



Board of Adjustment
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, Commission Room, Viera, Florida
Agenda
Wednesday, February 21, 2024

Call To Order

Approval of Minutes - January 17, 2024

G. Public Hearings

- G.1.** Bradley W. and Aleta K. Sinclair (Kim Rezanka) requests one variance for a fence/wall, and four variances for accessory structures in an RU-1-9 zoning classification. (23V00044) (Tax Account 2611575) (District 4)
- G.2.** Jeff Haggard requests a variance for an accessory structure in an RU-1-13 zoning classification. (23V00046) (Tax Account 2437357) (District 2) This item was tabled from January 17, 2024.
- G.3.** George R. and Kathy A. Johnson requests one variance for a principal structure in an RVP (Recreation Vehicle Park) zoning classification. (23V00051) (Tax Account 2113201) (District 4)
- G.4.** Roxy and Cheri White requests five variances for accessory structures in an RR-1 zoning classification. (23V00052) (Tax Account 2406894) (District 1)
- G.5.** Joshua Way and Katelynd Willis requests one variance for lot acreage and one variance for lot width in an AU zoning classification. (24V00001) (Tax Account 2103392) (District 1)

Public Comment

Adjournment

Pursuant to the Florida Rules of Appellate Procedure, any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment may, within thirty (30) days after the date the order is signed, apply to a court of competent jurisdiction for appropriate relief. Speakers must provide their names and addresses for the public record.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the Planning and Development Department no later than 48 hours prior to the meeting at (321) 633-2069.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF while the Board is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.1.

2/21/2024

Subject:

Bradley W. and Aleta K. Sinclair (Kim Rezanka) requests one variance for a fence/wall, and four variances for accessory structures in an RU-1-9 zoning classification. (23V00044) (Tax Account 2611575) (District 4)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of Adjustment conduct a public hearing to consider one variance for a fence/wall, and four variances for accessory structures in an RU-1-9 (Single-Family Residential) zoning classification.

Summary Explanation and Background:

Bradley W. and Aleta K. Sinclair (Kim Rezanka) request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2109(c), to permit a variance of 2 ft. over the 4-ft. maximum height allowed for a fence/wall within the 20-ft. front setback; 2.) Section 62-1341(5)(a), to permit a variance of 13.7 ft. from the required 20-ft. front setback for an accessory structure; 3.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 4.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 5.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; in an RU-1-9 zoning classification. The property is 1 acre, located on the east side of Coquina Ridge Dr., approx. 390 ft. southeast of U.S. Highway 1. (4563 Coquina Ridge Dr., Melbourne)

Clerk to the Board Instructions:



BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

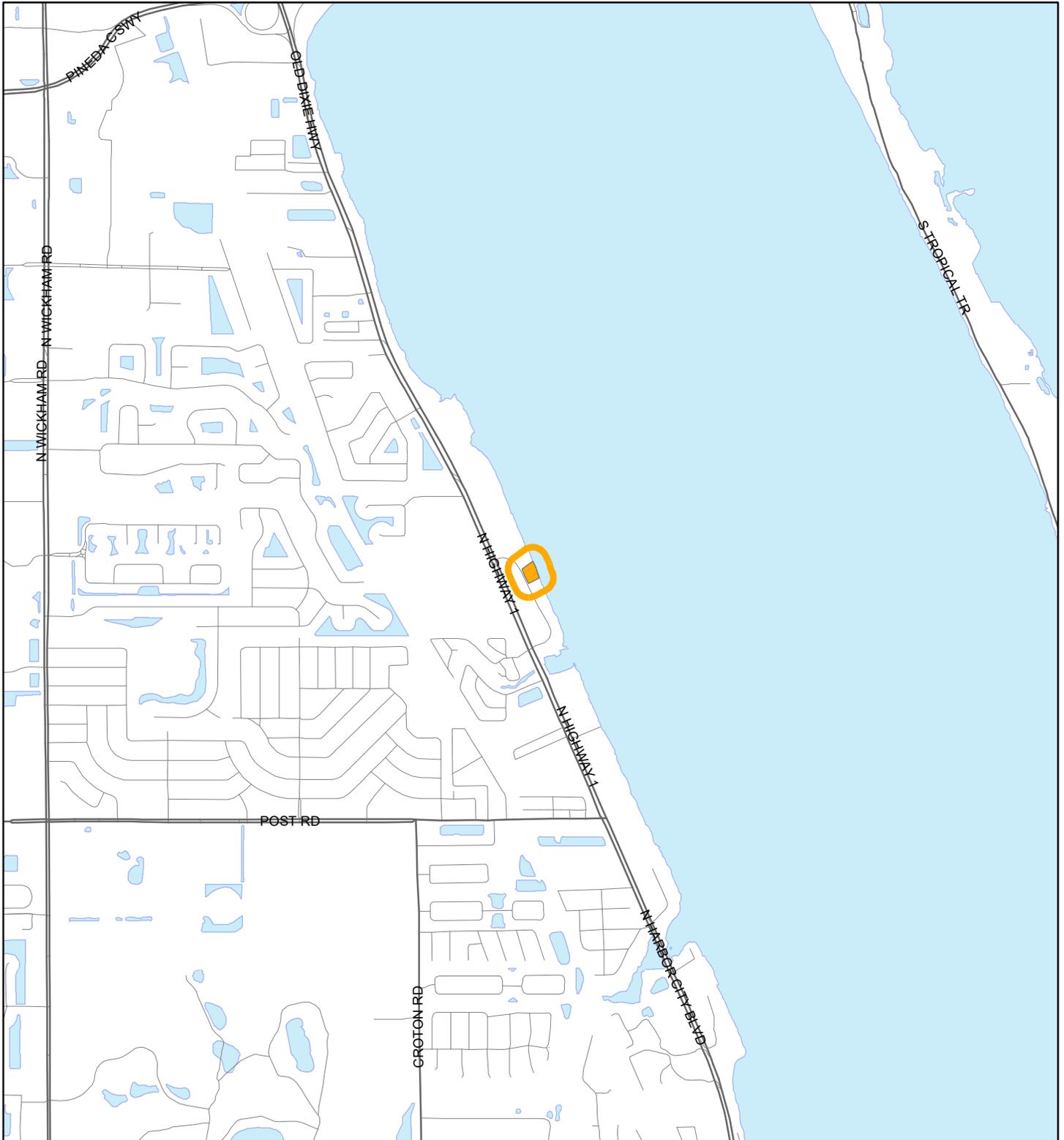
TO: Board of Adjustment Members
FROM: Paul Body, Senior Planner
Thru: Jeffrey Ball, AICP, Planning & Zoning Manager
SUBJECT: Variance Staff Comments for Wednesday, January 17, 2024
DATE: 12/28/2023

DISTRICT 4

1. (23V00044) Bradley W. and Aleta K. Sinclair (Kim Rezanka) request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2109(c), to permit a variance of 2 ft. over the 4-ft. maximum height allowed for a fence/wall within the 20-ft. front setback; 2.) Section 62-1341(5)(a), to permit a variance of 13.7 ft. from the required 20-ft. front setback for an accessory structure; 3.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 4.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 5.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; in an RU-1-9 (Single-Family Residential) zoning classification. This request represents the applicants' request to build a six feet high wall and legitimize three existing accessory structures. The applicants state that the extra wall height is needed for security. The applicants also state the accessory structures were built by a previous owner and were in this configuration when they purchased the property. The first request equates to a 33% deviation of what the code allows. The second request equates to a 68% deviation of what the code allows. There is one variance to the fence height requirement in the immediate area. There are two variances for the accessory building front setback requirements in the immediate area. There is no code enforcement action pending with the Brevard County Planning and Development Department. If the Board approves this variance, it may want to limit its approval as depicted on the survey provided by the applicant with a revision date of 07/19/2022.

LOCATION MAP

Sinclair, Bradley
23V00044



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/19/2023

-  Buffer
-  Subject Property

ZONING MAP

Sinclair, Bradley
23V00044



1:4,800 or 1 inch = 400 feet

- Subject Property
- Parcels
- Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/19/2023

AERIAL MAP

Sinclair, Bradley
23V00044



1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/19/2023

 Subject Property

 Parcels



BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

VARIANCE HARDSHIP WORKSHEET

Is the variance request due to a Code Enforcement action: Yes No

If yes, please indicate the case number and the name of the contractor:

Case Number: _____

Contractor: _____

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

1. That special conditions and circumstances exist which are not applicable to other lands, structures, or buildings in the applicable zoning classification.

Applicant Response:

See Attached

2. That the special conditions and circumstances do not result from the actions of the applicant.

Applicant Response:

See Attached

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings, or structures in the identical zoning classification.

Applicant Response:

See Attached

4. That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant.

Applicant Response:

See Attached

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Applicant Response:

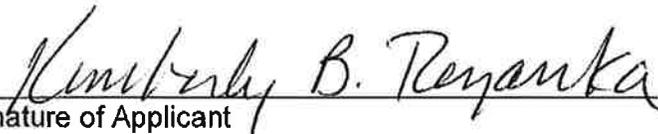
See Attached

6. That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response:

See Attached

I fully understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by a Planning and Development representative. I am fully aware it is my responsibility to prove complete compliance with the aforementioned criteria.


Signature of Applicant

Signature of Planner

Variations Requested:

A. Sec. 62-2109 (c): 2 ft. variance to 4 ft height restriction in the front setback of the Property for a fence, on Lots 18, 19, 20, and part of 21 (as reflected in blue on Exhibit "A".)

B. Sec. 62-1341(5)(a): 13.7 ft variance to the 20 ft front setback for structures to allow the existing freestanding garage to be deemed conforming, on Lot 19.

C. Sec. 62-1341 (5)(b): a variance to the requirement that accessory buildings must be located to the rear of the front building line of the principal building, on Lot 18 and 19.

Variance Factors:

1. The Property is a combination of four (4) lots in the 1926 Coquina Ridge Plat (Plat included with application.) Lot 18 was purchased in 1987, with the house already located on the Lot. The house was built in 1956. Part of Lot 19 was purchased in 1995. The remainder of Lot 19, all of Lot 20 and part of Lot 21 were purchased in 2007. The detached garage and shed were already located on Lot 19 at the time of purchase. The platted right-of-way is substandard at 40 feet with the asphalt width of an average of less than 20 feet, with no shoulders or sidewalks. The neighborhood is a combination of old and new homes, with redevelopment occurring mostly on the east side Coquina Ridge Dr. As the properties have redeveloped, variances have been granted, specifically Res 21PZ00022, granting various setback variances. While no variance could be found for 4429 Coquina Ridge Dr. (Berube property), its six (6) foot wall appears to be located on the property line.

