

Email

Planning and Development

2725 Judge Fran Jamieson Way Building A, Room 114 Viera, Florida 32940 321-633-2070

Application for Zoning Action, Comprehensive Plan Amendment, or Variance

	Existing FLU: RES 15	Existing Zoning: _	AL) and	EUZ	BDP
	Proposed FLU:	Proposed Zoning:		EUS	2 and rem	wal of
	PROPERTY OWNER INFORMATIO	N				
	If the owner is an LLC, include a copy	y of the operating agreem	ent.			
onal	d Scott Minnick					
	Name(s) 1968 Turpentine Rd Street	Company MIMS		FI	32754	_
	Street	City		State	Zip Code	
Sca	etterinickconstruction@	Phone	Cell			
	APPLICANT INFORMATION IF DIF	FERENT FROM OWNER	:			
	Attorney Agent [Contract Purchaser		other		-
	Name(s)	Company				
	Street	City		State	Zip Code	-

Phone

Cell



APP	LIC	ΔΤΙ	ON	NΔ	ME

Large Scale Comprehensive Plan Amendment (CP) (greater than 10 acres)
Small Scale Comprehensive Plan Amendment (CP) (less than 10 acres)
Text Amendment (CP): Element
Other Amendment (CP):
Rezoning Without CUP (RWOC)
Combination Rezoning and CUP (CORC)
Conditional Use Permit (CUP)
Binding Development Plan (BDP)
Binding Development Plan (BDP) (Amendment)
Binding Development Plan (BDP) (Removal)
Variance(s) (V)
Administrative Approval of Setbacks, Lot Size, or Accessory Structures
Administrative Approval of Flag Lot or Easement
Other Action: Remove BDP
Acreage of Request: 0.24 Au + Bu->
Reason for Request: Combine Zoning To BU-2 from AU & BU-7 * August BOPEn mile a usible for.
of sugare BOGER make a Usable lot.

The undersigned understands this application must be complete and accurate prior to advertising a public hearing:
am the owner of the subject property, or if corporation, I am the officer of the corporation authorized to act on this request.
I am the legal representative of the owner of the subject property of this application. (Notarized Authorization to Act must be submitted with application)
An approval of this application does not entitle the owner to a development permit.
I certify that the information in this application and all sketches and data attached to and made part hereof are true and accurate to the best of my knowledge.
1/1/2020
Signature of Property Owner or Date Authorized Representative
State of Florida County of Brevar &
Subscribed and sworn to me before me this $\frac{1}{2}$ day of, $\frac{\text{Settenber}}{\text{20}}$, 20 $\frac{26}{\text{3}}$,
personally appeared Scott Minnick, who is personally known to me or
producedF/DLas identification, and who did / did not take an oath.
Notary Public Signature Seal
JONATHAN D. BECKER Commission # GG 337703 Expires May 22, 2023 Bonded Thru Troy Fain Insurance 800-385-7019

Office Use Only:										
Accela No. 2020028 Fee: 588.90 Date Filed: 9/1/2020 District No/										
Tax Account No. (list all that apply) 2112241										
Parcel I.D. No.										
$\frac{2l}{\text{Twp}} \frac{34}{\text{Rng}} \frac{24}{\text{Sec}} \frac{25}{\text{Sub}} \frac{D}{\text{Block}} \frac{l}{\text{Lot/Parcel}}$										
Planner: 602 Sign Issued by: 602 Notification Radius: 500										
MEETINGS DATE TIME 10 be place 11/9/2020 By Cale										
P&Z 11/9/2020 3pm										
PSJ Board by Cadle										
NMI Board & forcer										
LPA										
BCC 12/3/2020 <u>Spr</u>										
Wetland survey required by Natural Resources Yes No Initials										
Is the subject property located in a JPA, MIRA, or 500 feet of the Palm Bay Extension?										
O Yes No If yes, list										
Location of subject property: 670 feet west of King Richards Daire on Right side of London Town Road										
Description of Request: Lesone AU+ BU-2 WITH BOP TO										
BU-2 + Renoval of BDP.										



ACCELA # 20200028

DOCUMENT SUBMITTAL REQUIREMENTS

			·•	•		·	·	,	·	·	·	·	·····	·	,	·	
Application type	Application	Authorization to Act Form ¹	Recorded Property Deeds	Legal Description of Request ²	Certified Survey ⁸	Property Appraisers Map	Concurrency	School Concurrency ³	Wetland Survey ⁴	CUP Worksheet & Sketch ⁵	Comp Plan Information ⁶	Notice to Applicants	Neighbors Affidavit ⁷	Letter to Zoning Official	Variance Hardship Worksheet ⁹	*Additional Documentation	Fees
			-		L		UME	BER (OF CO	PIES	REQ	UIRE	D	4	L		
Staff to check indicating receipt																	
Comprehensive Plan Amendment ⁶	1	1,	1	2/	7/	1,1/	_/	1			1	. /				*	Y
Zoning request	1	X	1	1	X	1	M	1	X			a				*	X
Conditional Use Permit (CUP)	1	1	1	1	1 ⁸	1			/`	1		1					Υ
AA – Waiver	1	1			1	1							1	1			Υ
AA – Easement or Flag lot	1	1	1	1	1	1							and the second				Υ
													all and a second				
Variance	1	1	1	1	1	1									1	*	Υ
		-											Section 4			***************************************	

¹If the property is not owned in entirety by the applicant, either an Authorization to Act form or a notarized letter from each/all property owners of the subject property is required.

