



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 3356, **Version:** 1

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### **Subject:**

Acceptance, Re: Binding Development Plan with CBH Properties, LLC (District 4)

### **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 August 3, 2021, the Board approved a change of zoning classification from BU-1 to BU-2 with an amendment to an existing BDP. The conditions of the amended BDP include, but are not limited to the following:

- The property shall remain in conformance with the terms and provisions of the approved Binding Development Plan as recorded in ORB 8345, Page 662.
- The approved uses shall be limited to those permitted uses of BU-1 and major automotive repairs only.
- Parts and materials shall be stored in the rear of the shop, out of view from Wickham Road.

The BDP is consistent with the prior Board action and contains all the provisions agreed upon by the parties.

### **Clerk to the Board Instructions:**

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