Many of the houses along Coquina are utilized for rentals, short-term and long term. This has resulted in many transients and trespassers in the neighborhood. Because of the requirement of a twenty-foot setback for a six-foot wall, there is almost twenty feet of the Property owners' land that is being utilized for parking by transients, trespassers and service providers for neighbors. See Exhibit "B".

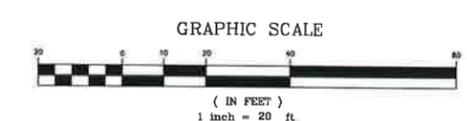
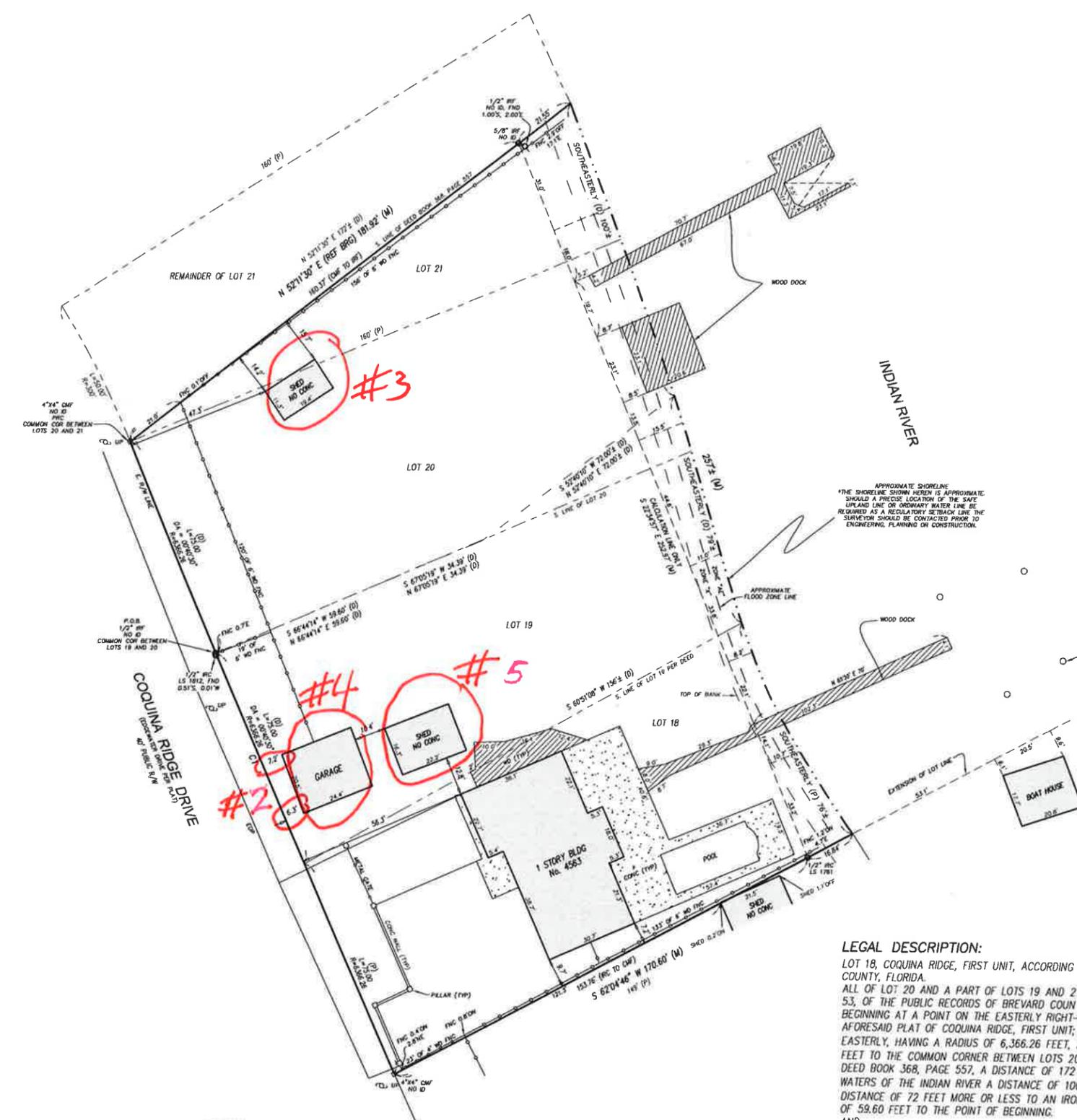
The special conditions of this land is the larger dimensions than the other properties in the subdivision, the long stretch of land along the straight-away of Coquina Ridge Drive, the heavily foliated area along the straight-away, the existence of the buildings on the Property prior to purchasing the various lots, and the need to protect the one-acre Property.

2. The garage and shed were on the Property at the time of purchase – Variance A, B and C. As to Variance A, the inability to build a tall fence to secure the garage and foliated area of the Property is due to the location of both – not any action of the Owners – and because the lot is a double-frontage lot as defined by Brevard County. If the river front of the Property was deemed the front of the Property, this proposed six-foot fence could be placed on the Property line. The parking on the Property by transients and trespassers is also not the result of actions of the Owners.
3. No special privilege would be granted to the Property Owners as others have walls and structures in the front and side setbacks exist, some with and some without variances.

Because this neighborhood was built in the 1940's and 1950's, before the zoning code, many houses and structures have required variances. These variances will allow the Owners to protect their Property and to make the Property more aesthetically pleasing, as others in the neighborhood have been allowed to do.

4. As to Variance B and C, literal enforcement of the Code would not allow any modifications or improvements to the home, garage or shed because of the non-conforming status of the Property. As to Variance A, the inability to have a six-foot fence to keep out trespassers and transients, and to secure the Property would deprive the Owners of similar rights that others in the neighborhood have been granted.
5. These are the minimum variances needed to correct the nonconforming status of the Property and to allow a six (6) foot fence to fully enclose the existing garage with the ability to walk between the fence and the garage with sufficient clearance.
6. The granting of these variances will allow the Owners to cure the nonconforming status of the Property and to compliment the regentrification of the neighborhood. They will also allow the Owners to fully enclose the Property with a tall enough fence to keep the Owners' Property and possessions safe from trespassers and transients. These variances will not be detrimental to the public welfare as they will result in increased value to other properties and assist with the illegal parking and trespassing in the neighborhood.

MAP OF BOUNDARY SURVEY



CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
CH(D)	225.00'	6,366.26'	201.34°	225.17'
CH(W)	225.18'	6,366.26'	201.34°	225.17'

LEGEND

- A = ARC
- A/C = AIR CONDITIONER
- BFE = BASE FLOOD ELEVATION
- BLDG = BUILDING
- BLK = BLOCK
- BM = BENCHMARK
- BRG = BEARING
- (C) = CALCULATED
- CTV = CABLE TELEVISION
- CBS = CONCRETE BLOCK STRUCTURE
- CHD = CHORD
- C/L = CENTERLINE
- CLF = CURB LINK FENCE
- CMF = CONCRETE MONUMENT FOUND
- CMP = CORRUGATED METAL PIPE
- CONC = CONCRETE
- COR = CORNER
- (D) = DEED
- DR = DEED BOOK
- DA = DELTA ANGLE
- ELEC = ELECTRIC
- ELEV = ELEVATION
- ENC = ENCROACHMENT
- EDP = EDGE OF PAVEMENT
- ESMT = EASEMENT
- FB = FIELD BOOK
- FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
- FF = FINISHED FLOOR
- FNC = FENCE
- FND = FOUND
- FP&L = FLORIDA POWER & LIGHT COMPANY
- ID = IDENTIFICATION
- IRP = IRON PIPE FOUND
- IRC = IRON ROD & CAP FOUND
- IRF = IRON ROD FOUND
- IRS = 5/8" IRON ROD SET "LB 7838"
- LB = LICENSED BUSINESS NUMBER
- LS = (RLS) or (PLS) REGISTERED OR PROFESSIONAL LAND SURVEYOR
- (M) = MEASURED
- MAVD = NORTH AMERICAN VERTICAL DATUM
- NDF = NAIL & DISK FOUND
- NDS = 1 1/4" NAIL & DISK SET "LB 7838"
- NVD = NATIONAL GEODETIC VERTICAL DATUM
- NO = NUMBER
- O/H = OVERHEAD
- ORB = OFFICIAL RECORDS BOOK
- O/S = OFFSET
- (P) = PLAT
- PB = PLAT BOOK
- PC = POINT OF CURVATURE
- PCC = POINT OF COMPOUND CURVATURE
- PCP = PERMANENT CONTROL POINT
- PI = POINT OF INTERSECTION
- PLS = PROFESSIONAL LAND SURVEYOR
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PRC = POINT OF REVERSE CURVATURE
- PRM = PERMANENT REFERENCE MONUMENT
- PSM = PROFESSIONAL SURVEYOR AND MAPPER
- PT = POINT OF TANGENCY
- PUE = PUBLIC UTILITY & DRAINAGE EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- R = RADIUS
- REF = REFERENCE
- RNG = RANGE
- R/W = RIGHT OF WAY
- SEC = SECTION
- SHA = SPECIAL FLOOD HAZARD AREAS
- TEL = TELEPHONE RISER
- TWP = TOWNSHIP
- TYP = TYPICAL
- UP = UTILITY POLE
- WD = WOOD
- WT-COR = 5/8" IRON ROD SET WITH CAP "WITNESS LB 7838"
- WM = WATER METER
- WCF = CROSS CUT FOUND

- NOTES:**
1. BEARINGS BASED ON THE S. LINE OF DEED BOOK 368, PAGE 557 BEING N 32°11'30" E AS PER DEED (SEE SKETCH)
 2. ELEVATIONS BASED ON _____
 3. FLOOD ZONE "X" AND "AE", MAP No. 12008C0517H, COMMUNITY No. 125092, JANUARY 29, 2021, FLOOD ZONE INFORMATION DEPICTED HEREIN IS APPROXIMATE. FEMA RETAINS SOLE AUTHORITY REGARDING BOUNDARY AND EXTENT OF SFHA.
 4. HORIZONTAL CLOSURE MEETS OR EXCEEDS THE ACCURACY REQUIREMENTS FOR SUBURBAN LAND AS PER FLORIDA STATUTE 51-17-6.003.
 5. BEARINGS, DISTANCES OR ANGLES SHOWN ARE THE SAME AS PLAT, DEED OR RECORD UNLESS SHOWN OTHERWISE.
 6. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.
 7. THE SURVEYOR HAS NOT LOCATED NOR ATTEMPTED TO LOCATE ANY UNDERGROUND UTILITIES, FOUNDATIONS, OR STRUCTURES OTHER THAN THOSE THAT MAY BE SHOWN HEREON.
 8. ONLY BOUNDARY CORNER MONUMENTS AS SHOWN HEREON ARE TO BE USED FOR THE LOCATION AND CONSTRUCTION OF IMPROVEMENTS.
 9. UNLESS OTHERWISE INDICATED THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH OR ATTORNEY'S TITLE OPINION.

