

AFFIDAVIT OF OWNERSHIP

STATE OF FLORIDA
COUNTY OF BREVARD

I, MICHAEL S PALO swear and depose that I am the owner in fee of all that certain parcel of land described in EXHIBIT A situated and lying within in County of Brevard, and the State of Florida.

Signed and sealed
in the presence of:



Witness #1 Signature

Landon Schell

Witness #1 Name Printed/Typed

1189 Sandwood Dr, Melbourne FL 32935

Witness #1 Full address, including zip code

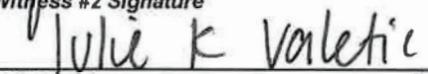
OWNER:



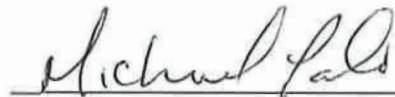
OWNER PRINTED NAME/TYPED



Witness #2 Signature



Witness #2 Name Printed/Typed



OWNER SIGNATURE

826 Willow Creek Lane Melbourne FL 32940

Witness #2 Full address, including zip code

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing Owner Consent was acknowledged before me this 16 day of Oct
2025, by Michael Palo, who is personally known to me OR who has
produced _____ as identification.

My Commission expires: 7/28/28



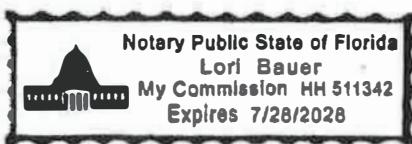
NOTARY PUBLIC

EXHIBIT A

PARCEL 1

BEING A PARCEL OF AND LYING IN SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST, SAID PARCEL BEING A PORTION OF THE DONALD R. POLO AS TRUSTEE PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 2606, PAGE 272, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF THE STATE OF FLORIDA PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 4521, PAGE 1804, TRACT 100, SAID CORNER LYING IN THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 5 (ALSO KNOW AS U.S. HIGHWAY 1), PROCEED THENCE WITH SAID RIGHT OF WAY LINE N 23°17'18" W, FOR A DISTANCE OF 199.90 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE SOUTH LINE OF THE TRACT WHICH THIS IS A PART OF AND THE POINT OF BEGINNING; THENCE WITH SAID SOUTH LINE S 66°32'19" W, FOR A DISTANCE OF 675.42 FEET TO A NEW 1/2" REBAR IN THE WEST LINE OF GOVERNMENT LOT 4; THENCE WITH SAID LOT LINE N 00°01'57" W, PASSING THROUGH THE NORTHWEST CORNER OF LOT 4 AND THE SOUTHWEST CORNER OF LOT 3 AT 54.60 FEET AND CONTINUING WITH THE WEST LINE OF GOVERNMENT LOT 3, A TOTAL DISTANCE OF 326.10 FEET; THENCE N 66°28'10" E, FOR A DISTANCE OF 114.70 FEET TO A POINT IN THE WEST LINE OF THE STATE OF FLORIDA PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 4521 PAGE 1804, TRACT 102; THENCE WITH SAID WEST LINE S 01°40'21" E, FOR DISTANCE OF 107.75 FEET TO AN EXISTING 5/8" REBAR (FLORIDA DOT) THE SOUTHWEST CORNER OF TRACT 102; THENCE N 66°28'10' E WITH THE SOUTH LINE OF TRACT 102, FOR A DISTANCE OF 471.66 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE WEST RIGHT OF WAY LINE OF STATE ROAD NUMBER 5; THENCE WITH SAID RIGHT OF WAY LINE S 23°17'18" E, FOR A DISTANCE OF 199.88 FEET TO THE POINT OF BEGINNING.

PARCEL 2

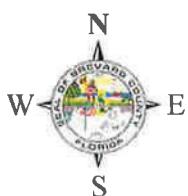
BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 26 SOUTH, RANGE 37 EAST, SAID PARCEL BEING A PORTION OF THE DONALD R. POLO AS TRUSTEE PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 2606, PAGE 272, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY CORNER OF THE STATE OF FLORIDA PROPERTY RECORDED IN OFFICIAL RECORDS BOOK 4521, PAGE 1804, TRACT 100, SAID CORNER LYING IN THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NUMBER 5 (ALSO KNOW AS U.S. HIGHWAY 1), PROCEED THENCE WITH SAID RIGHT OF WAY LINE N 23°17'18" W, FOR A DISTANCE OF 199.90 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE SOUTH LINE OF THE TRACT WHICH THIS IS A PART; THENCE WITH SAID SOUTH LINE S 66°32'19" W, FOR A DISTANCE OF 675.42 FEET TO A NEW 1/2" REBAR IN THE WEST LINE, OF GOVERNMENT LOT 4; THENCE WITH SAID LOT LINE N 00°01'57" W, PASSING THROUGH THE NORTHWEST CORNER OF LOT 4 AND THE SOUTHWEST CORNER OF LOT 3 AT 54.60 FEET AND CONTINUING WITH THE WEST LINE OF GOVERNMENT LOT 3, A TOTAL DISTANCE OF 326.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WITH SAID LOT 3 N 00°01'57" W, FOR A DISTANCE OF 89.35 FEET TO AN EXISTING 4"X4" CONCRETE MONUMENT, THE NORTHWEST CORNER OF THE TRACT WHICH THIS IS A A PART OF; THENCE WITH THE NORTH LINE OF SAID TRACT N 66°31'52" E, FOR O DISTANCE OF 111.89 FEET TO A NEW 1/2" REBAR (PSM 6431) IN THE WEST LINE OF THE STATE OF FLORIDA TRACT 102 AS RECORDED IN OFFICIAL RECORDS BOOK 4521, PAGE 1806; THENCE S 01°40'21" E WITH THE WEST LINE OF SAID TRACT 102, FOR A DISTANCE OF 88.16 FEET; THENCE S 66°28'10" W, FOR A DISTANCE OF 114.70 FEET TO THE POINT OF BEGINNING.

