

Prepared by: Luz Nelly Nogueroles  
Address: 1455 Martin Road, Rockledge, FL 32955

## **BINDING DEVELOPMENT PLAN**

THIS AGREEMENT, entered into this 01 day of May, 2025 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Luz Nelly Nogueroles, the owner (hereinafter referred to as "Developer/Owner").

### **RECITALS**

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

WHEREAS, Developer/Owner has rezoned 1 acre of the 5 acre site to RR-1 (Exhibit A) with the remaining 4 acres retaining its AU zoning (exhibit B). Developer/Owner requested the 5 acre site (Exhibit C) be developed with agricultural pursuits without an additional single family residence, and pursuant to the Brevard County Code, Section 62-1157; and

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

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

NOW, THEREFORE, the parties agree as follows:

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

3. The Developer/Owner shall limit density to Zero (0) additional units per acre on the remaining 4 acres of AU zoned property and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.
4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.
5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.
6. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on February 06, 2025. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.
7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.
8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7 above.
9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

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

ATTEST:

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

\_\_\_\_\_  
Rachel M. Sadoff, Clerk of Court  
(SEAL)

\_\_\_\_\_  
Rob Feltner, Chair  
As approved by the Board on \_\_\_\_\_

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

WITNESSES:

(INSERT BUSINESS NAME or INDIVIDUAL NAME(s))  
as DEVELOPER/OWNER

Tornaman  
Mehnaz Tornaman  
(Witness Name typed or printed)

Luz Nelly Nogueroles, owner  
1455 Martin Rd. Rockledge, FL 32955  
(Address)

\_\_\_\_\_  
(Witness Name typed or printed)

\_\_\_\_\_  
(President)  
\_\_\_\_\_  
(Name typed, printed or stamped)

STATE OF Florida §

COUNTY OF Brevard §

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or  
\_\_\_\_\_ online notarization, this 15<sup>th</sup> day of April, 2025, by  
Luz Nelly Nogueroles, President of OWNER, who is  
personally known to me or who has produced F2DL as identification.

My commission expires  
SEAL  
Commission No.:

Y del Rio  
Notary Public  
(Name typed, printed or stamped)

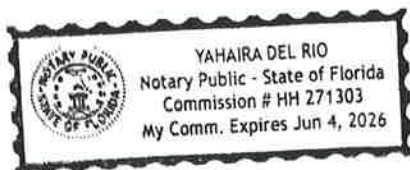


Exhibit A

# BOUNDARY SURVEY

BUILDING DETAIL  
SCALE: 1"=20'



## LEGAL DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 17, TOWNSHIP 25 SOUTH, RANGE 36 EAST, AND RUN THENCE NORTH 00 DEGREES 04'12" EAST, ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 642.31 FEET, THENCE RUN NORTH 00 DEGREES 42'12" EAST; ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 172.03 FEET; THENCE RUN NORTH 89 DEGREES 58'30" EAST, A DISTANCE OF 918.46 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89 DEGREES 58'30" EAST, A DISTANCE OF 349 FEET, THENCE RUN SOUTH 01 DEGREES 30'49" WEST, A DISTANCE OF 146.17 FEET; THENCE RUN SOUTH 89 DEGREES 58'30" WEST, A DISTANCE OF 349 FEET, THENCE RUN NORTH 01 DEGREES 30'49" EAST, A DISTANCE OF 146.17 FEET TO THE POINT OF BEGINNING.

LESS THE EAST 51.00' FOR ROADWAY.