LEGAL DESCRIPTION:

LOT 18, COQUINA RIDGE, FIRST UNIT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

ALL OF LOT 20 AND A PART OF LOTS 19 AND 21, COQUINA RIDGE, FIRST UNIT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF EDGEWATER DRIVE, SAID POINT BEING THE COMMON CORNER BETWEEN LOTS 19 AND 20, IN AFORESAID PLAT OF COQUINA RIDGE, FIRST UNIT; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG A CURVE WHICH IS CONCAVE EASTERLY, HAVING A RADIUS OF 6,366.26 FEET, A CENTRAL ANGLE OF 00°40'30" AND CHORD BEARING NORTH 22°51'44" WEST, FOR AN ARC DISTANCE OF 75.00 FEET TO THE COMMON CORNER BETWEEN LOTS 20 AND 21; THENCE NORTH 52°11'30" EAST ALONG THE SOUTHERLY BOUNDARY LINE OF PROPERTY AS DESCRIBED IN DEED BOOK 368, PAGE 557, A DISTANCE OF 172 FEET MORE OR LESS TO AND INTO THE WATERS OF THE INDIAN RIVER; THENCE SOUTHWESTERLY MEANDERING THE WATERS OF THE INDIAN RIVER A DISTANCE OF 100 FEET MORE OR LESS TO THE SOUTHEASTERLY LINE OF AFORESAID LOT 20; THENCE SOUTH 52°40'10" WEST A DISTANCE OF 72 FEET MORE OR LESS TO AN IRON ROD; THENCE SOUTH 67°05'19" WEST 34.39 FEET TO AN IRON ROD; THENCE SOUTH 66°44'14" WEST, A DISTANCE OF 59.60 FEET TO THE POINT OF BEGINNING.

AND

PART OF LOT 19, COQUINA RIDGE, FIRST UNIT, AS RECORDED IN PLAT BOOK 5, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COQUINA RIDGE DRIVE (FORMERLY EDGEWATER DRIVE), SAID POINT BEING THE COMMON CORNER BETWEEN LOTS 19 AND 20 IN AFORESAID PLAT OF COQUINA RIDGE, FIRST UNIT, THENCE NORTH 66°44'14" A DISTANCE OF 59.60 FEET; THENCE NORTH 67°05'19" EAST A DISTANCE OF 34.39 FEET; THENCE N52°40'10" E A DISTANCE OF 72 FEET MORE OR LESS TO THE ORDINARY HIGH WATER LINE OF THE INDIAN RIVER; THENCE SOUTHEASTERLY MEANDERING THE ORDINARY HIGH WATER LINE OF THE INDIAN RIVER A DISTANCE OF 79 FEET, MORE OR LESS TO, THE SOUTHERLY PROPERTY LINE OF AFORESAID LOT 19; THENCE S60°51'08" W ALONG SAID SOUTH LINE OF LOT 19 A DISTANCE OF 156 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF COQUINA RIDGE DRIVE (FORMERLY EDGEWATER DRIVE), SAID POINT BEING ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 6,366.26 FEET, A CENTRAL ANGLE OF 0°40'30" AND A CHORD BEARING OF N23°32'06" W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING.

CERTIFICATION:
I HEREBY CERTIFY THAT THE ATTACHED SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Joel Seymour DATE: 5/15/23
JOEL A. SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER
STATE OF FLORIDA NO. LS 6133



5/15/2023 | 3:45 AM PDT

CERTIFIED TO:
BRADLEY W. SINCLAIR AND ALETA K. SINCLAIR

BOUNDARY	DATE	JOB NO.
	7/19/22	37631
		COORIDGE/18-20

Kane Surveying, Inc.
FLORIDA LICENSED BUSINESS NO. LB 7838
505 DISTRIBUTION DRIVE
MELBOURNE, FLORIDA 32904
(321) 676-0427
FAX (321) 984-1448

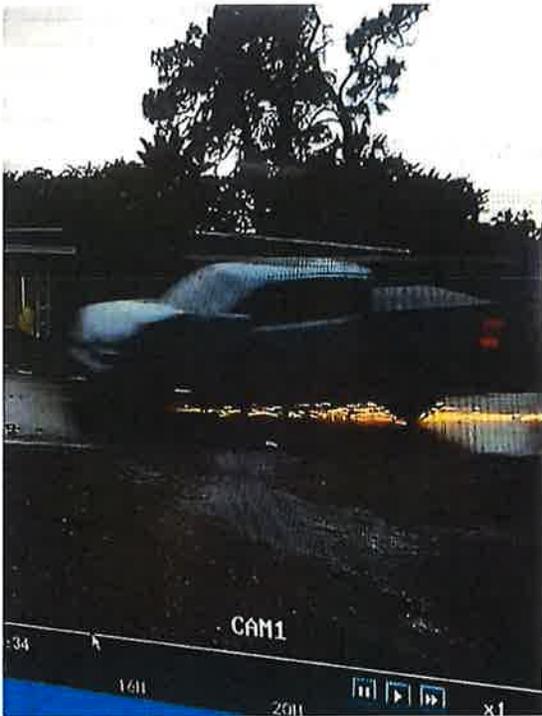
Sinclair Variance Request: COQUINA RIDGE LOTS 18, 19, 20 & PART OF LOT 21 DESC IN ORB 2914 PG 93



PAUL BERUBE

4429 Coquina Ridge Dr., Melbourne FL 32935





Driver who drove by on 3 wheels on the 4th of July weekend 2020



Driver's truck parked down the street the day after the July 4th party.



Lawn service parked in front of 4563 Coquina Ridge Dr., Melbourne



Same truck, different day.



Another random truck



Another random empty car





Trespassers





HARDIMAN FAMILY REVOCABLE TRUST
4465 Coquina Ridge Dr Melbourne FL 32935





HARDIMAN FAMILY REVOCABLE TRUST
4465 Coquina Ridge Dr Melbourne FL 32935



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.2.

2/21/2024

Subject:

Jeff Haggard requests a variance for an accessory structure in an RU-1-13 zoning classification. (23V00046) (Tax Account 2437357) (District 2) This item was tabled from January 17, 2024.

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of Adjustment conduct a public hearing to consider two variances for an accessory structure in an RU-1-13 zoning classification.

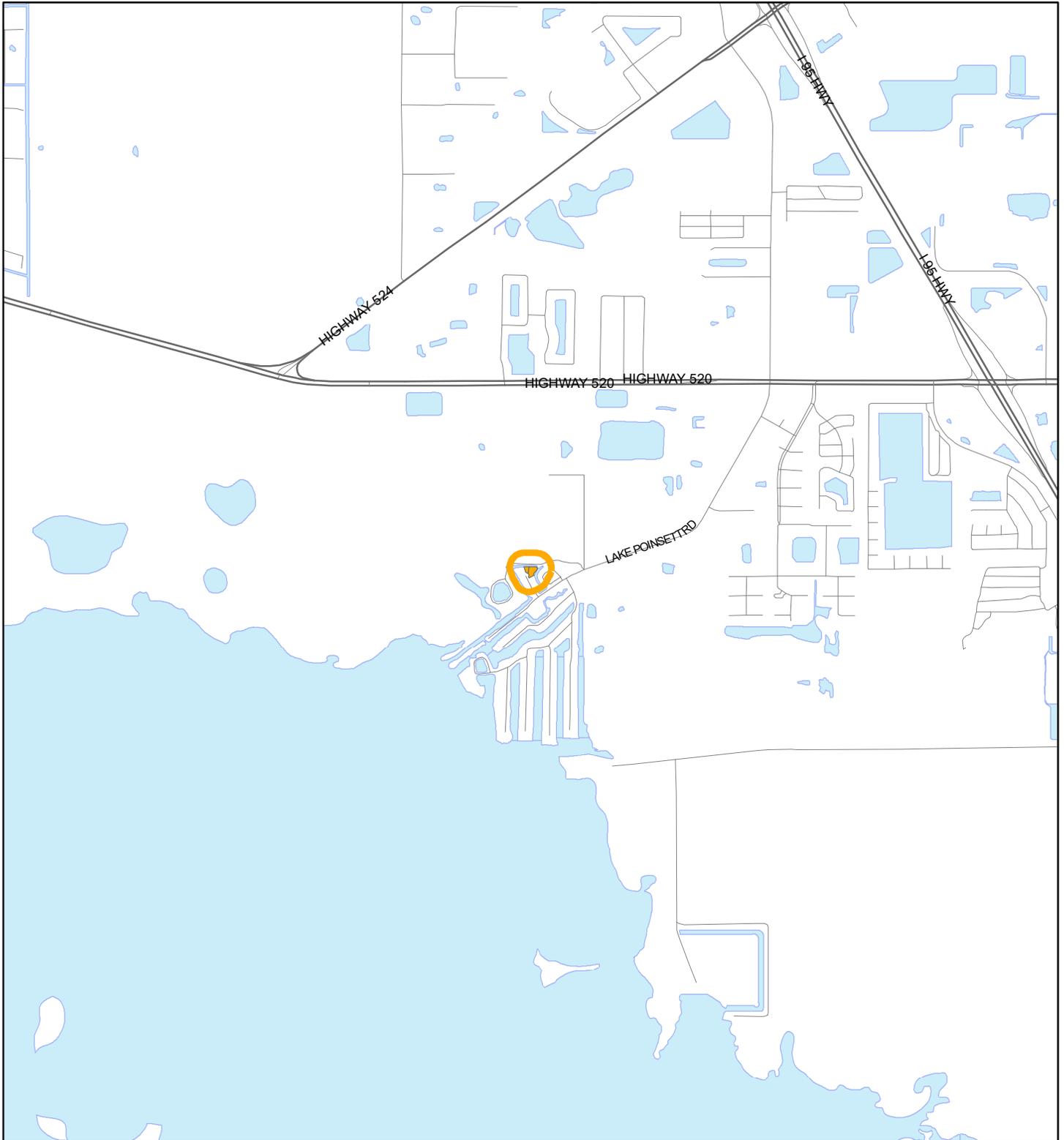
Summary Explanation and Background:

Jeff Haggard requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1340 (5)(b), to permit a variance of 1.5 ft. from the required 7.5-ft. side (west) setback for an accessory structure; 2.) 5 ft. from the 5 ft. separation condition distance required for an accessory structure, in an RU-1-13 (Single-Family Residential) zoning classification.

