

Prepared By/Return to:

Goldman, Monaghan, Thakkar & Bettin P.A.
Monica Pritchard Esq.
96 Willard Street, Suite 302
Cocoa, Florida 32922

NO MORTGAGES AFFIDAVIT

Before me, the undersigned authority, personally appeared Sandra Walsh and Terrie Canada (collectively "Affiants"), who being by me first duly sworn, on oath, depose(s) and say(s) that:

1. Terrie Canada and Sandra Walsh are the owners of the following described property:

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

2. The above-described property is free and clear of all liens, taxes, encumbrances and claims of every kind, nature and description of record whatsoever, except for real estate and personal property taxes for the year 2026 which are not yet due and payable.
3. **THERE ARE NO OPEN MORTGAGES EITHER RECORDED OR UNRECORDED ON THE PROPERTY. THE PROPERTY IS FREE AND CLEAR.**
4. Affiants state that they are familiar with the nature of an oath and with the penalties as provided by the laws of the United States and the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiants further certify that they have read, or heard read, the full facts of this Affidavit and understand its context.

(Signatures on Following Page)

Under penalties of perjury, I declare that I have read the foregoing Affidavit and that the facts stated in it are true.

Sandra Walsh
Sandra Walsh

Terrie Canada
Terrie Canada

STATE OF FLORIDA

COUNTY OF BREVARD

The foregoing instrument was executed and acknowledged before me by means of Physical Presence or
 Online Notarization on _____, by Sandy Walsh

Personally known or Produced
Identification _____ Type of
Identification Produced _____

Terrie Canada

Terr K Hallahan

Notary Public Print Name:
My Commission Expires:



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

LOCATION MAP

Sandra Walsh & Terrie Canada
25Z00036



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



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

Buffer Distance: 500 feet

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

Produced by BoCC - GIS Date: 9/8/2025

-  Buffer
-  Subject Property

ZONING MAP

Sandra Walsh & Terrie Canada
25Z00036



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: 9/8/2025

-  Subject Property
-  Parcels
-  Zoning

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY MINUTES

The Brevard County Planning & Zoning Board met in regular session on **Monday, November 17, 2025, at 3:00 p.m.**, in the Florida Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

The meeting was called to order at 3:00 p.m.

Board members present were Mark Wadsworth, Chair (D4); Henry Minneboo, Vice-Chair (D1); Ron Bartcher (D2); Ruth Amato (D1); John Hopengarten (D1); Jerrad Atkins (D1); Robert Brothers (D5); Melissa Jackson (D5); Neal Johnson (D4); Ana Saunders (D5); Greg Nicklas (D3); Erika Orriss (D3); and Debbie Thomas (D4).

Staff members present were Trina Gilliam, Planning and Zoning Manager; Paul Body, Planner; George Ritchie, Planner; Derrick Hughey, Planner; Tim Craven, Planner; Alex Esseeesse, Deputy County Attorney; and Jordan Sagosz, Operations Support Specialist.

H.5. Sandra Walsh and Terrie Canada (Monica Pritchard) request a zoning classification change from AU (Agricultural Residential) to RR-1 (Rural Residential). (25Z000369) (Tax Account 2005444) (District 1)

Paul Body read the item into the record.

Monica Pritchard spoke to the application. Stated she represents Miss Sandra Walsh and Miss Terry Canada. They would like to go from AU to RR-1. Miss Walsh lives next door, and I know that you've had previous conversation. You just said that Mr. Atkins. Her and her husband own the house next door. Miss Terry and Miss Andrew's mom passed away on the neighboring lot and they inherited that property, and they want to put a flag lot there eventually, but they intend to keep it as family property between the two lots and they would like the ability to possibly develop it in the future, but they have no intention of developing it right now. I think there's currently a septic moratorium. I'm happy to answer any questions, but there's nothing exciting going on there.

No Public Comment

Mr. Hopengarten asked if the existing property that the Walsh's own, are they going to change that one also? Just this one in the middle.

