHER ANTHONY	WESTGARD, CASSIAH M			
303 GLEN RIDGE	NICHOLAS, ROYA <i>[Signature]</i>	NICHOLAS, CYNTHIA D <i>Cynthia D. Nicholas</i>			
304 GLEN RIDGE	MC KINLEY, BRUCET <i>Decided</i>	MC KINLEY, LINDAS <i>Frank S. McKinley</i>			

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

305 GLEN RIDGE	HILDEBRAND, MONICA				
306 GLEN RIDGE	SMITH, RAYMOND B. 	SMITH, LINDA C. 			
307 GLEN RIDGE	FAVUZZA, VINCENT W, SR AKISHA FAVUZZA		Valerie Giammarco	charlie Giammarco	
308 GLEN RIDGE	ROUTHIER, ANN J TRUSTEE Ann J Routhier Trustee		Mitchell Routhier		
310 GLEN RIDGE	WOLFGANG, SUSAN KATHALEEN 	WYATTS WHITE 			
3509 HILLTOP	BEADLE, JAMES P	SCANLAN, ELIZABETH B	BEADLE, CHRISTINE M 	RAY, MARY B	BELECKAS, MARGARET F
Moved 					

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

3511 HILLTOP	MICHAELS, ALAN 	MICHAELS, DONNA 			
3512 HILLTOP	ROCCO, MICHAEL Mike Rocco	ROCCO, APRIL April Rocco			
3513 HILLTOP	CARROLL, HEIDI R Heidi Carroll				
3514 HILLTOP	NICKELL, TIMOTHY LEE Timothy Lee Nickell	KEMBLE, STACI Staci Kembel			
3515 HILLTOP	CONFIDENTIAL OWNER Kevin Faulk		Nicholas Faulk		
3516 HILLTOP	SCOTT & APRIL GOLD REVOCABLE TRUST 		Victoria Gold		

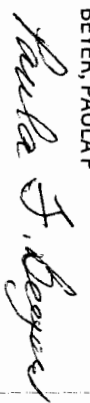
✓✓

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✓ 3507 W ROUNDTREE	MARSHALL, CONSTANCE S <i>Constance Marshall</i>	<i>Dagles Marshall</i>	<i>Janeen Andras</i>		
3508 W ROUNDTREE ✓	BOWMAN, JUDY C <i>Judy Bowman</i>				
3509 W ROUNDTREE ✓	JACKSON, WALTER C <i>Deceased</i>	JACKSON, DAVID W <i>D.W. Jackson</i>	JACKSON, DEIDRE D		
3510 W ROUNDTREE ✓	MALONEY, MICHELLE K <i>Michelle</i>	BERRY, SCOTT M <i>Scott Berry</i>			
3511 W ROUNDTREE ✓	ELIZABETH LYONS HAIR REVOCABLE TRUST <i>Elizabeth Lyons</i>				
3512 W ROUNDTREE ✓	TREE A CONCANNON TRUST <i>John A Concannon</i>				

1

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

3513 W ROUNDTREE	DAGUINO, DIANA M 				
3515 W ROUNDTREE	STARR, MICHAEL D	STARR, ELIZABETH M			
3516 W ROUNDTREE	BUNTING, MICHAEL P	 FISHER-BUNTING, SUSAN MARIE 			
3517 W ROUNDTREE	BEYER, CURT R	BEYER, PAULA F 			
3518 W ROUNDTREE	SMITH, ARLENE L 	SMITH, LARRY L			
3519 W ROUNDTREE	FOSS, LINDA 				

1

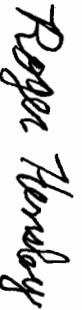
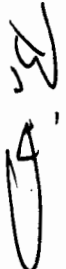
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3521 W ROUNDTREE	EARLE, FRANK E <i>Frank Earle</i>	EARLE, BARBARA D				
3523 W ROUNDTREE	CHAMBERS, JOHN STEPHEN <i>John Chambers</i>	CHAMBERS, DEBORAH B <i>Deborah Chambers</i>				
3525 W ROUNDTREE	STILLWAGON, RICHARD C <i>Richard Stillwagon</i>	STILLWAGON, MARGARET W				

✓ 390 Chester Dr. *T. Anishin*
Heather Stenstrom *Heather Stenstrom*

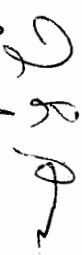
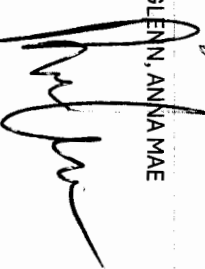
✓

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302 N ROUNDTREE	DENSMORE, DEBORAH DELL 				
303 N ROUNDTREE	NOVAK, TRISH D 	NOVAK, THERESA L 			
304 N ROUNDTREE	EVARD, JOHN 	DUNCAN, MARYANE 			
305 N ROUNDTREE	BARBARA ANN HENSLEY TRUST 				
306 N ROUNDTREE	DUROCHER, BRIAN 	PEOPLES, CHELSEA 			
307 N ROUNDTREE	CRAFT, ALLEN MICHAEL 				

X

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

308 N ROUNDTREE ✓	OBERDICK, DONALD P 	REIB, Nancy 			
309 N ROUNDTREE ✓	PRETLOW, DONALD M 				
310 N ROUNDTREE ✓	RUEB, BRENDA L  Brenda Rueb	PAT 2015- Testimony			
312 N ROUNDTREE ✓	AGENT, JESSICA LYNN 				
314 N ROUNDTREE ✓ ✓	GLENN, ANNA MAE 	HODGE, JASON ANDREW 			
3505 W ROUNDTREE ✓	WHIDDEN, MICHAEL K Deceased	WHIDDEN, BRENDAM			

Mascellino, Carol

From: ruth euler <euler52000@gmail.com>
Sent: Wednesday, April 2, 2025 4:31 PM
To: Commissioner, D4
Subject: Rezoning and Land Use Change, 3477 N Indian River Drive

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon Commissioner Feltner,

We write to you today as we are not in support of the proposed rezoning and land use change at 3477 N Indian River Dr in Cocoa.

We believe the developer must abide by the binding development plan of 11 single family residences, zero townhomes, and no storage facility construction.

Additionally, the proposed parking lot on Indian River Dr should be denied.

Presently there are large groups of vagrants in this area that pose safety and health concerns. It stands to reason a parking lot on Indian River Drive would become another spot for them to loiter.