Clerk to the Board Instructions:

LOCATION MAP

HAGGARD, JEFF
23V00046



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

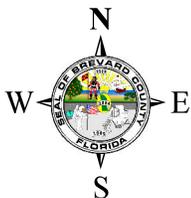
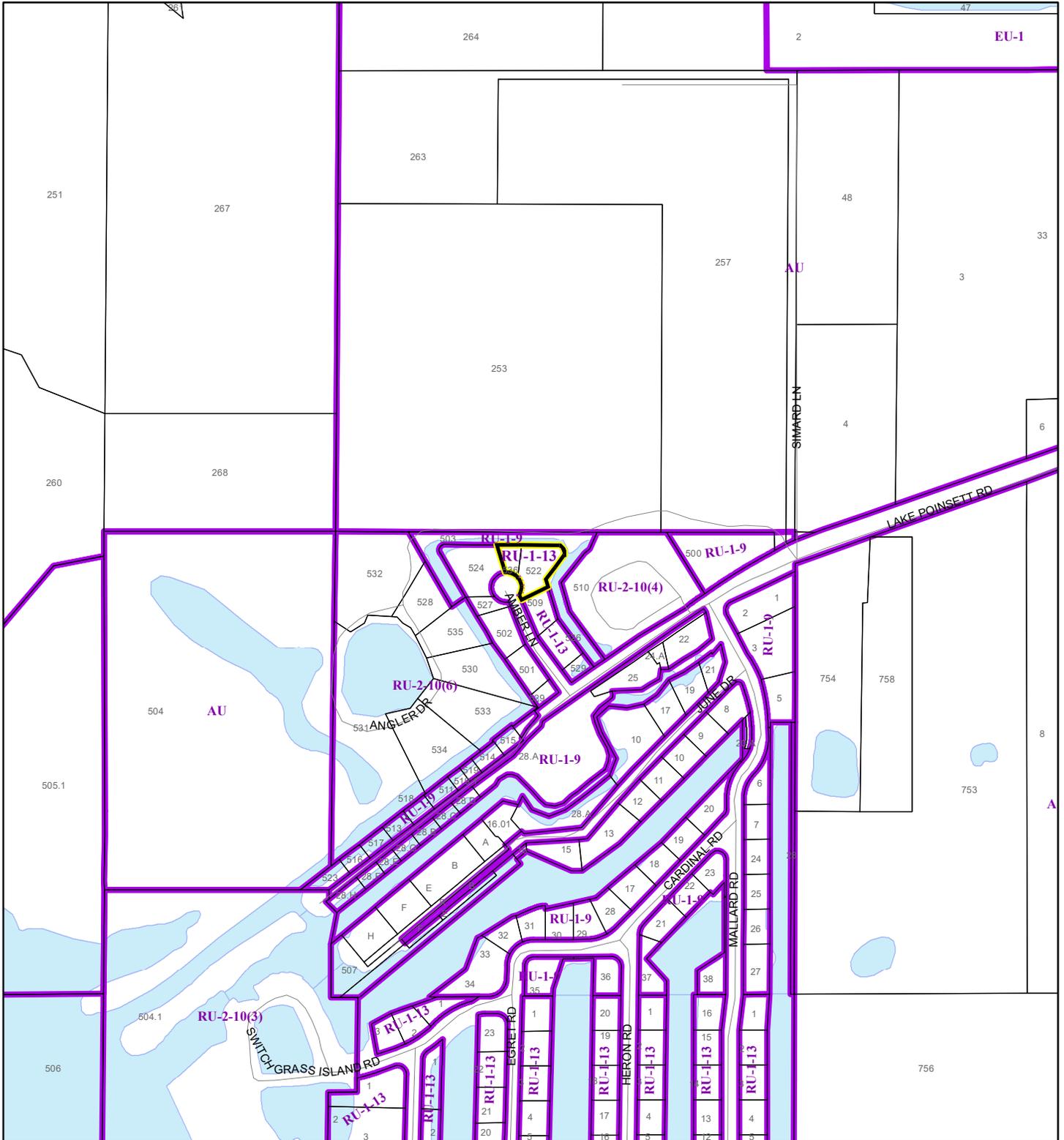
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/20/2023

-  Buffer
-  Subject Property

ZONING MAP

HAGGARD, JEFF
23V00046



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

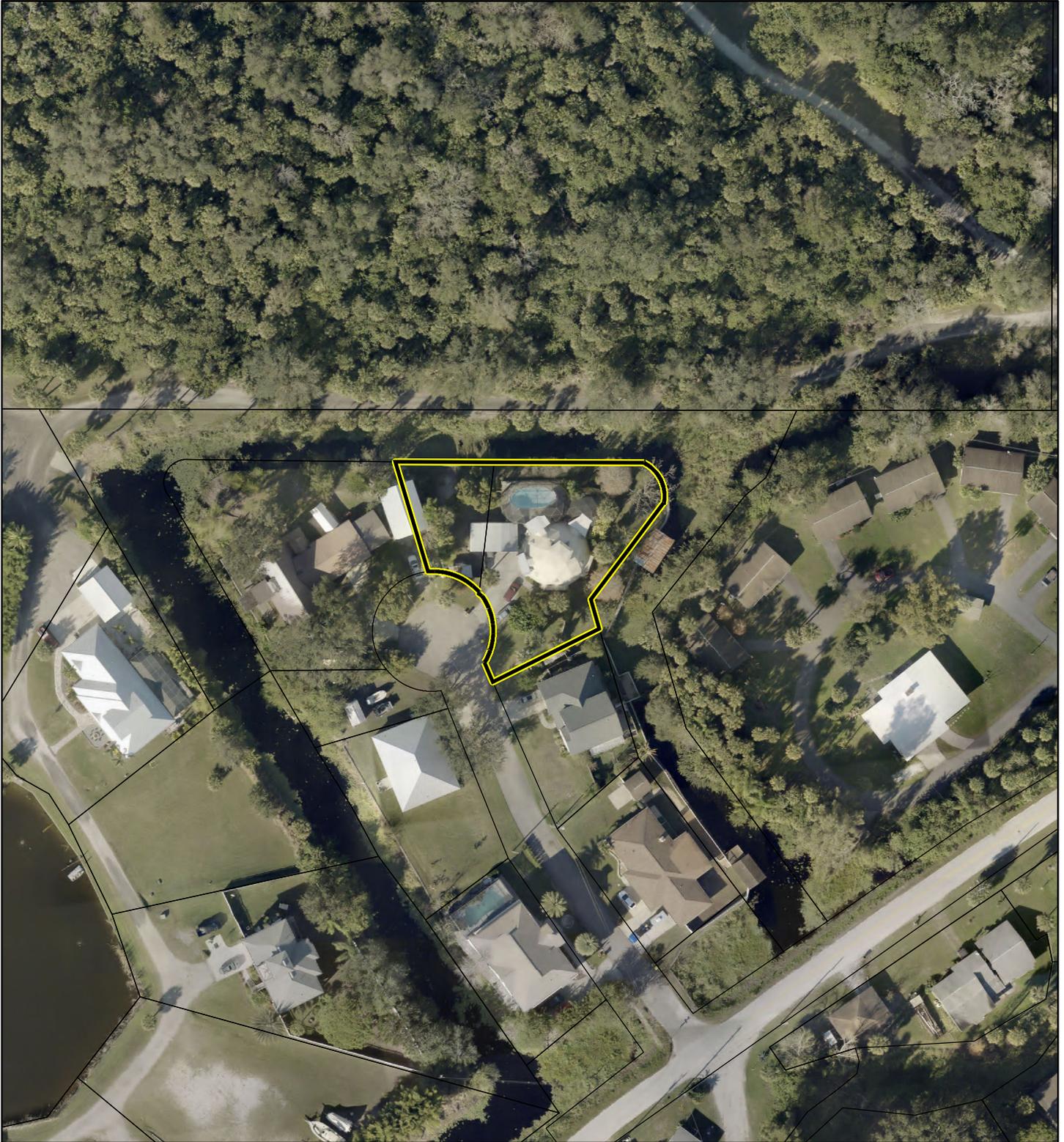
Produced by BoCC - GIS Date: 11/20/2023

-  Subject Property
-  Parcels
-  Zoning

AERIAL MAP

HAGGARD, JEFF

23V00046



1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/20/2023

 Subject Property

 Parcels

VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number _____, and
name of contractor _____

No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

THERE WAS A SURVEY DISCREPANCY BETWEEN
THE 1998 SURVEY USED FOR THE PERMIT & THE NEW
FOUNDATION SURVEY. THEY AGREED AT THE SOUTH POINT
BUT HAD A 1.5' DIFFERENCE AT THE NORTH END.

(2) That the special conditions and circumstances do not result from the actions of the applicant:

THE CIRCUMSTANCES ARE DUE TO THE SURVEYS.

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification:

THERE IS NO SPECIAL PRIVILEGE BY
COMPENSATING FOR SURVEY DIFFERENCES

(over)

(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

THE HARSHIP IS THAT THE BUILDING IS FINISHED
ACCORDING TO THE BUILDING PERMIT DRAWINGS.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

YES, THE 1.5' VARIANCE IS THE MINIMUM
NEEDED TO ALLOW THE USE OF THE BUILDING

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

THE VARIANCE OF 1.5' OF SETBACK
WILL NOT BE INJURIOUS TO NEIGHBORS &
IS NOT DETRIMENTAL TO PUBLIC WELFARE

I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant

[Handwritten Signature]

Signature of planner

Paul Body

TITLE AND BOUNDARY NOTES

1. DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE NOTED AS GRID
2. THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS MAP THAT MAY BE FOUND IN PUBLIC RECORDS OF THIS COUNTY
3. UNDERGROUND FOOTINGS, FOUNDATIONS, UTILITIES, OR OTHER FEATURES WERE NOT LOCATED OR SHOWN
4. FENCE OWNERSHIP IS NOT DETERMINED
5. THE LOT SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE X (0.2% ANNUAL CHANCE FLOOD HAZARD) & ZONE AE (WITHOUT BASE FLOOD ELEVATION) AS SHOWN ON COMMUNITY PANEL NO. 12009C0425G, EFFECTIVE DATE OF 03/17/2014.

