



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3088, **Version:** 1

Subject:

Acceptance, Re: Binding Development Plan with SGS Cedar Lake, LLC (f.k.a. 5971 Cedar Lake Drive Revocable Trust and U.S. Hwy 1 Commercial Land Trust) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

In accordance with Section 62-1157, it is requested that the Board of County Commissioners accept, and the Chair sign, the Binding Development Plan.

Summary Explanation and Background:

A BDP (Binding Development Plan) is a voluntary agreement presented by the property owner to self-impose limits upon development of a property in support of a change of zoning or conditional use permit. Pursuant to Section 62-1157, a BDP shall be recorded in the public records within 120 days of the Board's approval of the zoning request. Following staff and legal review, the BDP is presented to the Board in recordable form as a Consent Agenda item in order to finalize the zoning action.

On March 23, 2021, the Board approved a rezoning request from RU-1-11 (Single-Family Residential), TR-2 (Single-Family Mobile Home), and BU-1 (General Retail Commercial) with a BDP (Binding Development Plan), to TR-1 (Single-Family Mobile Home) with a BDP. The conditions of the BDP include, but are not limited to, the following:

- Developer/Owner shall provide a 6-foot high opaque fence on the Property adjacent to any residentially zoned property.
- Developer/Owner shall limit density to a total of 150 units on the Property and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.
- Vehicular Access to Vineland Street from the Property is prohibited.
- Developer/Owner will provide a 15-foot perimeter buffer tract along all property boundaries which shall be platted as a common tract, separate from individual lots.
- Developer/Owner shall limit access to Cedar Lake Drive to an emergency access for the benefit of Brevard County with a locked gate, if such emergency access is required by Brevard County or due to any existing easement encumbering the Property.

Clerk to the Board Instructions:

Upon recordation, please return two certified copies to Planning and Development.