The development and beautification of US Hwy 1 will not be made better by the construction of the proposed Storage facility. We also firmly believe this should be denied.

In closing, we do not support the development of townhomes, construction of a storage facility, nor a parking lot on Indian River Drive.

We would support 11 single family residences if they were constructed on larger lots using high end design features and beatification at the community entrance thus increasing the price point per home and property values throughout the area.

Thank you for your consideration,

Tom and Ruth Euler

From: [Mark W. Ward](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: ["Diane Burroughs"](#)
Subject: RE: CITY POINT LANDFALL LLC 24PUB00003 & 24SS00009
Date: Thursday, April 3, 2025 10:33:39 AM
Attachments: [PARKCHESTER NEIGHBORHOOD.pdf](#)
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

District 1 Commissioner Kae Delaney
District 2 Commissioner Tom Goodson (Vice Chair)
District 3 Commissioner Kim Adkinson
District 4 Commissioner Rob Feltner (Chair)
District 5 Commissioner Thad Altman
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, FL 32940

Dear Commissioners Delaney, Goodson, Adkinson, Feltner and Altman,

As the appointed community representative asked to represent the Parkchester Community, please see the attached letter containing signatures of 59 owners out of the 63 properties, 4 Owners cannot be contacted at this time. To that end, I am certain that 100% of all residents oppose the removal of the Binding Development Plan agreement that was approved by the Planning & Zoning Board on March 17.

Tonight, I understand that agents for City Point Landfall LLC will be asking to table the vote on the zoning board's recommendation until May 1. We ask that, in lieu of tabling the recommendation, that you simply vote NO on the recommendations of the P&Z Board and return the entire process back to the developer to re-work the plans to conform within the bounds of the existing BDP.

Please see our attached letter urging a NO vote against approval of the Planning & Zoning Board's recommendation.

Sincerely,
Mark Ward
(On behalf of the other 106 residents of Parkchester)

Mark W. Ward
Ward & Lawless LLC

2410 Armadillo Court
Cocoa, Florida 32926
TEL: 888-658-8484 x1
FAX: 877-658-8484
www.wardlawless.com



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THE INFORMATION CONTAINED IN THIS COMMUNICATION AND ANY ATTACHMENTS HERETO IS CONFIDENTIAL, MAY BE ATTORNEY-CLIENT PRIVILEGED, AND IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE ADDRESSEE(S). IF THE READER OF THIS MESSAGE IS NOT AN INTENDED RECIPIENT, OR AN AGENT THEREOF, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION OR ANY ATTACHMENT HERETO IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY E-MAIL, AND DELETE THE ORIGINAL MESSAGE.

Petition Objecting to City Point Landfall, LLC requests for a New Comprehensive Plan Amendment, Zoning Reclassification and Removal of Existing Binding Development Plan.

Pertinent Documents are:

Planned Unit Development 24PUD00003

Small-Scale Comprehensive Plan Amendment (3rd of 2025, 24S.11)

Preliminary Development Plan, City Point PUD (MBV # 23-1071, August 19, 2024)

We the undersigned would like to register the following objections to the City Point Landfall, LLC requests;

1. We object to the request to change our community's existing Florida Land Use Map designations from their current configuration.
2. We object to the request to change our community's existing Brevard County Zoning from its current configuration.
3. We object to the removal of the current Binding Development Plan and the replacement of it with the proposed PUD.

Our community has been well protected from inappropriate development projects by this combination of Florida Land Use Map, Zoning and Binding Development Plan provisions since they were enacted in 2004 after a very lengthy review and negotiation process between Brevard County, the State of Florida, Indian River homeowner's associations, individual homeowners and the previous owners of the tract of land now owned by City Point Landfall, LLC. City Point Landfall, LLC purchased this tract with all of the provisions in force and we have always expected any new project to adhere to them.

We want the Commissioners to leave the Florida Land Use Map, Zoning and Binding Development Plan in place unchanged.

Name
HOA (if any).

Address

Sabael Chase	
Sonja Mike Hernandez	185 Sonya Dr. Cocoa 32926
Jennifer Schneider	184 Sonya Dr. Cocoa, 32926
Plisner Donata	195 Sonya Dr. Cocoa, 32926
Linda Jean Eubank	104 Sonya Dr. Cocoa 32926
ERIN FEYE	114 SONYA DR COCOA 32926
STEVEN SAKO	124 SONYA DR COCOA 32926
Christopher Bond	134 Sonya Dr Cocoa 32926
Helena Wilkas	165 Sonya Dr. Cocoa 32926
Angel Downing	154 Sonya Dr. Cocoa 32926
Ronald Brown	164 SONYA DR COCOA 32926

From: [Debra Green](#)
To: [Commissioner, D2](#)
Subject: FW: Concerned Brevard resident and Apr 3 meeting
Date: Wednesday, April 2, 2025 4:38:07 PM
Attachments: [image002.png](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good afternoon Tom . I respectfully ask you to vote against a request by City Pointe Landfall LLC to change the zoning and land use for property at 3477 North Indian River Dr. This track of land already has a current binding development plan that PROHIBITS townhomes. This area is also being sought for a large parking lot. These projects are not compatible with the neighborhood and will be unfavorable to current single homes values. In this parcel is also a proposal for 11 single family homes and should be of upscale standards.

Thank you for your valuable time.

Debra Green | General Manager

HILTON COCOA BEACH OCEANFRONT
t: 321-613-9044 | f: 321-799-0344
1550 N. Atlantic Avenue | Cocoa Beach, FL 32931 | USA
[Instagram](#) | [Hilton Cocoa Beach](#) | [Facebook](#) | [Twitter](#)



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From: [Commissioner, D2](#)
To: [AdministrativeServices](#)
Cc: [Commissioner, D2](#)
Subject: FW: H7 on zoning meeting tonight
Date: Thursday, April 3, 2025 2:07:01 PM
Attachments: [image001.png](#)

Good afternoon,
Please see the below public comment our office received.

Thank you,



Susan Smith
Legislative Aide
Brevard County Commissioner Tom Goodson District 2
2575 North Courtenay Parkway Suite 200
Merritt Island, FL 32953
Ph: (321) 454-6601
E-mail: Susan.Smith@brevardfl.gov

From: Ken Harrison <searay215h@msn.com>
Sent: Thursday, April 3, 2025 1:26 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: H7 on zoning meeting tonight

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

We would like to ask that you NOT change the future land use from agricultural to RES-1 on item H7 (24SS00020) on tonight's agenda.