BEARINGS SHOWN HEREON ARE BASED ON RECORDED BOOK 1206 PAGE 360

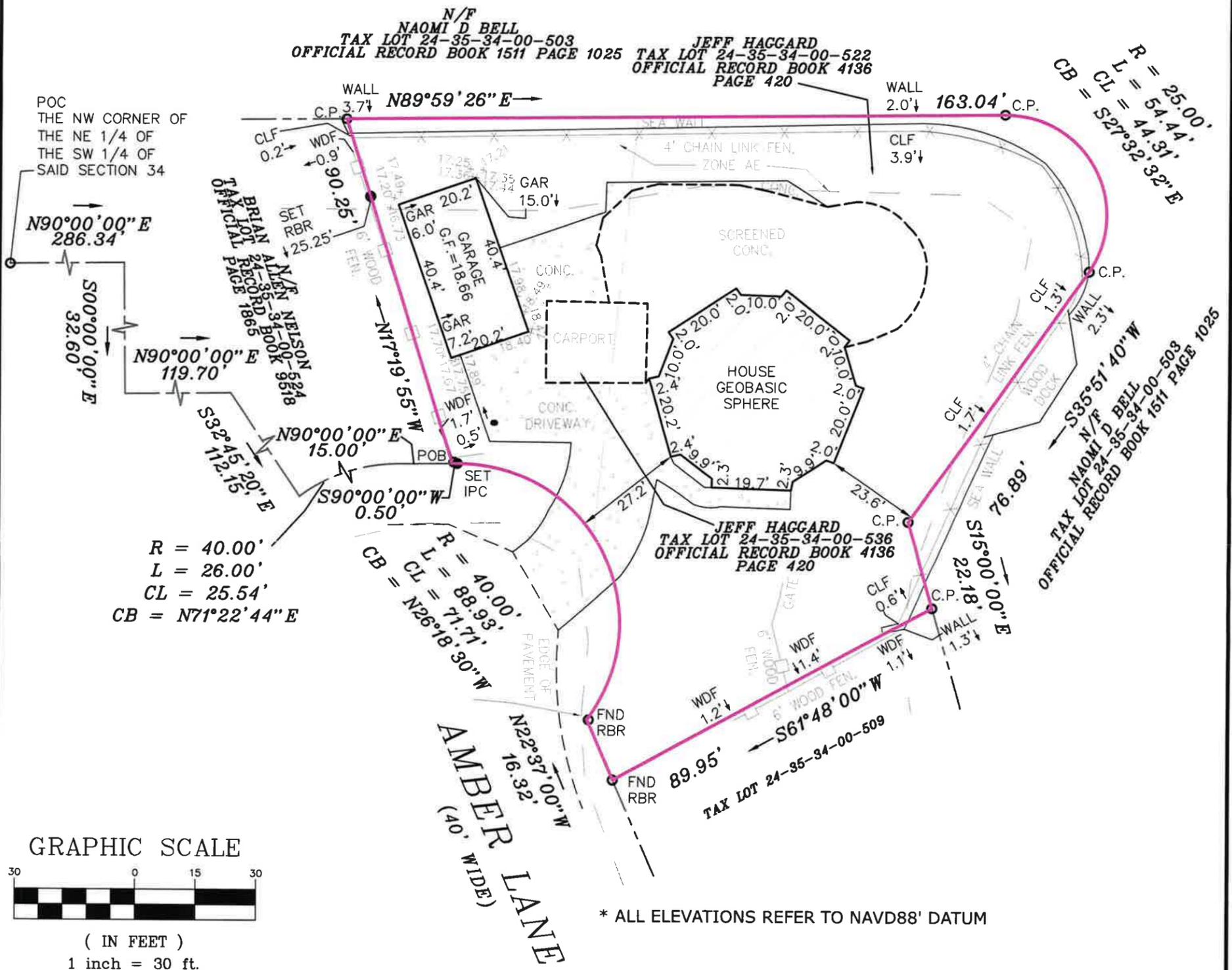
LEGAL DESCRIPTION

TAX PARCEL 24-35-34-00-522

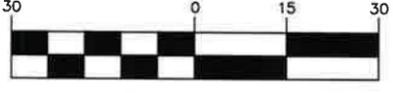
COMMENCE AT THE NW CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND RUN EAST ALONG THE NORTH LINE OF SAID NE 1/4 OF THE SW 1/4 OF SECTION 34, 551.04', THENCE RUN DUE SOUTH, 32.60' TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE RUN EAST AND PARALLEL TO THE SAID NORTH LINE, 90.74' TO THE POINT OF CURVE TO THE RIGHT, THENCE RUN 54.92' ALONG THE ARC OF A 25' RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 125°51'40" TO THE POINT OF TANGENCY, THENCE RUN S35°51'40"W, 76.89', THENCE RUN S15°00'E, 22.18', THENCE RUN S61°48'W, 89.95' TO A POINT ON THE EAST RIGHT OF WAY LINE OF A 40' WIDE ROAD, THENCE RUN N22°37'W, ALONG THE SAID EAST RIGHT OF WAY LINE, 16.32' ALONG THE ARC OF A 40' RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 70°05'16", TO A POINT, THENCE RUN N06°24'45"E, 105.21' TO THE POINT OF BEGINNING

TAX PARCEL 24-35-34-00-536

A PARCEL IN THE NE 1/4 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING A PORTION OF THE LAND DESCRIBED IN ORIGINAL RECORD BOOK 1206, PAGE 360, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NW CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 34, THENCE EAST, ALONG THE NORTH LINE OF SAID SW 1/4, A DISTANCE OF 286.34', THENCE SOUTH, A DISTANCE OF 32.60'; THENCE EAST, PARALLEL TO SAID NORTH LINE OF SAID SW 1/4, A DISTANCE OF 119.70', THENCE S32°45'20"E, A DISTANCE OF 112.15' TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 40.00', SAID RADIUS BEARS S37°13'58"E, THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37°14'32" AN ARC DISTANCE OF 26.00' TO THE POINT OF TANGENCY, THENCE EAST A DISTANCE OF 14.50' TO THE POINT OF BEGINNING, THENCE CONTINUE EAST A DISTANCE OF 0.50', TO THE BEGINNING OF A CIRCULAR CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 40.00', THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°17'44" AN ARC DISTANCE OF 40.00', THENCE N06°24'45"E, A DISTANCE OF 105.21', THENCE WEST AND PARALLEL TO SAID NORTH LINE OF SAID SW 1/4, A DISTANCE OF 72.50'; THENCE S17°19'55"E, A DISTANCE OF 90.25' TO THE POINT OF BEGINNING



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

* ALL ELEVATIONS REFER TO NAVD88' DATUM

SURVEYORS CERTIFICATE

"I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES AND CHAPTER 51-17 OF THE FLORIDA ADMINISTRATIVE CODE, NOT VALID WITHOUT AN ORIGINAL SIGNATURE OR AN AUTHENTICATED ELECTRONIC SIGNATURE."

DANIEL J. JACKSON - FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 7447

PREPARED FOR AND CERTIFIED TO:

JEFF HAGGARD

LOT AREA

18,753.05 S.F.
0.43 AC.

REV	DATE	DESCRIPTION	TR BY	JDL
1	10/23/2023	REVISED SURVEY	TR	JDL
			BY	CHK



SCALICE
land surveying
mjslandsurvey.com P:904-413-9355
205 Marketside Avenue, Suite 200, Ponte Vedra, FL 32081

BOUNDARY SURVEY

560 AMBER LANE, COCOA, FLORIDA 32926

A PARCEL IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA.

D. Jackson
FIRM LB8534

DR.:MC	CREW.:TG	SCALE: 1" = 30'	TAX NO.
DATE SURVEYED: 10/17/2023	JOB No. B23-4395	24-35-34-00-522	24-35-34-00-536

(1) UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF LAW. (2) ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S SEAL & SIGNATURE ARE ORIGINAL TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION. (3) CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SIGNIFY THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE STATE OF FLORIDA. THE CERTIFICATION IS LIMITED TO PERSONS FOR WHOM THE BOUNDARY SURVEY MAP IS PREPARED TO THE TITLE COMPANY, TO THE GOVERNMENTAL AGENCY, AND TO THE LENDING INSTITUTION LISTED ON THIS BOUNDARY SURVEY MAP. (4) THE CERTIFICATIONS HEREON ARE NOT TRANSFERABLE. (5) THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE KNOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE COVERED BY THIS SURVEY. (6) THE OFFSET OR DIMENSIONS SHOWN HEREON FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO GUIDE THE ERECTION OF FENCES, RETAINING WALLS, MOBILE PATIOS, PLANTING AREAS, ADDITIONS TO BUILDINGS, AND ANY OTHER TYPE OF CONSTRUCTION. (7) THE EXISTENCE OF RIGHTS OF WAY AND/OR EASEMENTS OF RECORD IF ANY, NOT SHOWN ARE NOT GUARANTEED. (8) SURVEY IS SUBJECT TO ANY STATE OF FACTS WHICH AN UP-TO-DATE TITLE EXAMINATION MAY DISCLOSE.

TITLE AND BOUNDARY NOTES

- DISTANCES SHOWN HEREON ARE GROUND DISTANCES UNLESS OTHERWISE NOTED AS GRID
- THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS THAT ARE NOT SHOWN ON THIS MAP THAT MAY BE FOUND IN PUBLIC RECORDS OF THIS COUNTY
- UNDERGROUND FOOTINGS, FOUNDATIONS, UTILITIES, OR OTHER FEATURES WERE NOT LOCATED OR SHOWN
- FENCE OWNERSHIP IS NOT DETERMINED
- THE LOT SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE X (0.2% ANNUAL CHANCE FLOOD HAZARD) & ZONE AE (WITHOUT BASE FLOOD ELEVATION) AS SHOWN ON COMMUNITY PANEL NO 12009C0425G, EFFECTIVE DATE OF 03/17/2014