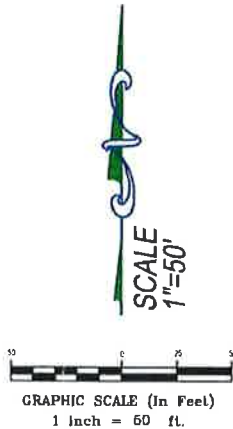
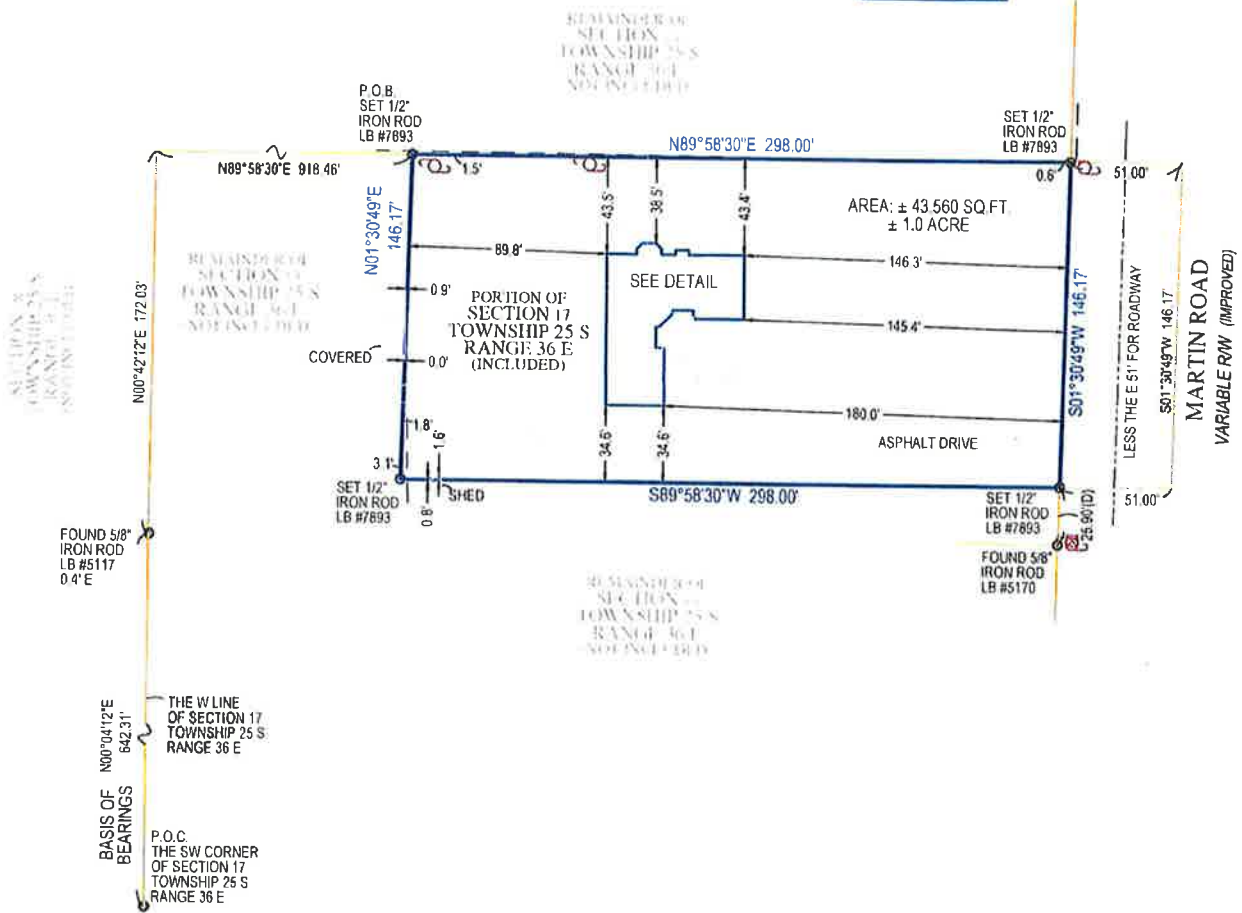
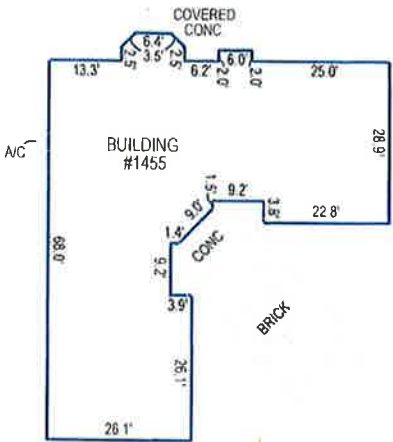
CERTIFIED TO:  
LUZ NELLY NOGUEROLES