Changing the future land use will affect the character of the area. The absolute majority of all parcels in this area are agricultural and we would like this character to remain. There have been six new block homes built in the last 3 yrs nearby with zoning changes but the future land use was kept as agricultural. We have no objection to the zoning change, but do not want the future land use change, forever changing the character of this area.

Thank You,

Ken Harrison, and concerned neighbors.

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

Get [Outlook for Android](#)

PARKCHESTER NEIGHBORHOOD
UNINCORPORATED BREVARD COUNTY, DISTRICT 1

Via e-mail delivery

April 3, 2025

Parkchester Neighborhood
c/o Mark W. Ward
382 Chester Drive
Cocoa, FL 32926

District 1 Commissioner Katie Delaney
District 2 Commissioner Tom Goodson (Vice Chair)
District 3 Commissioner Kim Adkinson
District 4 Commissioner Rob Feltner (Chair)
District 5 Commissioner Thad Altman
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, FL 32940

RE: CITY POINT LANDFALL LLC 24PUB00003 & 24SS00009

Dear Commissioners Delaney, Goodson, Adkinson, Feltner and Altman,

I am honored to be asked by the owners and residents of Parkchester to represent them in our collective opposition to the Brevard Planning and Zoning Board's approval of the above project recommendations. We ask that you, Commissioners, vote NO against the P&Z recommendation and require the developers to return to the design phase to operate within the confines of the existing land use and binding development agreement which all surrounding communities fought for in 2008.

Mr. Henry Minneboo, who was on the Planning and Zoning Board in 2008 (and still serves on the Planning and Zoning board today) indicated at the recent P&Z Hearing held on March 17, 2025, that he remembers the 2008 case very vividly and he opined that the binding development plan should remain in force. He recalled that, in 2008, it was one of the few times that residents, developers, owners.. just about everyone left happy when that agreement was reached. Yet, on March 17, 2025, Mr. Minneboo was, sadly, one of just three members who voted against the removal of that very Binding Development Plan agreement. Before the vote, Mr. Minneboo even cautioned his fellow board members that "we should not terrorize these people like we did those out on 524." We, in Parkchester, could not agree more. Now, it's your

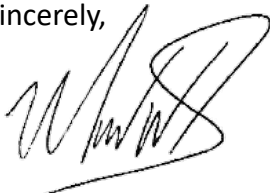
turn, to do the right thing, Commissioners; Please, Commissioners, do the right thing and vote NO. A binding agreement hashed out by owners, developers and surrounding communities should remain binding, especially when so many neighboring residents still oppose the changes being suggested.

To that end, Parkchester is a community of 63 properties. In short order, we have been able to obtain signatures from 59 out of the 63 owners requesting a "NO: vote from you. That's 94% in just three days. I failed to obtain four signatures: One is a corporate land leasing owner out of Chicago with limited contact information (HPA Borrower II LLC); Claude Blake passed away in late December and I have had trouble locating his sons for signature, but I am certain they will gladly sign when I finally locate them, especially given the proposed development will be just 15' behind their residence; Brenda Whidden's husband recently passed away and she has been spending time with family in Georgia, according to neighbors. Further, given her house is on the corner, directly across them the proposed drive entrance to the development, I am sure she would oppose having additional traffic right outside her bedroom window;; and, Bob and Betty Everette left for their 2nd home in Texas and repeated calls have gone unanswered; Both are elderly and we certainly hope nothing ill has befallen either of them. To that end, both Bob and Betty were instrumental in the neighborhood's fight against the development in 2008 and I know of no reason that they would have changed their minds now.

In addition to the 59 owners, 46 additional spouses or voting age, immediate family members residing within the owner's homes have signed the petition, giving us a total of 107 people within Parkchester, alone, opposing the change in zoning on the parcel in question.

Please vote NO.

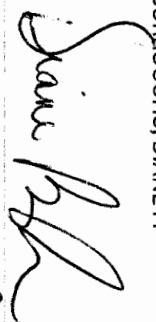
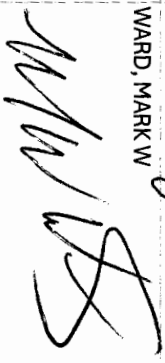
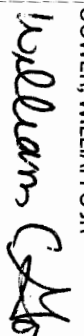
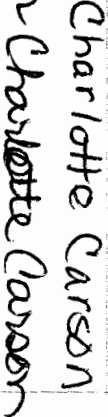
Sincerely,

A handwritten signature in black ink, appearing to read 'Mark W. Ward', with a stylized, cursive script.

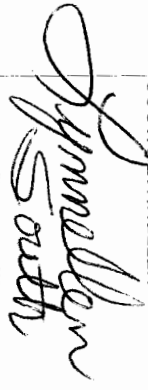
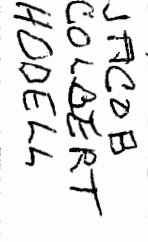
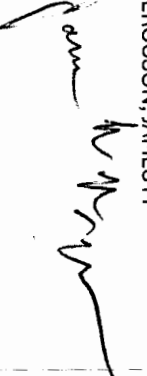
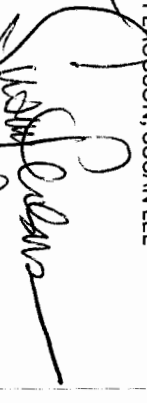
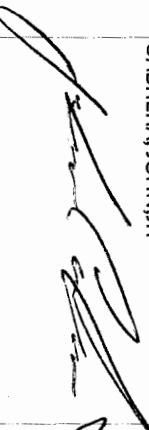
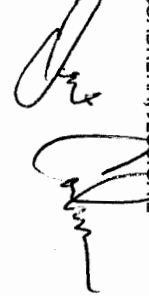
Mark. W. Ward

On Behalf of Myself the Other 106 Undersigned Owners & Residents
Of Parkchester, Unincorporated Brevard County

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

381 CHESTER	BURROUGHS, GREG 	BURROUGHS, DIANE M 	Haley McInnes	Darril McInnes
382 CHESTER	WARD, MARK W 	WARD, MARGARET C 	Haley McInnes	Darril McInnes
383 CHESTER	DOWNNEY, BENJAMIN 	Sierra Collector, Sierra 		
384 CHESTER	WARMUS, JAMES W 	WARMUS, REBEKAH 		
385 CHESTER	GOWER, WILLIAM C JR 	Charlotte Carson 		
387 CHESTER	YMOSENCIO, DIANE 	ROSS, STEPHEN 		