BEARINGS SHOWN HEREON ARE BASED ON RECORDED BOOK 1206 PAGE 360

LEGAL DESCRIPTION

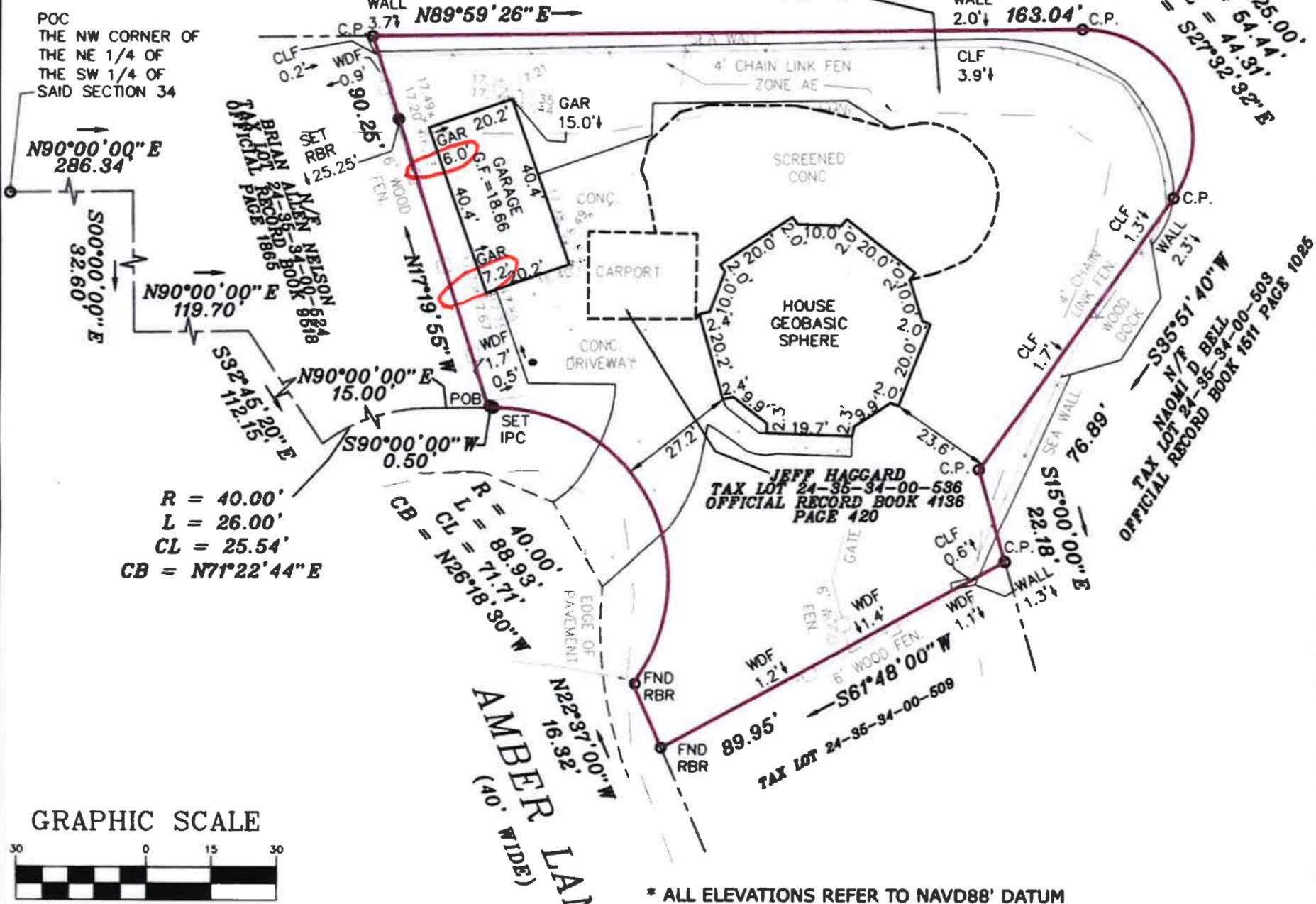
TAX PARCEL 24-35-34-00-522
 COMMENCE AT THE NW CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA AND RUN EAST ALONG THE NORTH LINE OF SAID NE 1/4 OF THE SW 1/4 OF SECTION 34, 551.04', THENCE RUN DUE SOUTH, 32.80' TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE RUN EAST AND PARALLEL TO THE SAID NORTH LINE, 90.74' TO THE POINT OF CURVE TO THE RIGHT, THENCE RUN 54.82' ALONG THE ARC OF A 25' RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 125°51'40" TO THE POINT OF TANGENCY, THENCE RUN S35°51'40"W, 78.80', THENCE RUN S15°00"E, 22.18', THENCE RUN S81°48"W, 80.95' TO A POINT ON THE EAST RIGHT OF WAY LINE OF A 40' WIDE ROAD, THENCE RUN N22°37'W, ALONG THE SAID EAST RIGHT OF WAY LINE, 16.32' ALONG THE ARC OF A 40' RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 70°06'16", TO A POINT, THENCE RUN N06°24'45"E, 105.21' TO THE POINT OF BEGINNING

TAX PARCEL 24-35-34-00-536
 A PARCEL IN THE NE 1/4 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING A PORTION OF THE LAND DESCRIBED IN ORIGINAL RECORD BOOK 1206, PAGE 360, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NW CORNER OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 34, THENCE EAST, ALONG THE NORTH LINE OF SAID SW 1/4, A DISTANCE OF 288.34', THENCE SOUTH, A DISTANCE OF 32.80', THENCE EAST, PARALLEL TO SAID NORTH LINE OF SAID SW 1/4, A DISTANCE OF 119.70', THENCE S32°45'20"E, A DISTANCE OF 112.15' TO A POINT ON A CIRCULAR CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 40.00', SAID RADIUS BEARS S37°13'58"E, THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37°14'32" AN ARC DISTANCE OF 28.00' TO THE POINT OF TANGENCY, THENCE EAST A DISTANCE OF 14.50' TO THE POINT OF BEGINNING, THENCE CONTINUE EAST A DISTANCE OF 0.50', TO THE BEGINNING OF A CIRCULAR CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 40.00', THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 57°17'44" AN ARC DISTANCE OF 40.00', THENCE N06°24'45"E, A DISTANCE OF 105.21', THENCE WEST AND PARALLEL TO SAID NORTH LINE OF SAID SW 1/4, A DISTANCE OF 72.50', THENCE S17°19'55"E, A DISTANCE OF 80.25' TO THE POINT OF BEGINNING

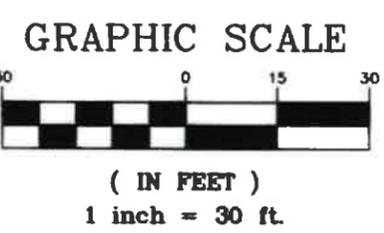


N/F
 NAOMI D BELL
 TAX LOT 24-35-34-00-503
 OFFICIAL RECORD BOOK 1511 PAGE 1025

JEFF HAGGARD
 TAX LOT 24-35-34-00-522
 OFFICIAL RECORD BOOK 4136 PAGE 420



* ALL ELEVATIONS REFER TO NAVD88' DATUM



SURVEYORS CERTIFICATE

"I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AND MEETS THE STANDARDS OF PRACTICE ESTABLISHED BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO CHAPTER 472.027 FLORIDA STATUTES AND CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE. NOT VALID WITHOUT AN ORIGINAL SIGNATURE OR AN AUTHENTICATED ELECTRONIC SIGNATURE."

DANIEL J JACKSON - FLORIDA PROFESSIONAL SURVEYOR AND MAPPER NO. 7447

PREPARED FOR AND CERTIFIED TO:

JEFF HAGGARD

LOT AREA
 18,753.05 S.F.
 0.43 AC.



1	10/23/2023	FIELD SURVEY	TR	JDL
REV	DATE	DESCRIPTION	BY	CHK



SCALICE
 land surveying

mjslandsurvey.com P:904-413-9355
 205 Marketside Avenue, Suite 200, Ponte Vedra, FL 32081

DR.: MC	CREW.: TG	SCALE: 1" = 30'	TAX NO.
DATE SURVEYED: 10/17/2023		JOB No. 823-4395	24-35-34-00-522 24-35-34-00-536

BOUNDARY SURVEY

560 AMBER LANE, COCOA, FLORIDA 32926

A PARCEL IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA.

FIRM LB8534

(1) UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF LAW. (2) ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S SEAL & SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION. (3) CERTIFICATIONS ON THIS BOUNDARY SURVEY MAP SHOW THAT THE MAP WAS PREPARED IN ACCORDANCE WITH THE CURRENT EXISTING BOOK OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE STATE OF FLORIDA. THE CERTIFICATION IS LIMITED TO PERSONS FOR WHOM THE BOUNDARY SURVEY MAP IS PREPARED, TO THE TITLE COMPANY, TO THE GOVERNMENTAL AGENCY, AND TO THE LENDING INSTITUTION LISTED ON THIS BOUNDARY SURVEY MAP. (4) THE CERTIFICATIONS HEREIN ARE NOT TRANSFERABLE. (5) THE LOCATION OF UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN. THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS SURVEY. (6) THE OFFSET (OR DIMENSIONS) SHOWN HEREON FROM THE STRUCTURES TO THE PROPERTY LINES ARE FOR A SPECIFIC PURPOSE AND USE AND THEREFORE ARE NOT INTENDED TO SHOW THE EXISTENCE OF FENCES, RETAINING WALLS, POOLS, PATIOS, PLANTING AREAS, ADDITIONS TO BUILDINGS, AND ANY OTHER TYPE OF CONSTRUCTION. (7) THE EXISTENCE OF RIGHTS OF WAY AND/OR EASEMENTS OF RECORD IF ANY, NOT SHOWN ARE NOT GUARANTEED. (8) SURVEY IS SUBJECT TO ANY STATE OF FACTS WHICH AN UP-TO-DATE TITLE EXAMINATION MAY UNCOVER.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.3.

2/21/2024

Subject:

George R. and Kathy A. Johnson requests one variance for a principal structure in an RVP (Recreation Vehicle Park) zoning classification. (23V00051) (Tax Account 2113201) (District 4)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of Adjustment conduct a public hearing to consider one variance for a primary structure in an RVP (Recreation Vehicle Park) zoning classification.