Ms. Pritchard responded no, just this one. They're thinking that maybe eventually, they took care of the mom, so they're thinking that eventually maybe their kids will take care of them. It's wishful thinking. Maybe they can put something back there, their kids can live there, something like that in the future. But like I said, I think there's a septic moratorium. They realize that they may never potentially be able to develop this, but they would like to split it up. Also, I think the sisters intend to financially buy each other out. Miss Walsh intends to keep the back lot. Sister intends to keep the front lot with the house. But they intend to keep between those two lots. It's going to be family property, family owned. That's the intention.

Mr. Hopengarten stated there is an existing house on that property. Correct? Are they planning to put a second house on it?

Ms. Pritchard responded if they developed the back lot, the flag lot, then eventually, yes, if it is possible. But right now, you can't do that. You can't pull the permits for it. There's a septic moratorium and they know that. Miss Walsh intends to keep the back lot. Miss Canada intends to keep the house

in the front and they're going to separate the properties, buy each other out, but it's sisters. And then Miss Walsh and her husband own the property next door.

Mr. Hopengarten stated that just complicated everything.

Ms. Pritchard responded did I make it clear as mud? I'm sorry. Okay, this property is owned by the two sisters. It was inherited and Miss Sandra Walsh and her husband own the property next door. They live next door. So, it's two parcels side by side. This property, Miss Canada intends, I believe, to keep the front house and they would like to put a flag lot in the back and Miss Walsh would like to keep that property and potentially, if possible, develop it one day.

Ms. Amato stated I don't have questions per se, but maybe discussion. There is a septic moratorium in the area. There's also an active investigation with St. John's River Water Management due to wells going dry in the area and drainage in the area is a known problem. And the back part is wetlands. That would be a question.

Ms. Pritchard replied I do not have the answer to that question. I don't know if you're looking to staff.

Ms. Amato responded anybody who might have the question. I thought that it's the staff report mentioned it.

Ms. Gilliam responded the staff report mentions hydric soils may be present. So, any development would require wetland delineation to be submitted.

Ms. Orriss asked to have that repeated.

Ms. Gilliam responded in the staff report in the natural resources section they do note that there may be hydric soils on the property which may be an indication of wetlands. So, prior to any development they would need to submit a wetland delineation report.

Ms. Amato stated I just don't think it's a really good idea to be splitting and rezoning with a bunch of complications in the area already. Not just the wetlands, but the drainage. If anybody's been out there after any of these storms, what receives the water to the east of them is a lot.

Ms. Orriss stated I think the only other thing is that if you're not planning on doing a building immediately then it doesn't really affect you because you can't because of the septic moratorium and you said you aren't planning on building immediately.

Ms. Pritchard responded no, the clients don't intend on building immediately and they may never build.

Ms. Orriss stated so maybe then, when some of these other issues have been addressed, that might be a more appropriate time for us to have this discussion on splitting the lot.

Ms. Pritchard responded I think that to split the lot, the only way that you can split it is to rezone it. And I think that they would like to, it's two sisters. They're going to end up owning the parcels, but they would like to financially buy each other out. Miss Walsh would like the back end. Miss Canada would take the house. So, the only way that they can accomplish that instead of just mutually owning the whole property together is by rezoning.

Motion to recommend denial of Item H.5. by Ruth Amato, seconded by Erika Orriss. The motion failed.

Motion to recommend approval of Item H.5 by Debbie Thomas, seconded by Robert Brothers. The motion passed by a vote of 11:2.

Meeting adjourned at 4:27 p.m.