COMMUNITY NUMBER: 125092  
PANEL: 12009C0425 SUFFIX: G  
F.I.R.M. DATE: 03/17/2014  
FLOOD ZONE: AE

FIELD WORK: 06/14/2023

PROPERTY ADDRESS:  
1455 MARTIN ROAD  
ROCKLEDGE, FL. 32955

SURVEY NUMBER: 590886  
CLIENT FILE NUMBER: 2022050424CD



## SURVEY NOTES

THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY

ASPHALT DRIVE CROSSES THE PROPERTY LINES ON WESTERLY AND EASTERLY SIDES OF LOT

NEIGHBORS SHED CROSSES THE PROPERTY LINE ON SOUTHERLY SIDE OF LOT

## ABBREVIATION DESCRIPTION

AE	ANCHOR EASEMENT	FF EL	FINISH FLOOR ELEVATION	ORB	OFFICIAL RECORDS BOOK
AC	AIR CONDITIONER	FIP	FOUND IRON PIPE	DB	DEED BOOK
BM	BENCHMARK	FIR	FOUND IRON ROD	PC	POINT OF CURVATURE
BR	BEARING REFERENCE	PK	FOUND PARKER KALON NAIL	PCL	POINT OF CURVATURE LENGTH
CL	CALCULATED	LMC	LIMITED ACCESS EASEMENT	POB	POINT OF BEGINNING
CA	CENTRAL/DELTA ANGLE	LMC	LIMITED ACCESS EASEMENT	POC	POINT OF COMMENCEMENT
CH	CHORD	LMC	LIMITED ACCESS EASEMENT	PRC	POINT OF REVERSE CURVE
CHD	CHORD DESCRIPTION	LMC	LIMITED ACCESS EASEMENT	PT	POINT OF TANGENCY
DE	DRAINAGE EASEMENT	LMC	LIMITED ACCESS EASEMENT	RTW	RIGHT OF WAY
DM	DRAINAGE EASEMENT	LMC	LIMITED ACCESS EASEMENT	RR	RADIAL RADIAL
DM	DRAINAGE EASEMENT	LMC	LIMITED ACCESS EASEMENT	STR	SET PROOF
DM	DRAINAGE EASEMENT	LMC	LIMITED ACCESS EASEMENT	TOB	TOP OF BANK
DM	DRAINAGE EASEMENT	LMC	LIMITED ACCESS EASEMENT	UE	UTILITY EASEMENT

## SYMBOL DESCRIPTIONS

	CATCH BASIN		MISC FENCE
	CENTERLINE ROAD		PROPERTY CORNER
	COVERED AREA		UTILITY BOX
	EXISTING ELEVATION		UTILITY POLE
	HYDRANT		WATER METER
	MANHOLE		WELL
	METAL FENCE		WOOD FENCE

## SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL OR A RAISED FINGERPRINT SEAL AND SIGNATURE.

(SIGNED)   
DAVID G. CUTLER  
PROFESSIONAL SURVEYOR AND MAPPER #5593

David Cutler  
Digitally signed by David Cutler  
Date: 2024.11.14 14:48:35 -0500

TARGET  
SURVEYING, LLC

SERVING FLORIDA  
6250 N. MILITARY TRAIL, SUITE 102  
WEST PALM BEACH, FL 33407  
PHONE (561) 640-4800  
STATEWIDE PHONE (800) 225-4807  
STATEWIDE FACSIMILE (800) 741-0576  
WEBSITE: <http://targetsurveying.net>

## GENERAL NOTES

- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
- 2) THIS SURVEY HAS BEEN COMPLETED FOR A MORTGAGE TRANSACTION. ITS SCOPE IS LIMITED TO THE DEED. NO OTHER RECORDS ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 3) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER
- 4) WALL LINES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5) ONLY VISIBLE ENCROACHMENTS LOCATED
- 6) DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN

7) FENCE OWNERSHIP NOT DETERMINED  
8) ELEVATIONS NOT DETERMINED  
9) THIS SURVEY HAS BEEN COMPLETED FOR A MORTGAGE TRANSACTION. ITS SCOPE IS LIMITED TO THE DEED. NO OTHER RECORDS ENCUMBRANCES NOT SHOWN ON THE PLAT.



THE SOUTH 5 ACRES OF NORTH 20 ACRES OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 17 TOWNSHIP 25 SOUTH RANGE 36 EAST BREVARD COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCE AT THE SOUTH-WEST CORNER OF SECTION 17 AND RUN THENCE NORTH -00 DEGREES 04'12" EAST ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 642.31 FEET TO THE POINT OF BEGINNING THENCE RUN NORTH -00 DEGREES 42'12" EAST ALONG THE WEST LINE OF SAID SECTION 17 A DISTANCE OF 172.03 FEET THENCE RUN NORTH 88 DEGREES 58'30" EAST A DISTANCE OF 1,767.46 FEET THENCE RUN SOUTH -01 DEGREES 30'49" WEST A DISTANCE OF 172.07 FEET THENCE RUN SOUTH 89 DEGREES 58'30" WEST A DISTANCE OF 1,255.03 FEET TO A POINT ON THE WEST LINE OF SECTION 17 AND THE POINT OF BEGINNING