LOCATION MAP

PALO, MICHAEL S

25Z00029



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

Buffer Distance: 500 feet

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

Buffer

Subject Property

ZONING MAP

PALO, MICHAEL S

25Z00029



1:4,800 or 1 inch = 400 feet



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

Produced by BoCC - GIS Date: 7/10/2025

- Subject Property
- Parcels
- Zoning



FLORIDA'S SPACE COAST



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Fax: (321) 264-6972

Kimberly.Powell@brevardclerk.us

October 8, 2025

MEMORANDUM

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

RE: Board Actions on Planning and Zoning Board Recommendations

This is to correct the memorandum dated October 3, 2025. The Board of County Commissioners, in regular session on October 2, 2025, took action on Planning and Zoning Board Recommendations.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for: Kimberly Powell, Clerk to the Board

/sj

Encl. (1)

cc: Alice Randall, Zoning
County Attorney

PLANNING AND ZONING BOARD RECOMMENDATIONS

Item H.1. **City Pointe Landfall LLC.** Adkinson/Goodson, with Delaney voting Nay, and with Altman absent. Continued the request for 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, to the November 6, 2025, Zoning meeting at 5:00 p.m. (24SS00009) (Tax Account 2411252).

Item H.2. **City Pointe Landfall LLC.** Adkinson/Goodson, with Delaney voting Nay, and with Altman absent. Continued the request for a change in zoning classification from EU and RP with an existing BDP to PUD with the removal of existing BDP, to the November 6, 2025, Zoning meeting at 5:00 p.m. (24PUD00003) (Tax Account 2411252).

Item H.3. **Michael S. Palo.** Adkinson/Delaney, with Altman absent. Adopted Ordinance No. 25-19, setting forth the thirteenth Small Scale Comprehensive Plan Amendment of 2025, (25S.13), to change the Future Land Use (FLU) designation from CC and RES-15 to all CC. (25SS00007) (Tax Accounts 2611657 and 2611658).

Item H.4. **Michael S. Palo.** Delaney/Adkinson, with Altman absent. Approved the request for a change of zoning classification from BU-1 and RU-1-7 to BU-2 with a BDP, allowing all BU-1 uses and the only BU-2 use is contractor's, offices, plants and storage yards, and authorized for the deliveries being between 7:00 a.m. and 9:00 p.m. only. (25Z00029) (Tax Accounts 2611657 and 2611658).

Item H.5. **Boniface and Company, Inc.** Adkinson/Goodson, with Altman absent. Approved the request for a change of zoning classification from BU-1 with a BSP to BU-1 with removal of a BSP. (25Z00020) (Tax Account 2800682).

Item H.6. **5125 South LLC.** Goodson/Adkinson, with Altman absent. Denied the request for a CUP, for Alcoholic Beverages for on-premises consumption accessory to a bar and game hall in Suite #3, in BU-1 zoning classification. (25Z00021) (Tax Account 2512007).

Item H.7. **Vincent Contino Goglia and Sherry Ann Goglia.** Adkinson/Delaney, with Altman absent. Approved the request of a CUP for an accessory structure, including a waiver of Section 62-1943.3(1) (requiring that the dock to be constructed must be owned and used by the owner of a residential lot or parcel located within 1,000 feet of the dock parcel). (25Z00026) (Tax Accounts 3008337 and 3008071).

Item H.8. **The Viera Company.** Adkinson/Delaney, with Altman absent. Approved the request of a CUP for on-premises alcoholic beverage consumption. (25Z00032) (Tax Account part of 2631510).

Item H.9. **Hope Episcopal Church, Inc.** Delaney/Adkinson, with Feltner voting Nay, and with Altman absent. Approved the request of a CUP for Wireless Telecommunication Facilities and Broadcast Towers, in a PUD zoning classification, subject to the conditions recommended by the County's consultant, CityScape, and its telecommunications site review dated August 18, 2023. (23Z00055) (Tax Account 2604194).

Item H.10. **Staff Report.** Delaney/Adkinson, with Altman absent. Continued the Declaration by Florida Commerce of the Brevard Barrier Island Area Element and EAR-Based Amendments to the Brevard County Comprehensive Plan as Null and Void, to the October 14, 2025, Regular meeting at 5:00 p.m.