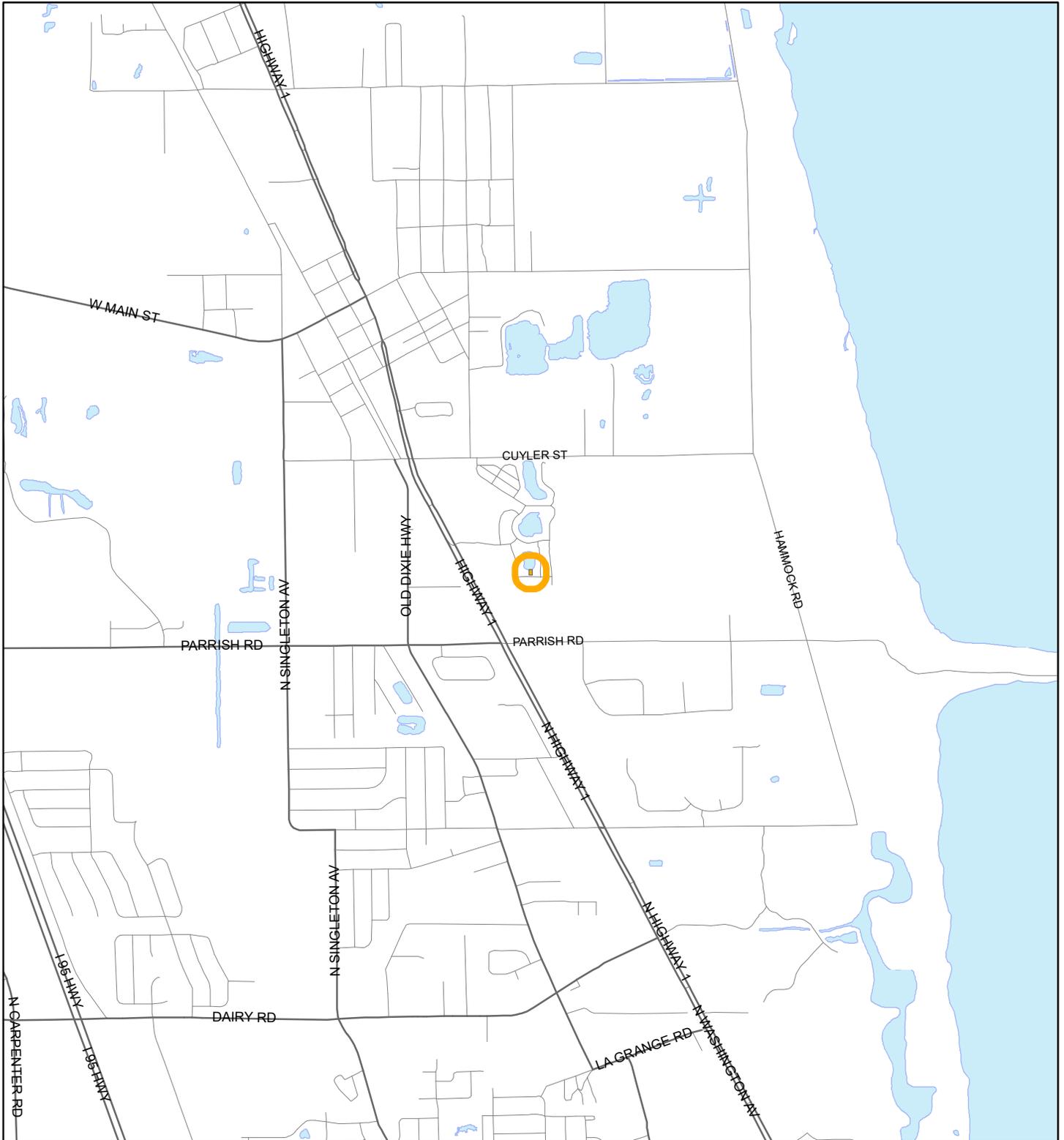
Summary Explanation and Background:

George R. and Kathy A. Johnson requests a variance of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1406 (7)(c), to permit a variance of 4.9 ft. from the required 10-foot side (west) setback for a principal structure in an RVP (Recreational Vehicle Park) zoning classification. The property is 0.12 acres, located on the north side of Bates Place, approx. 120 ft. west of Meander Lane. (2754 Bates Place, Titusville)

Clerk to the Board Instructions:

LOCATION MAP

George & Kathy, Johnson
23V00051



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

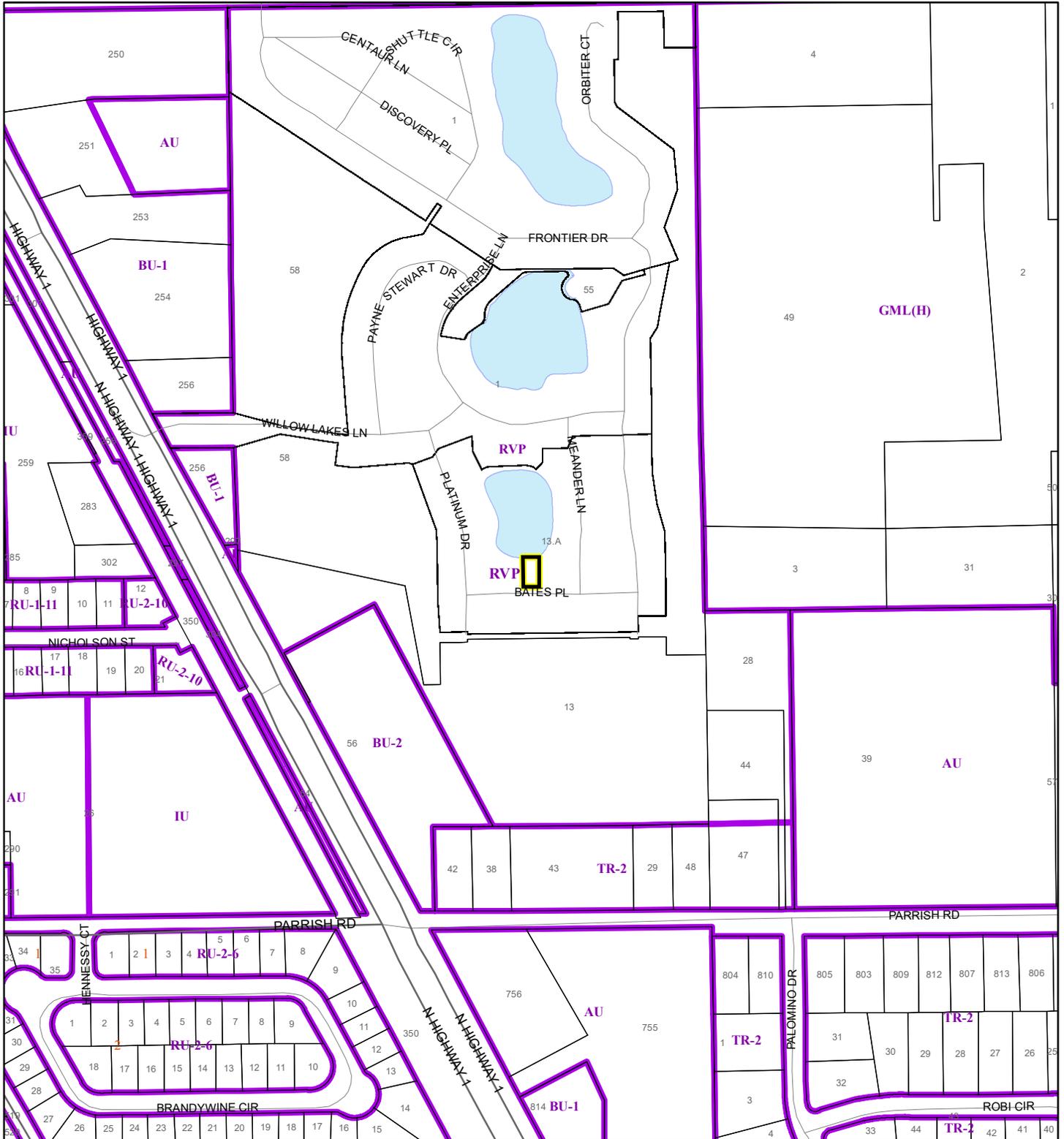
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/10/2024

-  Buffer
-  Subject Property

ZONING MAP

George & Kathy, Johnson
23V00051



1:4,800 or 1 inch = 400 feet

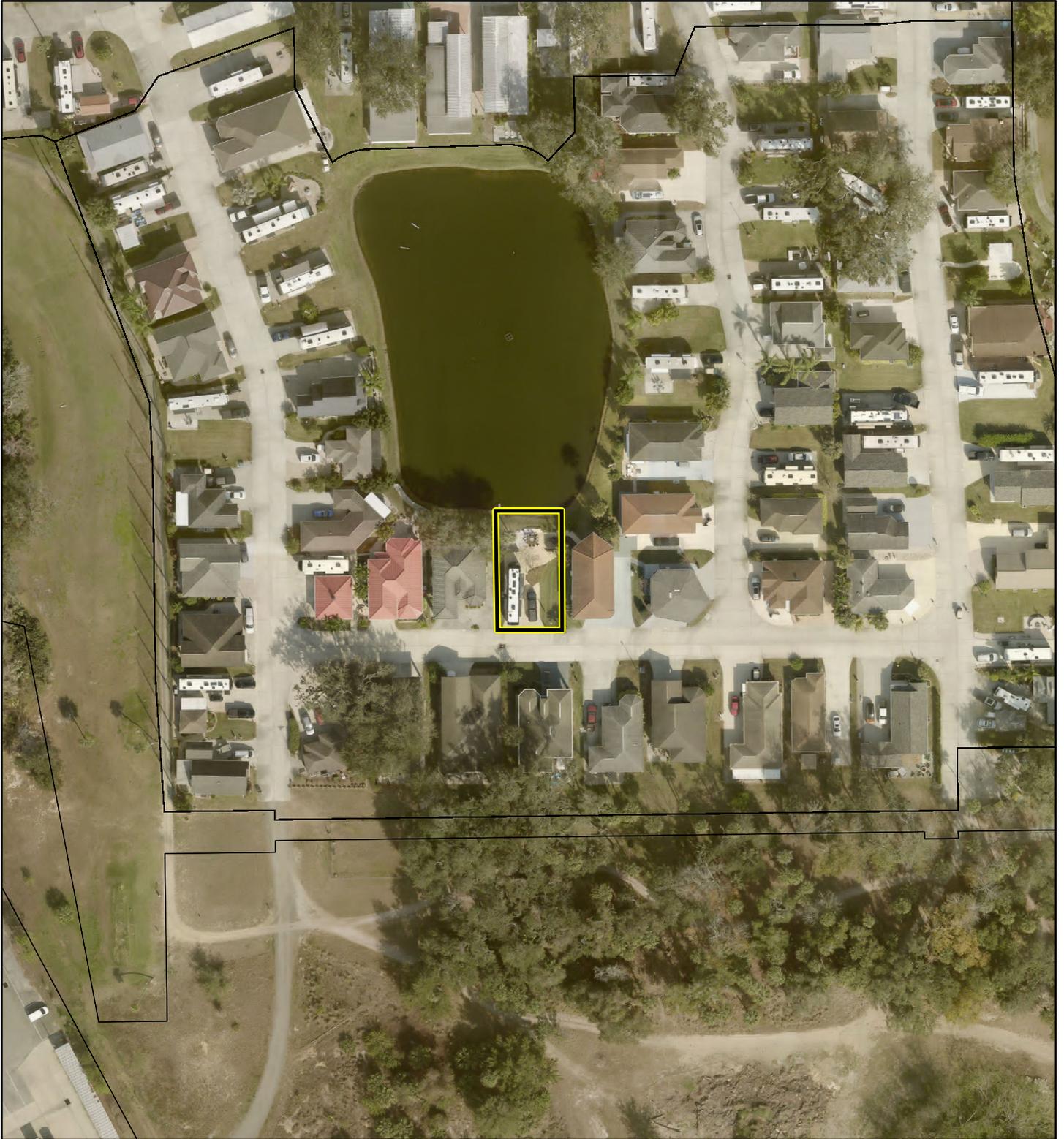
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/10/2024

-  Subject Property
-  Parcels
-  Zoning

AERIAL MAP

George & Kathy, Johnson
23V00051



1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/10/2024

 Subject Property

 Parcels

VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number _____, and
name of contractor _____

No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and the economic return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

LAYOUT OF SLAB & UTILITIES ALREADY EXIST. AS WELL AS AN OUTDOOR KITCHEN SO WE HAVE NO OTHER SIDE TO EXPAND ON THIS LOT.