LESS THE NORTH 145.17' OF THE WEST 298.00' OF THE EAST 349.00' OF DESCRIBED PARCEL

COMMUNITY NUMBER 125092  
PANEL 12099C0425 SUFFIX G  
FIRM DATE 03/17/2014  
FLOOD ZONE AE

PROPERTY ADDRESS  
1455 MARTIN ROAD  
ROCKLEDGE FL 32955

☎ 87893  
 SERVING FLORIDA  
 250 N. MILITARY TRAIL SUITE 102  
 WEST PALM BEACH FL 33407  
 PHONE (561) 640-4800  
 TATEWIDE PHONE (800) 226-4807  
 TEWIDE FACSIMILE (800) 741-0575  
 WEBSITE <http://Targetsurveying.net>

PAGE 1 OF 1  
**BOUNDARY SURVEY**

LEGAL DESCRIPTION:

THE SOUTH 5 ACRES OF NORTH 20 ACRES OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE SOUTHWEST CORNER OF SECTION 17, AND RUN THENCE NORTH 00 DEGREES 04'12" EAST, ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 642.31 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 42'12" EAST; ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 172.03 FEET; THENCE RUN NORTH 89 DEGREES 58'30" EAST, A DISTANCE OF 1,267.46 FEET; THENCE RUN SOUTH 01 DEGREES 30'49" WEST, A DISTANCE OF 172.07 FEET; THENCE RUN SOUTH 89 DEGREES 58'30" WEST, A DISTANCE OF 1,265.03 FEET TO A POINT ON THE WEST LINE OF SECTION 17 AND THE POINT OF BEGINNING.

CERTIFIED TO:  
LUZ NELLY NOGUEROLES

COMMUNITY NUMBER: 125092  
PANEL: 12009C0425 SUFFIX: G  
F.I.R.M. DATE: 03/17/2014  
FLOOD ZONE: AE

FIELD WORK: 06/14/2023

PROPERTY ADDRESS:  
1455 MARTIN ROAD  
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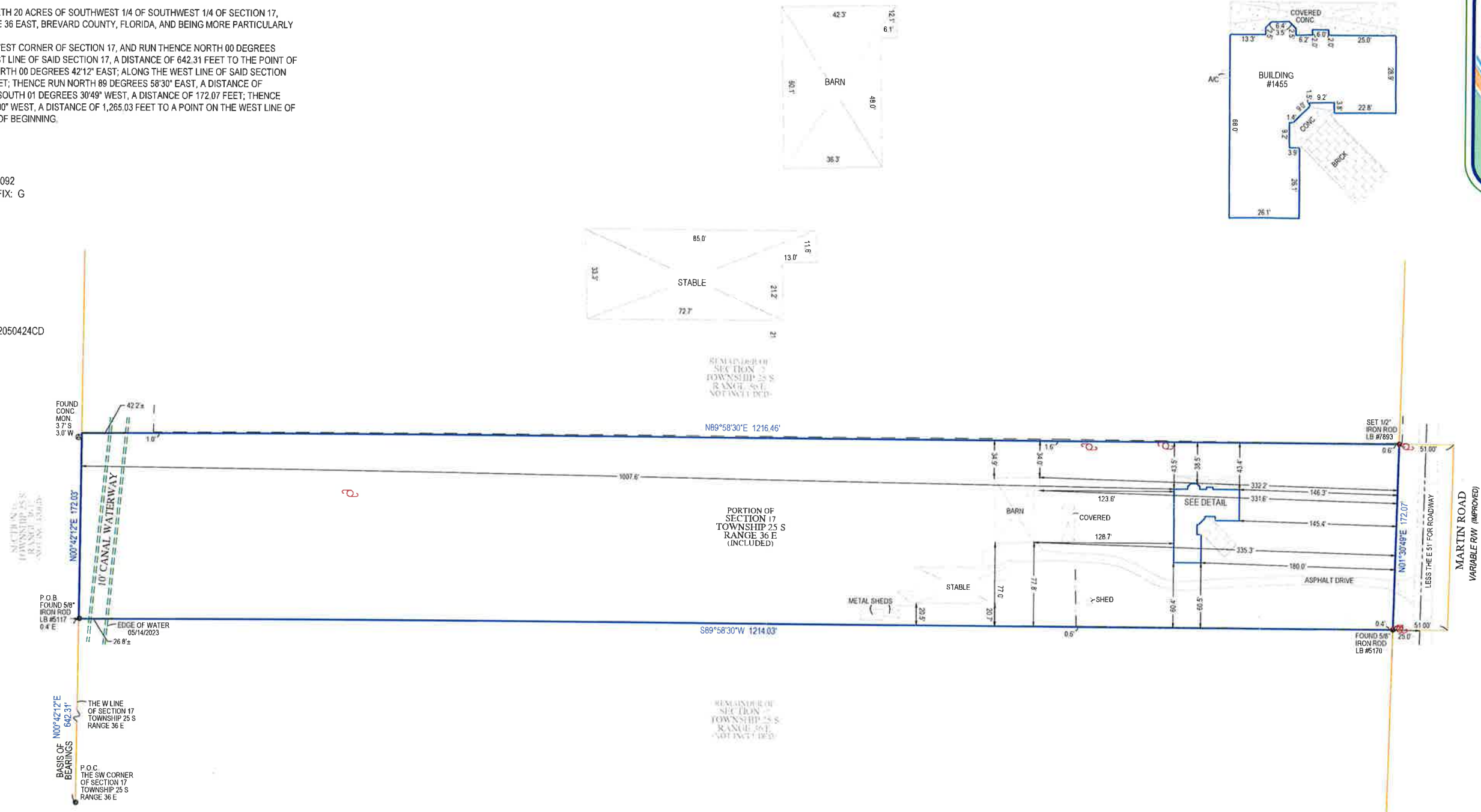
SURVEY NUMBER: 590886  
CLIENT FILE NUMBER: 2022050424CD