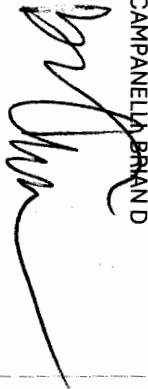
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388 CHESTER	SOUTH,LYNNELLEN	SOUTH, ERIC CHRISTOPHER	HODELL, JACOB COLBERT		
					
389 CHESTER	BLAKE, MICHAEL CAINE	BLAKE, MATTHEW RYAN			
390 CHESTER	ARMSTRONG, JEFFREY	ARMSTRONG, HEATHER			
					
3504 E ROUNDTREE	FERGUSON, JAMES M	FERGUSON, SUSAN LEE			
					
3506 E ROUNDTREE	CABRERA, JOHN, JR	CABRERA, JESSICA E			
					
3508 E ROUNDTREE	DE CRISTOFARO, ESTHER S				
					

Doubt
by

1

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

3510 E ROUNDTREE	JONES, SARAH ILEENE	Sarah Jones (Emerson)			
3512 E ROUNDTREE	EVERETTE, ROBERT B				
	713-553-7922 Be the				
3514 E ROUNDTREE	CAMPANELLA BRAND	Brand Stankin	Aiden	Alexia	
			Sam Pennell	Alvin Pennelli	
3516 E ROUNDTREE	HPA II BORROWER 2020-1 ML LLC				
3518 E ROUNDTREE	MC GRATH, CHARLES A JR	MC GRATH, JO ELLEN			
	Rev Charles A McGrath	Jo Ellen McGrath			
3520 E ROUNDTREE	MILLER, SHIRLEEN V	Shirleen Miller Homer Piercy			

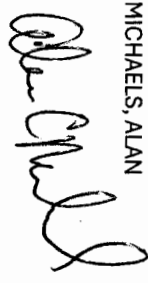
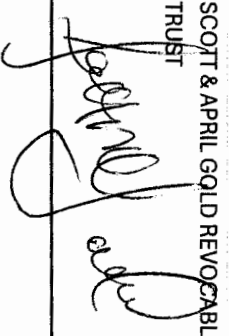
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3522 E ROUNDTREE	BAYER, CHERYLE <i>Wm H R</i>	WHEAT, Edward L. <i>Edward Wheat</i>			
VACANT LOT E ROUNDTREE	DENSMORE, MARGARET S <i>Decided</i>	DENSMORE, DELANO T TRUSTEES <i>Decided</i>			
301 GLEN RIDGE	IMRE, WILLIAM F <i>Debach, Trustee. Signed below.</i>	<i>Laura E. Cole</i>			
302 GLEN RIDGE	FOLLETTE, CHRISTOPHER ANTHONY	WESTGARD, CASSIAH M			
303 GLEN RIDGE	NICHOLAS, ROYA <i>Roya Naz</i>	NICHOLAS, CYNTHIA D <i>Cynthia D. Nicholas</i>			
304 GLEN RIDGE	MC KINLEY, BRUCET <i>Decided</i>	MC KINLEY, LINDAS <i>Frank M. McKinley</i>			

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

305 GLEN RIDGE	HILDEBRAND, MONICA	<i>M. Hildebrand</i>			
306 GLEN RIDGE	SMITH, RAYMOND B. <i>Raymond B. Smith</i>	SMITH, LINDA C. <i>Linda C. Smith</i>			
307 GLEN RIDGE	FAVUZZA, VINCENT W, SR <i>Akisha Favuzza</i>	<i>Deborah Favuzza</i>	<i>Valerie Giammarco</i>	<i>Cherie Giammarco</i>	
308 GLEN RIDGE	ROUTHIER, ANN J TRUSTEE <i>Ann J Routhier</i> <i>Trustee</i>	<i>Ann J Routhier</i> <i>Trustee</i>	<i>Mitchell Routhier</i>	<i>Mitchell Routhier</i>	
310 GLEN RIDGE	WOLFGANG, SUSAN KATHALEEN <i>Susan Wolfgang</i>	<i>Wendy B. White</i> <i>Wendy</i>			
3509 HILLTOP	BEADLE, JAMES P	SCANLAN, ELIZABETH B	BEADLE, CHRISTINE M <i>Christine Beadle</i>	RAY, MARY B	BELECKAS, MARGARET F
<i>Moved</i> <i>→</i>					

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3511 HILLTOP	MICHAELS, ALAN 	MICHAELS, DONNA 			
3512 HILLTOP	ROCCO, MICHAEL Mike Rocco	ROCCO, APRIL April Rocco			
3513 HILLTOP	CARROLL, HEIDI R Heidi Carroll				
3514 HILLTOP	NICKELL, TIMOTHY LEE Timothy Lee Nickell	KEMBLE, STACI Staci Kembel			
3515 HILLTOP	CONFIDENTIAL OWNER Kevin Faulk		Nicholas Faulk		
3516 HILLTOP	SCOTT & APRIL GOLD REVOCABLE TRUST 		Victoria Gold		

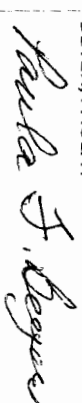
✓✓

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✓ 3507 W ROUNDTREE	MARSHALL, CONSTANCE S <i>Constance Marshall</i>	<i>Dagles Marshall</i>	<i>Janeen Andrias</i>		
3508 W ROUNDTREE ✓	BOWMAN, JUDY C <i>Judy Bowman</i>				
3509 W ROUNDTREE ✓	JACKSON, WALTER C <i>Deceased</i>	JACKSON, DAVID W <i>D.W. Jackson</i>	JACKSON, DEIDRE D		
3510 W ROUNDTREE ✓	MALONEY, MICHELLE K <i>Michelle</i>	BERRY, SCOTT M <i>Scott Berry</i>			
3511 W ROUNDTREE ✓	ELIZABETH LYONS HAIR REVOCABLE TRUST <i>Elizabeth Lyons</i>				
3512 W ROUNDTREE ✓	TREE A CONCANNON TRUST <i>John A Concannon</i>				

1

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

3513 W ROUNDTREE	DAGUINO, DIANA M 				
3515 W ROUNDTREE	STARR, MICHAEL D	STARR, ELIZABETH M 			
3516 W ROUNDTREE	BUNTING, MICHAEL P	FISHER-BUNTING, SUSAN MARIE 			
3517 W ROUNDTREE	BEYER, CURT R	BEYER, PAULA F 			
3518 W ROUNDTREE	SMITH, ARLENE L 	SMITH, LARRY L			
3519 W ROUNDTREE	FOSS, LINDA 				

