



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 4964, **Version:** 1

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### **Subject:**

Acceptance, Re: Binding Development Plan with DeRosa Holdings, LLC (District 2)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & 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 4, 2022, the Board approved an amendment to an existing BDP in an RU-2-12 (Medium Density Multi-Family Residential) zoning classification stipulating the Developer/Owner shall develop the property as two (2) detached residential units for residency and/or rental. The property shall remain under one ownership, unless platted or developed as a condominium. The attached agreement includes this provision.

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

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