



Planning and Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Board of Adjustment Members

FROM: Paul Body, Planner III

THRU: Jeffrey Ball, AICP, Planning & Zoning Manager

SUBJECT: Variance Staff Comments for Wednesday, August 17, 2022

DATE: July 06, 2022

DISTRICT 1

3. (22V00020) Daniel Dee and Brandi R. Chavez request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1334(5)(b), to permit a variance of 2.7 ft. from the required 15-ft. side (west) setback for an accessory structure; 2.) Section 62-1334(5)(b), to permit a variance of 3.4 ft. from the required 15-ft. side (west) setback for an accessory structure; 3.) Section 62-1334(4), to permit a variance of 1.5 acres from the required 2.5-acre minimum lot size, in an AU (Agricultural Residential) zoning classification. This request represents the applicants' request to legitimize an existing wood frame garage and carport and to legitimize the lot size for AU zoning. The applicants state that they applied for a permit to enclose the carport and were told that the carport and the garage do not meet the required side setbacks. The applicants state that these accessory structures were in this configuration when they purchase the property in January 2022. The applicants further state the accessory structures were built by a previous owner and have been in this configuration since the 1970's. The applicants also state the parcel was Platted in this configuration and size in Plat Book 13, page 141 on June 23, 1960. The first request equates to an 18% deviation to what the code allows. The second request equates to an 23% deviation to what the code allows. The third request equates to an 60% deviation to what the code allows. There are no variances to the accessory setback requirements in the immediate area. There are six variances to the lot size requirements in the immediate area. If the Board approves this variance, it may want to limit its approval as depicted on the survey provided by the applicant with a field date of 12/13/2021.