1

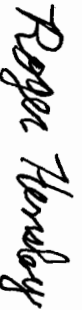
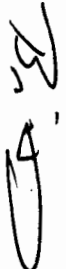
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3521 W ROUNDTREE	EARLE, FRANK E <i>Frank Earle</i>	EARLE, BARBARA D				
3523 W ROUNDTREE	CHAMBERS, JOHN STEPHEN <i>John Chambers</i>	CHAMBERS, DEBORAH B <i>Deborah Chambers</i>				
3525 W ROUNDTREE	STILLWAGON, RICHARD C <i>Richard Stillwagon</i>	STILLWAGON, MARGARET W				

✓ 390 Chester Dr. *Julius T. Anishin*
Heather Stenstrom *Heather Stenstrom*

✓

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302 N ROUNDTREE	DENSMORE, DEBORAH DELL 				
303 N ROUNDTREE	NOVAK, TRISH D 	NOVAK, THERESA L 			
304 N ROUNDTREE	EVARD, JOHN 	DUNCAN, MARYANE 			
305 N ROUNDTREE	BARBARA ANN HENSLEY TRUST 				
306 N ROUNDTREE	DUROCHER, BRIAN 	PEOPLES, CHELSEA 			
307 N ROUNDTREE	CRAFT, ALLEN MICHAEL 				

X

We, the undersigned HOMEOWNERS of the PARKCHESTER community in Unincorporated Brevard County, District 1, Respectfully OPPOSE the removal of the 2008 Binding Development Plan and Request the Brevard County Board Of Commissioners to vote NO on the Recommendations of the Planning & Zoning Board allowing the proposed Planned Unit Development ("PUD") WITH REMOVAL of Binding Development Plan (BDP).

308 N ROUNDTREE ✓	OBERDICK, DONALD P <i>Donald Oberdick</i>	REIB, Nancy <i>Nancy E. Reib</i>			
309 N ROUNDTREE ✓	PRETLOW, DONALD M <i>Donald Pretlow</i>				
310 N ROUNDTREE ✓	RUEB, BRENDA L <i>Brenda Rueb</i>	<i>Pat 2015- Test water</i>			
312 N ROUNDTREE ✓	AGENT, JESSICA LYNN <i>Jessica Lynn</i>				
314 N ROUNDTREE ✓ ✓	GLENN, ANNA MAE <i>Anna Mae Glenn</i>	HODGE, JASON ANDREW <i>Jason Andrew Hodge</i>			
3505 W ROUNDTREE ✓	WHIDDEN, MICHAEL K <i>Michael K Whidden</i>	WHIDDEN, BRENDAM <i>Brendam Whidden</i>			

From: [Loren Price](#)
To: [Commissioner, D2](#)
Subject: OBJECT ZONING TO DISTRICT ONE
Date: Wednesday, April 2, 2025 7:06:13 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

As a resident of the High Point Civic Association, we want to formally object to any zoning changes in District 1 at the listed address of 3477 North Indian River Drive. Our dead end street with 11 single family homes is about two blocks south of the listed address and is part of the larger community between the Indian River and the eastside of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that many in the community have worked hard over the years to protect against high density development.

Now the community is facing another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for those in the community to challenge future inappropriate development.

I have been told that some years ago, in response to a proposed massive condominium project in the middle of our community (about two miles south of our street), all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, they worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities set were guided by and compatible with the current zoning and existing land uses in our area.

Nevertheless, the current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we

have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, some from the area community came before the Planning and Zoning Board and then the County Commissioners defending the density limits and the Comprehensive Land Use Plan.

So again, please deny this Zoning and Land Use Plan at the April 3rd meeting and do not allow multi family townhouses and density increases for this area.

Regards,
Loren Price & Douglas Webber

From: [Mark W. Ward](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: ["Diane Burroughs"](#)
Subject: RE: CITY POINT LANDFALL LLC 24PUB00003 & 24SS00009
Date: Thursday, April 3, 2025 10:33:39 AM
Attachments: [PARKCHESTER NEIGHBORHOOD.pdf](#)
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

District 1 Commissioner Kae Delaney
District 2 Commissioner Tom Goodson (Vice Chair)
District 3 Commissioner Kim Adkinson
District 4 Commissioner Rob Feltner (Chair)
District 5 Commissioner Thad Altman
Brevard County Board of County Commissioners
2725 Judge Fran Jamieson Way
Viera, FL 32940

Dear Commissioners Delaney, Goodson, Adkinson, Feltner and Altman,

As the appointed community representative asked to represent the Parkchester Community, please see the attached letter containing signatures of 59 owners out of the 63 properties, 4 Owners cannot be contacted at this time. To that end, I am certain that 100% of all residents oppose the removal of the Binding Development Plan agreement that was approved by the Planning & Zoning Board on March 17.

Tonight, I understand that agents for City Point Landfall LLC will be asking to table the vote on the zoning board's recommendation until May 1. We ask that, in lieu of tabling the recommendation, that you simply vote NO on the recommendations of the P&Z Board and return the entire process back to the developer to re-work the plans to conform within the bounds of the existing BDP.

Please see our attached letter urging a NO vote against approval of the Planning & Zoning Board's recommendation.

Sincerely,
Mark Ward
(On behalf of the other 106 residents of Parkchester)

Mark W. Ward
Ward & Lawless LLC
2410 Armadillo Court
Cocoa, Florida 32926
TEL: 888-658-8484 x1
FAX: 877-658-8484
www.wardlawless.com



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From: [Hernandez, Sonja D. \(KSC-AEGIS-4000\)\[AEGIS\]](#)
To: [Commissioner, D1](#); [Commissioner, D2](#); [Commissioner, D3](#); [Commissioner, D4](#); [Commissioner, D5](#)
Cc: suderma@bellsouth.net; [FRYE, ERIN L. \(KSC-COMET-6000\)\[COMET Primary\]](#); [Schneider, Jennifer CIV USARMY PEO STRI \(USA\)](#)
Subject: RE: Zoning action: 24Z00025 PUD AMENDMENT: 24PUD0003 COMP PLAN: 24SS0009
Date: Wednesday, April 2, 2025 5:13:03 PM
Attachments: [Sabal Chase Petition Against change to binding development plan.pdf](#)

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Commissioners,

I wanted to provide you with a petition of residents in Sabal Chase on Sonya Drive, Cocoa FL who feel we will be negatively impacted by proposed change in zoning mentioned below. Please vote against this zoning change. I will have the original signed document with me for the meeting tomorrow.