*Additional information may be requested by staff dependent upon the requested action. These include but are not limited to impact analysis studies:

Traffic Impact Analysis (TIA): TIA must be submitted if required by the County Traffic Engineer. Analysis methodology must be coordinated with the Traffic Engineering Office.

Environmental Impact Analysis: The analysis must be conducted by a qualified environmental professional and dated less than one year old. The analysis must document the types of habitat found on site; identify vegetation types, soils types, wetlands, floodplain; and any other environmental concerns.

Water and Sewer Demand: Identify the potable water and sanitary sewer demand for the amendment based on the current and proposed future land use designations using the per capita water and wastewater standards of the applicable service provider.

6

²Legal Description must be typed on a separate sheet, if not easily described on the deed.

³School Board Concurrency application is required if the request represents an increase of more than one residential unit.

⁴Wetland Survey required on Commercial or Industrial property.

⁵ CUP applications require a completed worksheet and a sketch plan with the application signed by a planner.

⁶Must include Comprehensive Plan Amendment supplemental form reviewed by a planner prior to submitting formal application. The supplement must include a written statement explaining the rational and the appropriate data and analysis necessary to support the proposed change.

⁷Administrative waivers requiring a signed affidavit from all abutting property owners indicating no objection to the requested waiver of lot size, width or depth requirement. The affidavit must state the specific request.

⁸ Survey must be submitted if requested by staff.

⁹Variance Hardship Worksheet must be filled out completely, addressing the six criteria for a hardship.

ACCELA FEE SHEET

Fee Schedule: Zoning Version: Version 1

Payment Period	Priority	Subgroup	Fee Code	Fee Item	Quantity
FINAL	·		PZ300	Zoning/Variance	288.00
FINAL			PZ310	Comprehensive Plan	
FINAL			PZ320	Waiver/Easement	
FINAL			PZ330	Address Assignment	
FINAL			PZ340	Natural Resources	390,00
FINAL			PZ350	Miscellaneous	
FINAL			PZ360	Tower Application / Consultant Fee	
FINAL			PZ370	Land Development PUD Review	



CALCULATION OF PUBLIC HEARING APPLICATION FEES -ZONING OFFICE

PUBLIC HEARING APPLICATION FEES	BASE FEE	ACREAGE FEE	UNIT FEE	SUB-TOTAL
REZONING Environmental Area Residential Professional General Use and Agricultural Use Single-Family Residential Single-Family Mobile Home Commercial/Planned Commercial Tourist Commercial Industrial/Planned Industrial Planned Unit Development	511.00 960.00 849.00* 849.00* 849.00* 1,184.00 1,855.00 5,661.00	-5) x 24** (-5) x 24** () x 24 () x 45 () x 45		
Single-Family Attached Residential Multiple-Family Residential Recreational Vehicle Park Mobile Home Park/Mobile Home Co-op	960.00 960.00 1,408.00 1,408.00		() x 24 () x 24 () x 24 () x 24	
CUP'S OR ROU APPLICATIONS Fee per request (with rezoning) Fee per request (without rezoning)	447.00 849.00			
OTHER APPLICATION FEES Consultant fee Retainer per Tower Application Transfer of Development Rights Comprehensive Plan Appeals (Vested Rights) One (5.0 acres or less) Single-family residential	6,934.00 1,520.00 433.00			
All other Appeals Variance/Appeals of Administrative Interpretation Base Fee Fee for each additional request Special Hearing Fee for P & Z / LPA Special Hearing Fee for BOA All Other Unlisted Zoning Applications	1,733.00 598.00 182.00 3,692.00 1,872.00 849.00			
Miscellaneous COMPREHENSIVE PLAN AMENDMENTS Small Scale Amendment Large Scale Amendment	919.00 1,785.00	\$43 per acre		
Maximum Fee on a Single Application FEES COLLECTED FOR ADMINISTRATIVE ACTIONS Office of Natural Resources zoning review (if applicable) flag lot &/or easement review Land Development PUD review flag lot &/or easement review	300.00 360.00 100.00 150.00	>	SUB-TOTAL ***/***	300.00
Address Assignment review of flag lot &/or easement Zoning fee BASE FEE ADJUSTMENTS * If area for these requests have the potential for only	100.00 277.00			
one more lot, the fee is ** Maximum acreage fees for these requests shall be *** Maximum Planned Unit Development Fee shall be **** Maximum fee for all other zoning requests shall be	288.00 2,240.00 13,432.00 8,955.00		TOTAL	288.DD
				588,00





Planning & Development Central Cashier

2725 Judge Fran Jamieson Way Building A, Room 114 Melbourne, FL 32940

RECEIPT OF PAYMENT

Payment Date: 9/1/2020 Receipt #: 578341 Transaction Id# 542

Payment Method	Payment Reference #	Amount Paid	Comments
Check	542	\$588.00	
		\$588.00	Total
1989 ARNOLD DALMER	R DR, TITUSVILLE, FL 32796		
1303 AINIOLD I ALINEN	DIX, 11103 VILLE, 1 L 32190		
Zoning Rezoning	CDR, THOSVILLE, I'E 32190	\$	588.00
	DIX, 11103 VILLE, 1 L 32790	\$	588.00
Zoning Rezoning	Invoice		588.00
Zoning Rezoning 20Z00028			

Grand Total

\$588.00

Additional Fees may apply to obtain a Certificate of Completion, a Certificate of Occupancy, Pre-Power, or Final Inspection.