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

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

December 12, 2025

M E M O R A N D U M

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

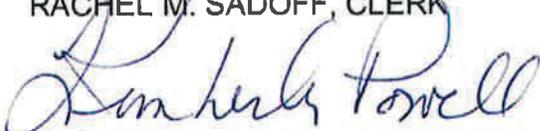
RE: Board Actions on Planning and Zoning Board Recommendations

The Board of County Commissioners, in regular session on December 11, 2025, took action on Planning and Zoning Board Recommendations.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK


Kimberly Powell, Clerk to the Board

Encl. (1)

cc: Alice Randall, Zoning
County Attorney

PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. **City Point Landfall, LLC.** Delaney/Feltner. Adopted Ordinance No. 25-22, setting forth the fourth Small Scale Comprehensive Plan Amendment (24S.11), to change the Future Land Use Map (FLUM) designation from RES-1, RES-2, RES-4, and NC to CC and RES-2, but declining to find that the proposed development is compatible with adjacent development, and thereby making the property ineligible for a density bonus under Policy 1.8 of the Future Land Use Element of the Brevard County Comprehensive Plan. (24SS00009). Approved with Commissioner Delaney voting nay.
- Item H.2. **City Point Landfall, LLC.** Delaney/Adkinson. Approved the request for a change of zoning classification from EU and RP with an existing Binding Development Plan (BDP) to Planned Unit Development (PUD) with the removal of existing BDP and approval of the Preliminary Development Plan (PDP); approved a waiver to section 62-2883(d) requiring an undisturbed 15-foot buffer around the perimeter of the project with the condition that any vegetation removed shall be replaced with reasonably similar vegetation in consultation with Natural Resources Management Department, for appropriate buffering vegetation that will thrive and mature into a buffer similar to its natural state; and making the PUD subject to the following conditions, which are to be memorialized in a BDP: an overall reduction of rate of stormwater discharge from the subject property, overall reduction of volume of stormwater discharge from the subject property, conduct a groundwater analysis to identify any groundwater concerns and address them accordingly, applicant voluntarily offers to dedicate up to 50 feet of right-of-way for Brevard County maintenance and roadway projects along North Indian River Drive, and the applicant to work with staff on shoring up/improving the shoreline on the lagoon. (24PUD00003). Approved with Commissioner Delaney voting nay.
- Item H.3. **Jacob Foune.** Delaney/Goodson. Tabled the request for a Small Scale Comprehensive Plan Amendment (25S.14) to the Future Land Use designation to the February 5, 2026, Zoning meeting. (25SS00008)
- Item H.4. **Jacob Foune.** Delaney/Goodson. Tabled the request for a zoning classification change from SR with a Binding Development Plan (BDP) to SR with removal of the existing BDP and addition of a new BDP, to the February 5, 2026, Zoning meeting. (25Z00037)
- Item H.5. **Alexis Raul and Rosemary Estevez DeJesus.** Delaney/Feltner. Denied the change of zoning classification from BU-1 with a BDP to BU-1 with removal of a BDP. (25Z00003)

- Item H.6. **Thomas Dahn.** Feltner/Delaney. Approved the change of zoning classification from RR-1 to AU. (25Z00024)
- Item H.7. **Dick Holdings, LLC.** Goodson/Delaney. Approved a Conditional Use Permit (CUP) for a private heliport in AU zoning classification. (25Z200033)
- Item H.8. **Leslie Bishop.** Adkinson/Delaney. Approved the change of zoning classification from RU-1-7 to SR. (25Z00034)
- Item H.9. **Paul and Cheryl Pearson.** Feltner/Delaney. Approved the change of zoning classification from RU-1-9 to RU-2-6. (25Z00035)
- Item H.10. **Sandra Walsh and Terrie Canada.** Adkinson/Feltner. Approved the change of zoning classification from AU to RR-1, with a BDP on the entire property stating no building for three years. (25Z00036) With Commissioner Delaney voting nay.
- Item H.11. **Jay Steinke and Grant Steinke.** Goodson/Adkinson. Tabled the request for a change of zoning classification from GU to AU, to the February 5, 2026 zoning meeting. (25Z00038)
- Item H.12. **Linda M. and Erran L. Muenzthomas Dahn.** Delaney/Feltner. Approved a change of zoning classification from GU to AU. (25Z00040)