Many thanks!
Sonja Hernandez
185 Sonya Drive
Cocoa, FL 32926
321-289-6331

From: Hernandez, Sonja D. (KSC-AEGIS-4000)[AEGIS]
Sent: Sunday, March 30, 2025 10:23 AM
To: D1.Commissioner@BrevardFL.gov; D2.Commissioner@BrevardFL.gov;
d3.commissioner@BrevardFL.gov; d4.commissioner@BrevardFL.gov;
d5.commissioner@BrevardFL.gov
Cc: suderma@bellsouth.net; FRYE, ERIN L. (KSC-COMET-6000)[COMET Primary]
<erin.l.frye@nasa.gov>; Schneider, Jennifer CIV USARMY PEO STRI (USA)
<jennifer.schneider7.civ@army.mil>
Subject: Zoning action: 24Z00025 PUD AMENDMENT: 24PUD0003 COMP PLAN: 24SS0009
Importance: High

Honorable Commissioner Kathryn Delaney
Honorable Commissioner Kim Adkinson
Honorable Commissioner Vice Chair Tom Goodson
Honorable Commissioner Thad Altman
Honorable Commissioner Chair Rob Feltner

We are 23-year residents of the Indian River Drive North Community and I am asking for you to Vote Against this change and protect Conservative values. The City Point Landfall change in zoning request was recklessly approved by the Planning and Zoning Board. There is already a binding agreement in place that aligns with sustainable growth management and infrastructure; decorum;

preserves our natural resources; and maintains our quality of life. I believe you can agree that the Indian River is already struggling under the immense amount of residential and commercial development impacting the natural coquina shelf; increased sewage runoff and other issues contaminating this natural resource. Please be considerate of the residents of this community who have been residents and stewards of this community and protect our future and property values. This is a highly visible issue within our community and there are many residents who would be extremely upset if this change in zoning is passed. I appreciate your support in advance!

Sonja & Michael Hernandez
185 Sonya Drive
Cocoa, FL 32926
321-289-6331

From: lintomw@aol.com
To: [Commissioner, D3](#); [Commissioner, D1](#); [Commissioner, D4](#); [Commissioner, D5](#); [Commissioner, D2](#)
Subject: Vote NOT to approve
Date: Wednesday, April 2, 2025 3:48:48 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Zoning Action: 24Z00025
PUD Amendment: 24PUD00003
Comp Plan: 24SS00009

Please vote not to approve.

As a homeowner on Indian River Drive - This will further contaminate the Indian River Lagoon and will lower everyone's property values.

Thank you -
Thomas Wallander

From: [Commissioner, D2](#)
To: [AdministrativeServices](#)
Cc: [Commissioner, D2](#)
Subject: FW: Commissioner's speech April 3rd
Date: Thursday, April 3, 2025 3:22:02 PM
Attachments: [image001.png](#)

Good afternoon,
Please see the below public comment our office received.

Thank you,



Susan Smith
Legislative Aide
Brevard County Commissioner Tom Goodson District 2
2575 North Courtenay Parkway Suite 200
Merritt Island, FL 32953
Ph: (321) 454-6601
E-mail: Susan.Smith@brevardfl.gov

From: Beverly Sudermann <sudermab@bellsouth.net>
Sent: Thursday, April 3, 2025 3:19 PM
To: Commissioner, D1 <D1.Commissioner@brevardfl.gov>; Commissioner, D2 <D2.Commissioner@brevardfl.gov>; Commissioner, D3 <d3.commissioner@brevardfl.gov>; Commissioner, D4 <D4.Commissioner@brevardfl.gov>; Commissioner, D5 <D5.Commissioner@brevardfl.gov>
Subject: Commissioner's speech April 3rd

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

April 3, 2024

Brevard County Board of Commissioners,

Re: City Point Landfall, LLC
County Parcel #: 24-36-08-00-514
Application Request: Rezoning and Future Land Use Amendment 24-PUD00003 & 24-SS00009

This is a request to deny City Point Landfall's PUD, Rezoning and Future Land Use Amendment request, 24PUD00003 & 24-SS00009

A wonderful former commissioner, Truman Scarborough, once told me “Your community is the only community that has been able to stand as one to protect yourselves from overdevelopment, all others have failed.” It is up to all of us to continue to protect our way of life in our small but beautiful community. I am asking you to please stand strong to help us protect our way of life.

Development is inevitable. However, our area is a historic gem in a concrete jungle. We have a historic scenic drive lined with historic spacious homes and nature all around. Visitors to our area enjoy the leisurely drive and the slower pace. People enjoy biking, running and walking events throughout the year. It is not a cookie cutter neighborhood. There are no condos or townhomes. It is a unique community style that those of us who live here wish to protect and out of state visitors love to enjoy.

Commissioners before you have worked hard to put in place a plan to protect our area. Is it perfect? No. We were all grandfathered in and right sized when the commissioners before you created a plan that worked for everyone. They spent years working with our community to achieve an agreeable plan that worked and continues to work for our historic area. Why have a Binding Development Plan (BDP) if it is not binding? Why make it binding if it has no meaning? We just ask that you continue to protect our unique and historic community now and in the future.

Thank you all very much for your time and continued support. I respectfully request that you deny City Point Landfall, LLC requests.

