



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, February 15, 2023

DATE: January 23, 2023

DISTRICT 2

6. (23V00003) Anthony V. and Kathleen E. DiLella (Carter Hayes) request variance of Chapter 62, Article VI, Brevard County Code, as follows: 1) Section 21-2118(d)(3), to permit a variance of 2.48 ft. over the 15.52-ft. projection (20% the width of the waterway) for a boat dock; 2.) Section 62-1340(5)(b), to permit a variance of 2 ft. from the required 7.5-ft. side (west) setback for an accessory structure, in an RU-1-13 (Single-Family Residential) zoning classification. This request represents the applicants' request to legitimize a new dock and to legitimize an existing accessory structure. The proposed seawall will require a separate building permit. The applicant states that the dock needs the added length to securely dock the boat. The applicant also states that the existing accessory building was built by a previous owner and has been in its location for over 60 years. The first request equates to an 16% deviation of what the code allows. The second request equates to an 27% deviation of what the code allows. There are no variances approved to dock projection requirements or the accessory setback requirements in the immediate area. There is no code enforcement action pending with the Brevard County Planning & Development Department. If the Board approves this variance, it may want to limit its approval as depicted on the survey and provided by the applicant with a revision date of 12/09/2022.