To verify fees please visit the Brevard County Planning & Development Search.

www.brevardcounty.us/PlanningDev P (321) 633-2068 F (321) 633-2052



Zoning Information Worksheet



If this is a CUP request, list all CUP's on adjacent properties:
Abutting property zoning: N BUZ BOP S PUO + AU E AU + BUZ + PNC
JPA/Special Board/Special Section? Yes/No (Circle one and make a note on the application) PSJ, NMI, MIRA
ROCKLEDGE, MELBOURNE, PALM SHORES, TITUSVILLE, PALM BAY or within 500' of PALM BAY EXTENSION
Reason for Rezoning Request: Charge 2001 for AU+ BU-2 up BDP To all BU-2 + serve BDP To make usable for
If proposing single-family or multi-family how many units?
If proposing a CUP for alcohol, how many seats? Bar or Restaurant?
 Do you have a certified survey indicating there are no churches or schools within 400'? Yes/No Do you have a site plan showing the layout and parking configuration? Yes/No
 Do you have a CUP worksheet filled out by the applicant? Yes/No If the request is for commercial zoning, do you have a wetland survey that includes a legal description
of the wetland? Yes/No (If no, NR must have checked no on the front of the application)
Existing structures/uses on the property?
Describe the character of the area based upon Administration Policy 3 of FLUE (attached):
th .
Concerns raised as part of request:
1./2
Other options discussed with applicant:
Did you print out the Property Appraiser's Map for this property?
Did you mark the map? Did you stamp the deed(s)?
9/1/0-0
Planner Signature Date

(b)

Administrative Policy 3

Compatibility with existing or proposed land uses shall be a factor in determining where a rezoning or any application involving a specific proposed use is being considered. Compatibility shall be evaluated by considering the following factors, at a minimum:

Criteria:

- A. Whether the proposed use(s) would have hours of operation, lighting, odor, noise levels, traffic, or site activity that would significantly diminish the enjoyment of, safety or quality of life in existing neighborhoods within the area which could foresee ably be affected by the proposed use;
- B. Whether the proposed use(s) would cause a material reduction (five percent or more) in the value of existing abutting lands or approved development.
- C. Whether the proposed use(s) is/are consistent with an emerging or existing pattern of surrounding development as determined through an analysis of:
 - 1. historical land use patterns;
 - 2. actual development over the immediately preceding three years; and
 - 3. development approved within the past three years but not yet constructed.
- D. Whether the proposed use(s) would result in a material violation of relevant policies in any elements of the Comprehensive Plan.



Notice to Applicants for Change of Land Use

The Planning and Zoning Office staff will be preparing a package of written comments concerning your request. These comments will be provided to the Planning and Zoning Board and Board of County Commissioners. The comments will address the following:

The current zoning of the property along with its current development potential and consistency with the Brevard County Comprehensive Plan use and density restrictions.

The proposed zoning of the property along with its development potential and Consistency with the Board County Comprehensive Plan use and density restrictions.

The proposal's impact on services, such as roads and schools.

The proposal's impact upon hurricane evacuation, if applicable.

Environmental factors.

Compatibility with surrounding land uses.

Consistency with the character of the area.

You may place your own written comments regarding these items into the record. Up to two typewritten pages can be included in the package if received 10 working days prior to the Planning and Zoning Board hearing. You are not required to provide written comments. An Applicant presentation to the Planning and Zoning Board is required regardless of written submittals. The board may approve the requested classification or a classification which is more intensive than the existing classification, but less intensive than the requested classification.

Staff comments will be available approximately one week prior to the Planning and Zoning Board hearing. These comments will be made available to you at that time. In order to expedite receipt of staff's comments, please provide an e-mail address or fax number below. Alternatively, a copy of staff's comments will be mailed via the U.S. Postal Service.

NOTES:

- □ If your application generates public opposition, as may be expressed in letters, petitions, phone calls, testimony, etc., you are advised to meet with concerned parties in an effort to resolve differences prior to the BCC taking final action on the request; therefore, you are encouraged to meet with affected property owners prior to the public hearing by the Planning & Zoning Board/Local Planning Agency (P&Z/LPA). During the course of conducting the public hearing, if the P&Z/LPA finds the application is controversial, and the applicant has not met with affected property owners, the item shall be tabled to the next agenda to allow such a meeting to take place. If the item is controversial, despite the applicant's efforts to meet with affected property owners, the P&Z/LPA may include, in their motion, a requirement to meet with interested parties again prior to the BCC public hearing. The BCC may also table your request in order for you to meet with interested parties, if this has not occurred prior to the public hearing before the BCC. If you need assistance to identify these parties, please contact the Planning & Zoning Office.
- BCC approval of a zoning application does not vest a project nor ensure issuance of a permit. At the time of permit application, land development regulations and concurrency-related level of service standards must be met.