Sincerely
Beverly Sudermann
3469 Indian River Dr.
Cocoa, FL 32926
321-536-3851

P&Z Planning Board Testimony 3/17/2025 Board Members, Here is a bit of history regarding our neighborhood and the ongoing efforts to preserve our community's essential character. Our community is between the Indian River and the east side of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that we as a community have worked hard over the years to protect against high density development. We are facing yet another development proposal which aims to change the underlying zoning and land use restrictions currently in place. City Point Landfall LLC is proposing a Planned Unit Development (PUD) with changes to Zoning, the state Future Land Use (FLU) map and the removal of an existing Binding Development Plan (BDP) which puts limits on what can be built in our community. These changes could also set a precedent for future land development in our area which would make it harder for us to challenge future inappropriate development. Some years ago, in response to a proposed massive condominium project in the middle of our community, all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, we worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities we set were guided by and compatible with the current zoning and existing land uses in our area, but were somewhat simpler and in many cases more generous. Nevertheless, our current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, we find ourselves before the Planning and Zoning Board and then the County Commissioners defending our density limits and our Comprehensive Land Use Plan. In the past, once the developers became aware of community concerns, either on their own or by advisement from county officials, community/developer meetings were scheduled where the developers presented their plans to solicit community input and address concerns. These type of meetings can be very helpful and may result in a mutually satisfactory outcome. With the rather short notification time we have been given this time, our first opportunity to voice our community concerns are these County Planning and Zoning Board and Commission meetings scheduled in the coming weeks. Our time to prepare and respond has been considerably shortened this time around. We have not heard of any outreach efforts on the part of City Point Landfall regarding this project. The first substantive notification of a planned effort on their part to change zoning, FLUM and remove the Binding Development Plan came by way of signs planted on Indian River Drive and at the entrance to Parkchester two weeks ago. Hardly an indication of concern for community involvement. A big area of our concern is in setting a precedence. Since we fought so hard to establish safeguards to our community at the local, county and state levels, we are keen to continue keeping them in place so that future developers cannot cite exceptions given to other developers as a defense for whatever changes they would desire for future projects. We want to stick to our guns and defend our community's character and environment. The existing Binding Development Plan was executed October 28, 2008, signed by the owner of the property at that time and became permanently attached to the property as a safeguard to our community. The following restrictions were placed on the interior 7 acres of the property (referred to in the BDP as the "Subdivision"): A. There shall be a 15 foot natural buffer on the exterior of the subdivision; B. There shall be no access for said

subdivision to Indian River Drive; C. The number of lots shall not exceed 7; D. The subdivision shall have no access to Parkchester subdivision; E. The minimum house size shall be 2,200 square feet under air; F. The subdivision shall have an Association to maintain common elements and architectural control; E. The Property shall have EU zoning. These restrictions and all of the provisions of the Binding Development Plan are present on the property today and were present when City Point Landfall purchased the property. We assume City Point Landfall knew what they were buying. We assume they also knew what the zoning and FLUM designations were when they made the purchase. We agree with all of the provisions and restrictions called out in the Binding Development Plan and desire that it remain in force. Irregardless of the PUD outlined in City Point Landfall's Proposed Development Plan, by changing the FLUM to RES4 for the entire property, City Point Landfall will end up with the potential for 14.86 acres times 4 housing units each acre. This would be about 59 units if it was zoned to the maximum extent possible. While we appreciate the thought and some of the features of the PUD in City Point Landfall's Proposed Development Plan, we worry that there is the possibility that the PUD may never be built, but the FLUM and Zoning changes, if enacted, will then be permanently attached to the property. It seems possible that funding could fall through, the economics of the project could change for the worse, the desire on the part of developers could wane - any number of things could conspire to make the PUD not come to fruition. City Point Landfall might be compelled to redesign and go with a completely different PUD or they might have to sell the property to a new buyer who would then have the opportunity to build a completely different project with greatly increased density. We believe that the current Future Land Use Map, Zoning and Existing Binding Development Plan are adequate for development of a profitable and appropriate subdivision within our community. We therefore ask that Planning and Zoning Board recommend that the Board of Commissioners reject the changes requested by City Point Landfall LLC at the earliest opportunity. Thank You for your attention and consideration,

James and Beverly Sudermann 3469 Indian River Drive

Re: H.1. City Pointe Landfall LLC. (David Bassford) requests a Small-Scale Comprehensive Plan Amendment (24S.11), to change the Future Land Use Designation from Res 1, Res 2, Res 4, and NC to CC and Res 4. (24SS00009) (Tax Account 2411252) (District 1)

H.2. City Pointe Landfall LLC. (David Bassford) requests a change in zoning classification from EU and RP with an existing BDP to PUD with the removal of existing BDP. (24PUD00003) (Tax Account 2411252) (District 1)

Attachment - P&Z Planning Board Testimony 3/17/2025

Commissioners,

My name is James Sudermann and I live at 3469 Indian River Drive. We share a property line with City Point Landfall's proposed project.

After the City Point Landfall, LLC community presentation on Tuesday night (4/1/2025) in which the MBV Engineering representative suggested we not bother coming to the Board meeting today, we were worried that perhaps we would not be given a chance to express our opposition to their proposal.

I am against any changes to the current Florida Land Use Map designations and County Zoning classifications and I am against the removal of the current Binding Development Plan.

Approximately 50 homeowners showed up at the Community Presentation on Tuesday. Almost to a person, they were there to let the City Point Landfall representatives know of their opposition to the company's development plan in its current form. While the MBV representative promised to pass our concerns on to the owner of City Point Landfall, Mr. Brian McKee, nothing was said that would make us believe that any substantive changes would be made to the City Point Landfall plans. Most importantly, our desire to keep our community's Future Land Use Map designations, County Zoning and the existing Binding Development Plan in place and unchanged was challenged over and over again. We are left feeling that the City Point Landfall plan going forward is to simply wear down our community until we accept their revisions to the current Future Land Use Map and Zoning and the removal of the current Binding Development Plan.

This current request has been, from our point of view, rather rushed and hurried. We became aware of their current plans on February 26 by the presence of a sign posted on Indian River Drive. The developer did not present any of their plans to the community prior to the April 1 Community meeting. This was after the Planning and Zoning Board meeting on March 17.

A big area of our concern is in setting a precedence. Since we fought so hard in 2004 to establish safeguards to our community at the local, county and state levels, we are keen to continue keeping

them in place so that future developers cannot cite exceptions given to City Point Landfall as a defense for whatever new variances they would desire for future projects in our community. We want to continue to defend our community's character and environment.

By asking the Commissioners to approve a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designation to RES4 (H.1) for the entire property independently and separately from the request to change zoning and remove the BDP in favor of their proposed PUD (H.2), City Point Landfall will end up with the potential for 4 housing units on each acre times 14.86 acres. This would be about 59 units if it was zoned to the maximum extent possible. We worry that there is the possibility that this PUD may never be built or even approved, but the Florida Land Use Map changes, if enacted, will already be permanently attached to the property. By enacting the Florida Land Use Map changes first and separately, City Point Landfall could decide to sell the property to a new buyer who would then have the opportunity to build a completely different project with greatly increased density.