BUILDING DETAIL  
SCALE: 1"=20'



SCALE  
1"=50'

GRAPHIC SCALE (in Feet)  
1 inch = 25 ft.



ABBREVIATION DESCRIPTION:

A.E.	ANCHOR EASEMENT	F.F.E.	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A.C.	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	(P)	PLAT BOOK
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	POINT OF BEGINNING
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	(L)	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
A	CENTRAL / DELTA ANGLE	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
CH	CHORD	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
D.E.D.	DEED DESCRIPTION	M.	MEASURED / FIELD VERIFIED	P.R.C.	POINT OF REVERSE CURVE
D.E.	DRAINAGE EASEMENT	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
D.H.	DRILL HOLE	N.D.	NAIL & DISK	R.W.	RIGHT-OF-WAY
D.W.	DRIVEWAY	N.R.	NOT RADIAL	R.	RADIAL / RADIUS
E.O.W.	EDGE OF WATER	N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
F.C.M.	FOUND CONCRETE MONUMENT	O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

SYMBOL DESCRIPTIONS:

[Symbol]	= CATCH BASIN	[Symbol]	= MISC. FENCE
[Symbol]	= CENTERLINE ROAD	[Symbol]	= PROPERTY CORNER
[Symbol]	= COVERED AREA	[Symbol]	= UTILITY BOX
[Symbol]	= EXISTING ELEVATION	[Symbol]	= UTILITY POLE
[Symbol]	= HYDRANT	[Symbol]	= WATER METER
[Symbol]	= MANHOLE	[Symbol]	= WELL
[Symbol]	= METAL FENCE	[Symbol]	= WOOD FENCE

SURVEY NOTES:  
ASPHALT DRIVE CROSSES INTO RW ALONG EASTERLY LOT LINE  
THERE ARE FENCES NEAR THE BOUNDARY OF THE PROPERTY

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES
- ONLY VISIBLE ENCROACHMENTS LOCATED
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN

- FENCE OWNERSHIP NOT DETERMINED
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.A.V.D. 1988
- THIS SURVEY HAS BEEN COMPLETED FOR A MORTGAGE TRANSACTION. ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES. NO DESIGN OR CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT APPROVAL FROM TARGET SURVEYING PRIOR TO SUCH USE. TARGET SURVEYING ASSUMES NO RESPONSIBILITIES FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE
- IN SOME INSTANCES, GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES, DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS

REVISIONS

- ADDITIONAL TIES, DILAPIDATED STABLE & SHEDS ADDED... 11-30-2023
- UPDATED CERTS... 12/1/2023

SURVEYORS CERTIFICATE

THEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL OR A RAISED EMBOSSED SEAL AND SIGNATURE.

STEVEN D. MARSHALL  
PROFESSIONAL SURVEYOR AND MAPPER #6376

STEVEN D. MARSHALL  
Date: 12/04/2023  
Printed: 12/04/2023



LB #7893  
SERVING FLORIDA  
6250 N. MILITARY TRAIL, SUITE 102  
WEST PALM BEACH, FL 33407  
PHONE: (561) 640-4800  
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