Please transmit staff's comments via:	
Scott Minnick construction @ gmail preor or U.S. Mail or U.S. Mail	Yes/No
I have received a copy of this notice: (APPLICANT SIGNATURE)	



Prepared by: Leanne Shufelt TITLE SOLUTIONS OF FLORIDA, LLC MI 2235 N. Courtenay Pwky Ste G Merritt Island, Florida 32953

File Number: TS20-0112

THIS INSTRUMENT CONTAINS THE OFFICIAL

RECORD BOOK AND PAGE NUMBERS DESCRIBING

THE PARCELS TO BE ADVERTISED

IGNATURE

General Warranty Deed

Made this February 7, 2020 A.D. By HERBERT H. SHARPE, and SALLY-ANNE SHARPE, husband and wife, whose address is:7627 Lake Marsha Drive, Orland, Florida 32819, hereinafter called the grantor, to DONALD MINNICK, single, whose post office address is: 1968 Turpentine Rd, Mims, Florida 32754, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Brevard County, Florida, viz:

LOT 1, BLOCK D, EAGLE POINTE SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGES 37 THROUGH 39, INCLUSIVE, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

Parcel ID Number: 21-34-24-25-D-1

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, [user input prior year].

DEED Individual Warranty Deed - Legal on Face

Prepared by: Leanne Shufelt TITLE SOLUTIONS OF FLORIDA, LLC MI 2235 N. Courtenay Pwky Ste G Merritt Island, Florida 32953

File Number: TS20-0112

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

HERBERT H. SHARPE

(Seal)

Sally-Anne Sharpe

State of [UserInput as State for acknowledgement] However State for acknowledgement]

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization,

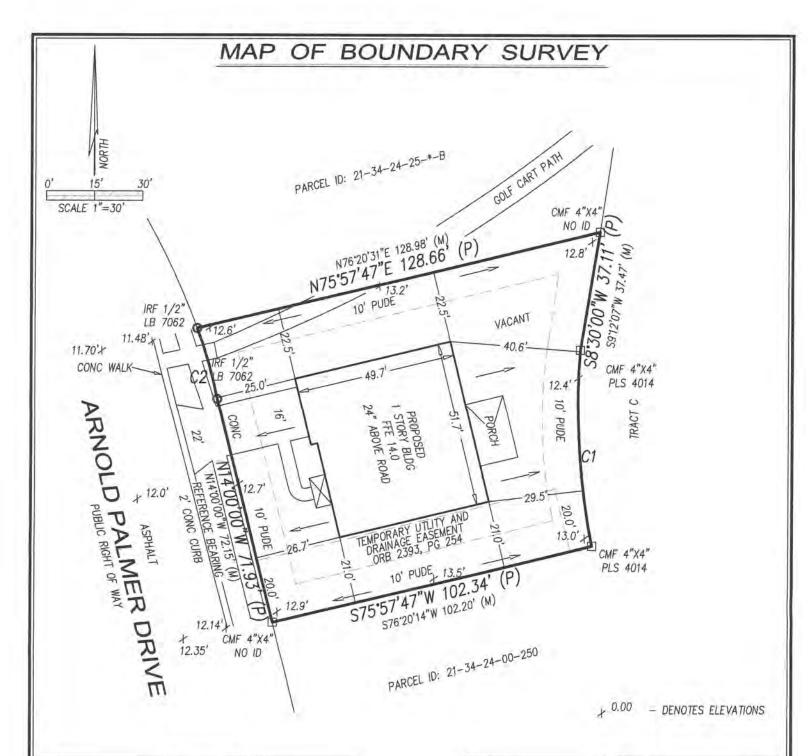
> MIRIAM MEDINA Notary Public - State of Florida Commission # FF 954354 My Comm. Expires May 3, 2020 Bonded through National Notary Assn

as identification. M. Medina

Notary Public Miriam Medina

Print Name: Miriam Medina

DEED Individual Warranty Deed - Legal on Face



CURVE TABLE (P)					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	145.00'	24'28'27"	61.94		
C2	225.00'	5.49'22"	22.87'		

CURVE TABLE (M)					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1.	225.00'	15'43'31"	61.75	61.56'	S3'31'08"E
C2	145.00"	9'06'03"	23.03'	23.01'	N16'02'03"W

C=CALCULATED C/L=CENTERLINE CLF=CHAIN LINK FENCE CMF=CONCRETE MONUMENT FOUND CONC=CONCRETE COR=CORNER (D)=DEED ESMT=EASEMENT FFE=FINISHED FLOOR ELEVATION FNC=FENCE FND=FOUND ID=IDENTIFICATION IPF=IRON PIPE FOUND IRF=IRON ROD FOUND IRS= 5/8" IRON ROD SET LB 7928

LB=LICENSED BUSINESS NUMBER (M)=MEASURED LB=LICENSED BUSINESS NUMBER (M)=MEASURED

NAD 83=NORTH AMERICAN DATUM OF 1983

NAVD=NORTH AMERICAN VERTICAL DATUM 1988

NDF=NAIL & DISK FOUND NDS = NAIL & DISK SET LB 7928

ORB=OFFICIAL RECORDS BOOK (P)=PLAT PB=PLAT BOOK

TYP=TYPICAL WD=WOOD WIT-COR=WITNESS CORNER NDS=NAIL & DISK SET GAI LB 7928

LEGEND

PG=PAGE PCP=PERMANENT CONTROL POINT PC=POINT OF CURVATURE
PLS=PROFESSIONAL LAND SURVEYOR POB=POINT OF BEGINNING
POC=POINT OF COMMENCEMENT PUE=PUBLIC UTILITY ESMIT PUDF=PUBLIC UTILITY&DRAINAGE FSMT