One very good thing in City Point Landfall's proposal is the declaration of the 2.4 acres fronting the Indian River as Wetlands. It is an important recognition of the Environmental sensitivity of this boggy, swampy, flood prone area. There is an active spring on this property right across property line from our house that keeps these wetlands continually wet. We would like to see the wetlands designation made permanent and official. And we would like to see it done NOW. Designate it a conservation area like the one south of Sabal Chase.

We believe that the current Future Land Use Map, Zoning and Existing Binding Development Plan are adequate for development of a profitable and appropriate subdivision within our community. We therefore ask that the Board of Commissioners deny the changes requested by City Point Landfall LLC.

Sincerely,

James E. Sudermann
3469 Indian River Drive
Cocoa, Florida 32926
321-536-3850

P&Z Planning Board Testimony 3/17/2025

Board Members,

Here is a bit of history regarding our neighborhood and the ongoing efforts to preserve our community's essential character.

Our community is between the Indian River and the east side of US 1 and stretches north from SR 528 (the Beachline) to where Indian River Drive rejoins US 1 at the Five Points fire station. It is a rather large area that we as a community have worked hard over the years to protect against high density development.

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Some years ago, in response to a proposed massive condominium project in the middle of our community, all of the existing neighborhood homeowners associations and the individual homeowners in the area joined together to protect our community's character and desirability. As a united group, we worked very hard for a year and a half with the Board of Commissioners, the Planning and Zoning Board and staff to put forward and pass an amendment to the Comprehensive Land Use Plan (Future Land Use Map) for our area. This amendment (2004A.5) sets overall land use densities that cannot be exceeded by rezoning. The densities we set were guided by and compatible with the current zoning and existing land uses in our area, but were somewhat simpler and in many cases more generous.

Nevertheless, our current Comprehensive Land Use Plan has been challenged by at least three different developers since 2004 and while we have always worked with the developers to understand their desires, we have always held to our plan as it currently exists. On these occasions, we find ourselves before the Planning and Zoning Board and then the County Commissioners defending our density limits and our Comprehensive Land Use Plan.

In the past, once the developers became aware of community concerns, either on their own or by advisement from county officials, community/developer meetings were scheduled where the developers presented their plans to solicit community input and address concerns. These type of meetings can be very helpful and may result in a mutually satisfactory outcome. With the rather short notification time we have been given this time, our first opportunity to voice our community concerns are these County Planning and Zoning Board and Commission meetings scheduled in the coming weeks. Our time to prepare and respond has been considerably shortened this time around. We have not heard of any outreach efforts on the part of City Point Landfall regarding this project. The first substantive notification of a planned effort on their part to change zoning, FLUM and remove the Binding Development Plan came by way of signs planted on Indian River Drive and at the entrance to Parkchester two weeks ago. Hardly an indication of concern for community involvement.

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safeguards to our community at the local, county and state levels, we are keen to continue keeping them in place so that future developers cannot cite exceptions given to other developers as a defense for whatever changes they would desire for future projects. We want to stick to our guns and defend our community's character and environment.

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- A. There shall be a 15 foot natural buffer on the exterior of the subdivision;
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- C. The number of lots shall not exceed 7;
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- E. The minimum house size shall be 2,200 square feet under air;
- F. The subdivision shall have an Association to maintain common elements and architectural control;
- E. The Property shall have EU zoning.

These restrictions and all of the provisions of the Binding Development Plan are present on the property today and were present when City Point Landfall purchased the property. We assume City Point Landfall knew what they were buying. We assume they also knew what the zoning and FLUM designations were when they made the purchase.

We agree with all of the provisions and restrictions called out in the Binding Development Plan and desire that it remain in force.

Irregardless of the PUD outlined in City Point Landfall's Proposed Development Plan, by changing the FLUM to RES4 for the entire property, City Point Landfall will end up with the potential for 14.86 acres times 4 housing units each acre. This would be about 59 units if it was zoned to the maximum extent possible. While we appreciate the thought and some of the features of the PUD in City Point Landfall's Proposed Development Plan, we worry that there is the possibility that the PUD may never be built, but the FLUM and Zoning changes, if enacted, will then be permanently attached to the property. It seems possible that funding could fall through, the economics of the project could change for the worse, the desire on the part of developers could wane - any number of things could conspire to make the PUD not come to fruition. City Point Landfall might be compelled to redesign and go with a completely different PUD or they might have to sell the property to a new buyer who would then have the opportunity to build a completely different project with greatly increased density.

We believe that the current Future Land Use Map, Zoning and Existing Binding Development Plan are adequate for development of a profitable and appropriate subdivision within our community. We therefore ask that Planning and Zoning Board recommend that the Board of Commissioners reject the changes requested by City Point Landfall LLC at the earliest opportunity.

Thank You for your attention and consideration,

James and Beverly Sudermann
3469 Indian River Drive

Cocoa, FL

To:Commissioner, D1;Commissioner, D2;Commissioner, D3;+2 others

Thu 4/3/2025 3:19 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

April 3, 2024

Brevard County Board of Commissioners,

Re: City Point Landfall, LLC

County Parcel #: 24-36-08-00-514

Application Request: Rezoning and Future Land Use Amendment 24-PUD00003 & 24-SS00009

This is a request to deny City Point Landfall's PUD, Rezoning and Future Land Use Amendment request, 24PUD00003 & 24-SS00009

A wonderful former commissioner, Truman Scarborough, once told me "Your community is the only community that has been able to stand as one to protect yourselves from overdevelopment, all others have failed." It is up to all of us to continue to protect our way of life in our small but beautiful community. I am asking you to please stand strong to help us protect our way of life.

Development is inevitable. However, our area is a historic gem in a concrete jungle. We have a historic scenic drive lined with historic spacious homes and nature all around. Visitors to our area enjoy the leisurely drive and the slower pace. People enjoy biking, running and walking events throughout the year. It is not a cookie cutter neighborhood. There are no condos or townhomes. It is a unique community style that those of us who live here wish to protect and out of state visitors love to enjoy.

Commissioners before you have worked hard to put in place a plan to protect our area. Is it perfect? No. We were all grandfathered in and right sized when the commissioners before you created a plan that worked for everyone. They spent years working with our community to achieve an agreeable plan that worked and continues to work for our historic area. Why have a Binding Development Plan (BDP) if it is not binding? Why make it binding if it has no meaning? We just ask that you continue to protect our unique and historic community now and in the future.

Thank you all very much for your time and continued support. I respectfully request that you deny City Point Landfall, LLC requests.

Sincerely

Beverly Sudermann

3469 Indian River Dr.

Cocoa, FL 32926 321-536-3851