LEGAL DESCRIPTION:

LOT 1, BLOCK D, EAGLE POINTE SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGES 37 THROUGH 39, INCLUSIVE, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

NOTES

- 1. BEARINGS BASED ON SAID PLAT (SEE MAP)

 2. ELEVATIONS BASED ON NAVD 88

 3. FLOOD ZONE "X", MAP NO. 12009C0115G COMMUNITY NO. 125092, MARCH 17, 2014

 4. HORIZONTAL CLOSURE MEETS OR EXCEEDS THE ACCURACY FOR SUBURBAN LAND AS PER FLORIDA ADMINISTRATIVE CODE 5J-17

 5. VERTICAL CLOSURE: NOT APPLICABLE
- 6. BEARINGS, DISTANCES AND ANGLES SHOWN ARE THE SAME AS PLAT, DEED OR RECORD UNLESS SHOWN OTHERWISE
- 7. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DATE: 4 AUG 20

GAI SURVEYORS

L.B. No. 7928

A. EARL GORDON, JR, PSM No. LS 2866 EARL K. GORDON, PSM No. LS 5363

OLEANDER ST. COCOA, FL 32922 (321) 806-3908 GAI@CFL.RR.COM

CERTIFIED TO:

DWAYNE WHITE

CERTIFICATION:

I HEREBY CERTIFY: THAT THE ATTACHED SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027 FLORIDA STATUTES. on

EARL K. GORDON PROFESSIONAL LAND SURVEYOR AND MAPPER STATE OF FLORIDA NO. LS 5363

CALCULATIONS/DRAWN/CHECKED BY: AEG/HRG/EKG



RESOLUTION NO. Z-9537

On motion by Commissioner Scarborough, seconded by Commissioner Andreas, the following resolution was adopted by

a unanimous vote:

WHEREAS, BENT OAK DEVELOPMENT COMPANY, a Florida Corporation

has/have applied for change of classification from AU to EU-2 on property described as SEE ATTACHED LEGAL

DESCRIPTION

Section 24,

Township 21S,

Range 34E, 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 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 subject to amendments to Binding Development Plan, as request by the homeowners,

now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested a change of

classification from AU to EU-2 be APPROVED with Binding Development Plan recorded in ORB 3477 Pages 3615 through

3626, dated May 19, 1995, and that the zoning classification relating to the above described property be changed to EU-2

w/Binding Development Plan recorded in ORB 3477, Pages 3615 through 3626, dated May 19, 1995 and the Growth

Management 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 May 19, 1995.

BOARD OF COUNTY COMMISSIONERS

Brevard County, Florida

As Approved by the Board on September 30, 1992.

ATTEST:

by NANCY N. HIGGS

Chairman

SANDY CRAWFORD, CLERK

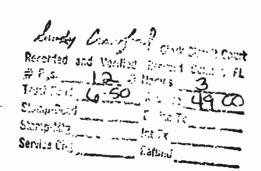
(SEAL)

(Hearing - August 3, 1992)

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.

To

THIS INSTRUMENT PREPARED BY: ROBERT L. CARSON 2138 KINGS CROSS TITUSVILLE, PL 32796



BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 16th day of May, 1995. between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County"), and CARSON'S GROUP, INC., a Florida corporation and BIRDIE/EAGLE ENTERPRISES, INC., a Florida corporation, (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, the Developer/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, Developer/Owner desires to develop the property described in Exhibit "A" as single family residential (EU-2) 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 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:

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.

- 2. A. Developer/Owner shall provide a natural buffer from the project commonly referred to as Sherwood Forest Townhomes. Developer/Owner agrees that the property described in Tract "A" in Exhibit "B" shall constitute the buffer. Construction of any structure on Tract A as shown on Exhibit "B" is hereby prohibited and Tract "A" shall remain undeveloped. The restrictions set forth in this agreement shall also be set forth on the plat of the property.
- B. Developer/Owner agrees to provide for the maintenance of Tract "A". Prior to the platting of the proposed subdivision within Exhibit "A", Developer/Owner will add a line of trees on the property line between lot number 28 and Tract "A". The trees shall be no further than 10 feet apart.
- C. Vehicle/equipment storage or staging is prohibited within Tract "A".
- D. Developer/Owner agrees to increase existing retention pond approximately fifty percent (50%) into Tract "A" (lot number 29).
- E. Developer/Owner agrees that the area identified as "Park" and described in Exhibit "C" shall be a Green Belt of trees and grass and absent of playground or similar equipment. The Park shall be maintained by the Developer/Owner or by a Homeowners

Association.

- 3. 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.
- 4. Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida. Prior to development of the real property described in Exhibit "A", this agreement provides no vested rights against change to Brevard County, Florida's comprehensive plan or land development regulations as they may apply to this property.
- 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 and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject property.

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

spone.

ATTEST

SANDY CRAWFORD, Clerk

BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA 2725 St. Johns Street Melbourne, FL ,32940

NANCY HIGGS, Chairman

As Approved by the Board on 9-30-92.

STATE OF FLORIDA COUNTY OF BREVARD

COUNTY OF BREVARD Of May, 1995 by Nancy Higgs as Chairman of the Board of This is to certify that the demonstrate is a first that the demonstrate is a first transfer in the composite of the Board of This is to certify that the demonstrate is a first transfer in the composite of the Board of

This is to certify that the foregoing is a true and correct copy of

witness my hand and official seal this 33 and day of

SANDY CRAWFORD

Clork Circuit Court

3

County Commissioners of Brevard County, Florida, on behalf of the Board of County Commissioners. She is personally known to me or produced a Florida Drivers license as identification.

Stary Public

Printed Notary Name

CARSON'S GROUP INC.

ROBERT L. CARSON, President

Stamp



Witnesses:

Printed Witness Name

Printed Witness Name

STATE OF FLORIDA COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 19 th day of April, 1995 by ROBERT L. CARSON, as President of Carson's Group, Inc., on behalf of the corporation. He is personally known to me or produced a Florida Drivers license as identification.

Stamp .-

KAREN L. MACK
Notary Public, State of Portice
My Comm. Expires Merch 28, 1995
No. CC 450465
Son of The Officer Making Serptor
1-(100): 13-0121

Witnesses:

Printed Witness Name

Printed Witness Name

STATE OF FLORIDA COUNTY OF BREVARD

Notary Public
Printed Notary Name

BIRDIE/RAGLE ENTERPRISES, INC.

ROBERT L. CARSON, President

The foregoing instrument was acknowledged before me this 1974. day of April, 1995 by ROBERT L. CARSON, as President of BIRDIE/EAGLE ENTERPRISES, INC., on behalf of the corporation. He is personally known to me or produced a Florida Drivers license as identification.

Stamp

Notary Public

Printed Notary Name

[devagrourson4/7/95]

KAREN L. MACK
Notary Public, State of Florida
My Comm. Explires Merch 28, 1998
No. CC 430496
Starting This Officer | Stating Striples
1-(800): '.3-0121

USED FOR ADVERTISING PURPOSES WILLION TO BE

LEGAL DESCRIPTION:

PARCEL NO. 3

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 24. TOWNSHIP 21 SOUTH, RANGE 34 EAST, EREVARD COUNTY, FLORIDA, DESCRIBED

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 34 EAST; THENCE N.88-46'22"E., ALONG THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, A DISTANCE OF 364.95 FEET; THENCE S.02-21-27"E., 63.07 FEET TO THE POINT OF BEGINNING OF THE LAND AND SAID POINT LYING ON THE ARC OF A CIRCULAR HEREIN DESCRIBED CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 50.00 FEET, AND TO WHICH POINT A RADIAL LINE BEARS N.32°21'27"W.; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 60°00'00", A DISTANCE OF 52.36 FEET TO THE POINT OF TANGENCY; THENCE · S.02°21'27"E., 124.85 FEET; THENCE S.81°32'56"W., 48.64 FEET; S.13°25'19"W., 311.07 FEET; THENCE S.02°51'15"W., 471.47 FEET; THENCE S.02°06'07"E., 328.99 FEET; THENCE S.70°09'50"E., 88.03 FEET; THENCE S.51°07'17"E., 51.89 FEET; THENCE N.75°20'07"E., 52.24 FEET; THENCE S.86°08'54"E., 98.86 FEET; THENCE N.62°42'38"E., 46.01 FEET; THENCE N.89°26'31"E., 91.23 FEET; THENCE S.84°22'01"E., 43.54 FEET; N.85-17'13"E., 395.09 FEET; THENCE S.35-52'44"E., 73.91 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 125.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 51033'55", A DISTANCE OF 112.50 FEET TO THE POINT OF TANGENCY; THENCE S.87°26'39"E., 61.54 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE AND HAVING A RADIUS OF 25.00 FEET; SOUTHWESTERLY SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 72°53'43", A DISTANCE OF 31.81 FEET TO A POINT LYING ON THE WEST LINE OF TRACT C AS SHOWN ON THE PLAT OF SHERWOOD FOREST P.U.D. II STAGE ONE AS RECORDED IN PLATBOOK 29, PAGE 40 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND SAID POINT LYING ON THE ARC OF A CIRCULAR CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 145.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.75°27'04"W.; THENCE ALONG THE BOUNDARY OF SAID TRACT C, THE FOLLOWING THREE COURSES AND DISTANCES: THENCE NORTHERLY, ALONG THE ARC OF THE AFORESAID CURVE, THROUGH A CENTRAL ANGLE 23-02'56", A DISTANCE OF 58.33 FEET TO THE POINT OF TANGENCY; THENCE N.08-30'00"E., 70.06 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 153.37 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14-09'24", A DISTANCE OF 37.89 FEET TO A POINT LYING ON THE SOUTHEAST BOUNDARY OF THE REPLAT OF SHERWOOD FOREST P.U.D. II STAGE ONE, TRACT 'A' AS RECORDED IN PLAT BOOK 29, PAGE 46 OF PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG BOUNDARIES OF SAID PLAT, THE FOLLOWING THREE COURSES AND DISTANCES; THENCE 5.51003'10"W., 99.39 FEET; THENCE N.38056'50"W., 275.00 FEET; THENCE N.29-10-05"E., 174.38 FEET; THENCE N.70-35-59"W., 405.67 FEET; THENCE N.56-06-42"W., 162.26 FEET; THENCE N.43-47-40"W., 98.88 FEET; THENCE N.02046'21"W., 205.89 FEET; THENCE N.02019'01"W., 303.65 FEET; THENCE S.81°32°56"W., 119.44 FEET; THENCE N.02°21°27"W., 48.80 FRET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00' FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CORVE, IMPOUND OF REVERSE OF 70-31'44", A DISTANCE OF 30.77 FEET TO THE POINT OF REVERSE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE

EXHIBIT "A" Page 2 of 2

CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 50.00 FEET; THENCE NORTHEASTERLY, NORTHWESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 190-31'44", A DISTANCE OF 166.27 FEET TO THE POINT OF BEGINNING. CONTAINING 14.945 ACRES MORE OR LESS.



LEGAL DESCRIPTION:

CONTAINING 0.510 ACRES MORE OR LESS.

TRACT A

A PARCEL OF LAND. LYING IN THE NORTHWEST 1/4 OF SECTION 24. SOUTK. 21 RANGE 34 EAST. BREVARD COUNTY. DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST WESTERLY CORNER OF REPLAT OF SHERWOOD FOREST P.U.D. II STAGE ONE, TRACT 'A', AS RECORDED IN PLATBOOK 29. PAGE THE PUBLIC RECORDS OF BREVARD COUNTY. FLORIDA: N.29 10 05 E., ALONG THE NORTHWESTERLY BOUNDARY OF SAID PLAT, **BOUNDARY:** THENCE FEET TO THE NEXT CORNER OF SAID N.70'35'59"W., 156.92 FEET: THENCE S.18'50'52"W., 143.55 FEET TO ON THE **ARC** OF Α CIRCULAR CURVE. POINT LYING SOUTHWESTERLY. HAVING A RADIUS OF 100.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.61°04'11"E.: THENCE SOUTHEASTERLY. ALONG THE 'ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 19°31'12", A DISTANCE 34.07 FEET: THENCE N.80'35'23"E.. 61.45 FEET: S.38°56'50"E.. 59.87 FEET TO THE POINT OF BEGINNING.



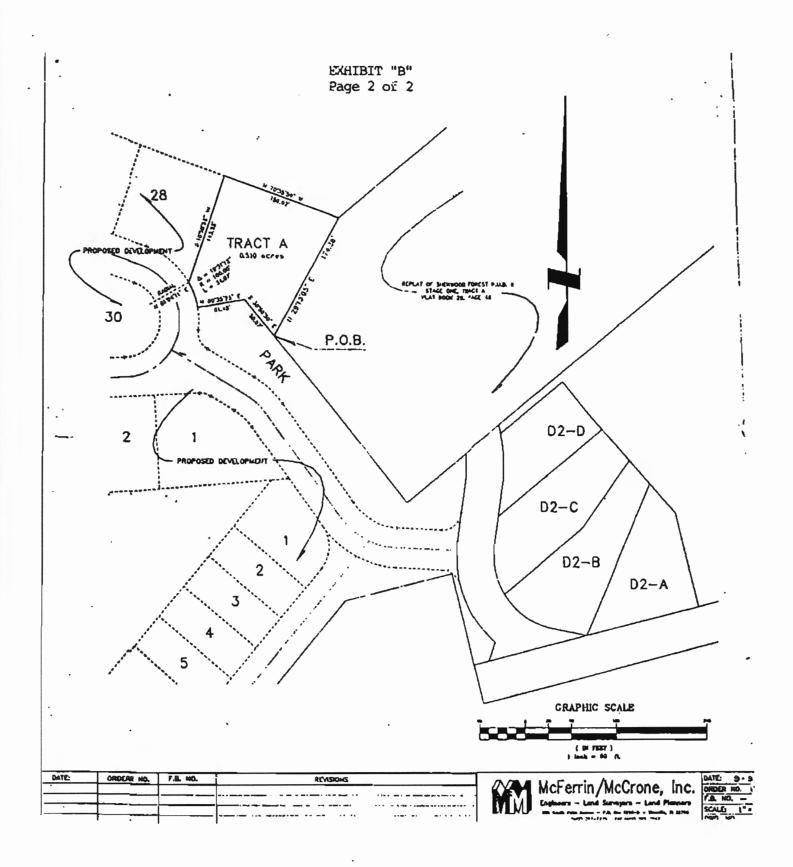




EXHIBIT "C"

LEGAL DESCRIPTION:

TRACT B:

A PARCEL OF LAND LYING IN THE OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT C AS SHOWN ON THE PLAT OF SHERWOOD FOREST P.U.D. II STAGE ONE AS RECORDED IN PLATBOOK 29, PAGE 40 AND SAID POINT LYING ON THE SOUTHEASTERLY BOUNDARY LINE OF THE REPLAT OF SHERWOOD FOREST P.U.D. II STAGE ONE, TRACT 'A' AS RECORDED IN PLATBOOK 29, PAGE 46 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE BOUNDARIES OF SAID REPLAY, THE FOLLOWING TWO COURSES AND DISTANCES; THENCE \$.51°03'10"W., 99.39 FEET; THENCE N.38"56'50"W., 334.87 FEET TO A POINT LYING ON THE NORTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF THE AFORESAID REPLAT OF SHERWOOD FOREST P.U.D. II STAGE ONE, TRACT A; THENCE S.80°35'23"W., 61.45 FEET TO A POINT LYING ON THE ARC OF A CIRCULAR CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 100.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS N.80'35'23"E.; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°58'21, 29.62 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 66°25'19", 28.98 FEET TO THE POINT OF TANGENCY; THENCE S.58°51'34"E., 70.30 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 125.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22'58'50", 50.14 FEET TO THE POINT OF TANGENCY; THENCE S.35"52'44"E., 155.76 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 51"33"55", 61.50 FEET TO THE POINT OF TANGENCY; THENCE S.87'26'39"E., 58.31 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 84'03'21", 36.68 FEET TO THE POINT OF TANGENCY AND SAID POINT LYING ON THE WESTERLY BOUNDARY OF TRACT C AS SHOWN ON THE AFOREMENTIONED PLAT OF SHERWOOD FOREST P.U.D. II STAGE ONE; THENCE ALONG THE BOUNDARY OF SAID PLAT, THE FOLLOWING TWO COURSES AND DISTANCES; THENCE N.08'30'00"E., 37.49 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 153.37 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14 09'24", 37.89 FEET TO THE POINT OF BEGINNING. CONTAINING 0.57 ACRES MORE OR LESS.



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 that certain Mortgage dated January 13, 1995, given by ROBERT WALTER as mortgagee, recorded in Official Records Book 3454, Page 1101, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of Subordinating the lien of the undersigned's Mortgage to said

Binding Development Plan.

WITNESSES:

Witness Name

MORTGAGEE:

4320 West Kennedy Boulevard

Tampa, Florida 33609

STATE OF FLORIDA COUNTY OF diesalurange

The foregoing instrument was acknowledged before me this day of Water 1995 by ROBERT WALTER. He is personally known to me or produced a Florida Driver's License as identification and that an oath was \checkmark was not

Stamp

notary public; state of Florida at Large MY COMMISSION EXPIRES JULY 24, 1995 MONDED THRU AGENT'S NOTARY SZOKERAGE

ex3477F63625

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 that certain Mortgage dated February 2, 1995, given by Richard H. Mogg as mortgagee, recorded in Official Records Book 3452, Page 4592, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of subordinating the lien of the undersigned's Mortgage to said Binding Development Plan.

WITNESSES:

RICHARD E. STADLER

Printed Witness Name

PEGGY S. CAUDILL

Printed Witness Name

MORTGAGES:

Richard H. Mogg 26933 Eckel Road

Perrysburg, Ohio 43551

STATE OF FLORIDA COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 27 day of March, 1995 by Richard H. Mogg. He is personally known to me or produced a Florida Drivers license as identification and that an oath was ____ was not \times _ taken.

Stamp



Notary Public

RICHARD EUGENE STADLER
Printed Notary Name

[joinder]

THIS INSTRUMENT PREPARED BY:
JOHN H. EVANS, ESQUIRE
1702 S. WASHINGTON AVENUE
TITUSVILLE, FLORIDA 32780

Z-09537

9K3477 103626





Brevard County Property Appraiser

Phone: (321) 264-6700 https://www.bcpao.us

Titusville • Viera • Melbourne • Palm Bay PROPERTY DETAILS

Account 2112241

Owners Minnick, Donald

Mailing Address 1968 Turpentine Rd Mims FL 32754
Site Address 1989 Arnold Palmer Dr Titusville FL 32796

Parcel ID 21-34-24-25-D-1

Property Use 0010 - Vacant Residential Land (Single Family, Platted)

Exemptions None

Taxing District 1300 - Unincorp District 1

Total Acres 0.24

Subdivision Eagle Pointe Subdivision
Site Code 0001 - No Other Code Appl.

Plat Book/Page 0052/0037

Land Description Eagle Pointe Subdivision Lot 1 Block D

VALUE SUMMARY

Category	2020	2019	2018
Market Value	\$22,000	\$22,000	\$18,000
Agricultural Land Value	\$ 0	\$0	\$0
Assessed Value Non-School	\$22,000	\$16,330	\$14,850
Assessed Value School	\$22,000	\$22,000	\$18,000
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$ 0	\$0	\$0
Other Exemptions	\$0	\$0	\$0
Taxable Value Non-School	\$22,000	\$16,330	\$14,850
Taxable Value School	\$22.000	\$22.000	\$18.000

SALES/TRANSFERS

Price	Type	Parcel	Deed
\$36,000	WD	Vacant	8659/2603
\$9,800	XD	Improved	8448/1572
\$1,288,000	WD	Vacant	5698/1757
\$100,000	WD	Vacant	5698/5490
	WD	Vacant	5531/5850
\$3,000,000	WD	Vacant	5495/1377
	\$36,000 \$9,800 \$1,288,000 \$100,000	\$36,000 WD \$9,800 XD \$1,288,000 WD \$100,000 WD	\$36,000 WD Vacant \$9,800 XD Improved \$1,288,000 WD Vacant \$100,000 WD Vacant WD Vacant

No Data Found

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