(2) That the special conditions and circumstances do not result from the actions of the applicant:

WHERE WERE TOLD & MY ENG THOUGHT THE OFFSET WAS 10' & 10' ON FRONT & REAR & 5' & 5' ON SIDES (I BELIEVE THIS WAS AN EARLIER SPEC) LACK OF RV SECURITY (ALREADY EXPERIENCED VANDALISM)

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification:

NO ADVANTAGE BECAUSE LOT SIZE VARIES FROM LOT TO LOT IN ENTIRE PARK. I HAVE LETTERS OF APPROVAL FROM DIRECT NEIGHBOR'S VARIANCE OF SIMILAR REQUEST HAVE BEEN GRANTED.

(over)

(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

Without the variance we will be denied rights commonly enjoyed & allowed by other properties in my park. Without full use of the property I have invested in, RU would be unsecured & subject to vandalism

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

The granting of this variance would make the land able to be utilized to full potential, complimenting existing homes & community. Eliminate a major reduction of living space which is already @ only 987 sq ft. Eliminate possible loss of existing cost's of \$12,300⁰⁰ already spent by owner.

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

This variance allows Willow Lakes Resort community to continue to make development progress, offers future owners an option of space & security. It allows the property to be used to it's full potential of owners investment.

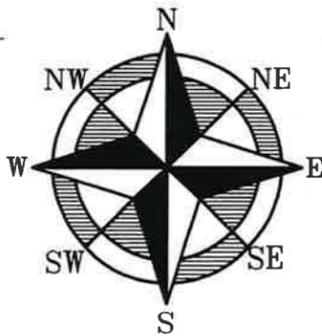
I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant 

Signature of planner 

SKETCH OF SURVEY

PLOT PLAN & BOUNDARY SURVEY



UNIT 285

UNIT 286

UNIT 294

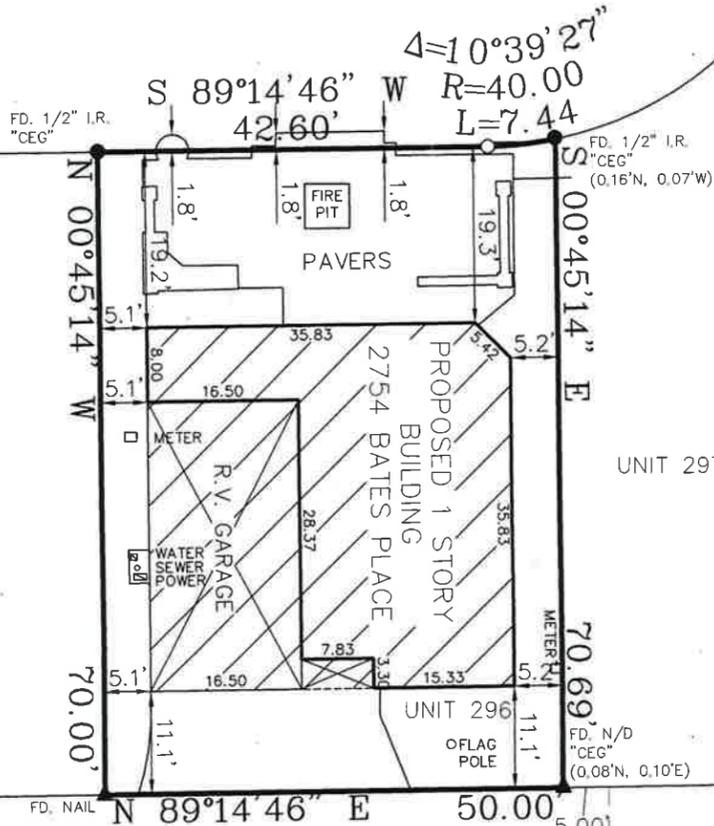
UNIT 295

UNIT 297

LEGAL DESCRIPTION:

UNIT 296, OF WILLOW LAKES RV RESORT, PHASE IIB, A CONDOMINIUM ACCORDING TO THE DECLARATION OF CONOMINIUM THEREOF, RECORDED IN OFFICAL RECORDS BOOK 4092, PAGE 1475, AS AMENDED BY AMENDMENT RECORDED IN OFFICAL RECORDS BOOK 5624, PAGE 4039, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND ANY AMENDMENTS THERETO, TOGETHER WITH ITS UNDIVIDED SHARE IN THE COMMON ELEMENTS.

TRACT "J" LAKE



125.00'(P)

N 89°14'46" E 50.00' 5.00'

BATES PLACE

24' R/W

180.00'(P)
180.03'(M)

FD. NAIL

UNIT 268

UNIT 267

UNIT 266

UNIT 265

UNIT 264

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH THE BOUNDARY IN ACCORDANCE WITH THE FURNISHED LEGAL DESCRIPTION AND SHOW THE ABOVE GROUND IMPROVEMENTS TO ENABLE THE OWNERS OF THIS PROPERTY TO OBTAIN PERMITS/INSPECTIONS.

LEGEND:

A/C = AIR CONDITIONER
A.K.A. = ALSO KNOWN AS
ALUM = ALUMINUM
AVE = AVENUE
BLK = BLOCK
BLVD = BOULEVARD
BM = BENCHMARK
(CALC) = CALCULATED
CB = CHORD BEARING
C.B.S. = CONCRETE BLOCK STRUCTURE
CD = CHORD DISTANCE
C.L. = CHAIN LINK FENCE
CL = CENTER LINE
CM = CONCRETE MONUMENT
CONC. = CONCRETE
CT = COURT
(D) = DEED
DR = DRIVE
DB = DEED BOOK
D/W = DRIVEWAY

50x00 = PROPOSED ELEVATION
50x00 = ELEVATION SHOT
→ = DRAINAGE FLOW
ESMT = EASEMENT
ELEV = ELEVATION
FF = FINISH FLOOR
FD = FOUND
FH = FIRE HYDRANT
I.P. = IRON PIPE
I.R. = IRON ROD
LB = LICENSED BUSINESS
(M) = MEASURED
N/D = NAIL & DISK
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
ORB = OFFICIAL RECORDS BOOK
OHW = OVERHEAD WIRE
(P) = PLAT
(P.R.) = PRO-RATED
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT

WETLAND FLAGS
U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT
PC = POINT OF CURVATURE
PRC = POINT OF REVERSE CURVATURE
P.T. = POINT OF TANGENCY
P.I. = POINT OF INTERSECTION
PCP = PERMANENT CONTROL POINT
PLS = PROFESSIONAL LAND SURVEYOR
PG = PAGE
PB = PLAT BOOK
R/W = RIGHT-OF-WAY
R.P. = RADIUS POINT
S.P. = SCREEN PORCH
ST = STREET
S/W = SIDEWALK
W.F. = WOOD FENCE
WM = WATER METER
WV = WATER VALVE

SURVEY SYMBOLS

± = MORE OR LESS
O = POWER POLE
→ = GUY WIRE
L = ARC LENGTH
R = RADIUS
Δ = DELTA
[Hatched Box] = COVERED AREA
[Dotted Box] = CONC.
--- = CENTER LINE
---X--- = FENCE
--- = EASEMENT
● = FOUND AS NOTED
▲ = FOUND NAIL & DISK
■ = FOUND CONCRETE MONUMENT
○ = SET 5/8" IRON ROD "COOPER LB 6544"
△ = SET NAIL & DISK "COOPER LB 6544"
□ = SET 4"x4" CONCRETE MONUMENT "COOPER LB 6544"

DRAWN BY: JAB

CHECKED BY: J.W.C.

SURVEYORS NOTES:

- Unless otherwise noted, only platted easements are shown hereon.
- No underground utilities or improvements, were located unless otherwise shown.
- The surveyor no longer certifies the F.E.M.A. Zone. This certification is made by an independent contractor of the Federal Government. As a courtesy to the client, this surveyor feels that this parcel lies in F.I.R.M. Zone X per Community Panel No. 125092C0115H, dated 1/29/21.
- Unless otherwise noted, any elevations shown are based on assumed datum.
- Bearing shown hereon are based on the WEST LINE OF SUBJECT PROPERTY as being N 00°45'14" W, according to the Plat of WILLOW LAKES PHASE IIB as recorded in official records book 5624, at page 4039 of the Public Records of Brevard County, Florida.
- This survey is prepared and certified for the exclusive use of the client named hereon.
- Unless this sketch of survey bears the signature and raised seal of John W. Cooper PLS 5093, it is for information purposes only and is not a valid survey.
- Additions or deletions to this sketch of survey by other than the signing party is prohibited without written consent of the signing party.
- Ownership of fences is unknown unless otherwise noted. Due to the nature of fences it is recommended that you contact the undersigned surveyor prior to removal or installation of any fence.

SCALE: 1" = 20'

SECTION 20, TOWNSHIP 21 S., RANGE 35 E.

LEGAL DESCRIPTION:
SEE ABOVE

CERTIFIED TO:

K & R JOHNSON HOLDINGS LLC

John W. Cooper
LAND SURVEYING INC.
2326 S. HOPKINS AVENUE
Titusville, Florida 32780
LB 6544
(321) 268-5646
FAX (321) 268-5688

I hereby certify that this survey meets the Standards of Practice as set forth by the Florida Department of Agriculture and Consumer Services in Chapter 5J-15.051 Florida Administrative Code, Pursuant to section 472.027, Florida Statutes.

John W. Cooper
John W. Cooper PSM 5093
12/16/23
Date Signed

PROJECT No.	DATE	REVISION
23-07-20	7/25/23	BOUNDARY IMPROVEMENTS
23-07-20A	8/27/23	PLOT PLAN
23-07-20A12/8/23		ADD REAR OFFSET

SURVEY DATE: 7/25/23 PROJECT # 23-07-20A



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.4.

2/21/2024

Subject:

Roxy and Cheri White requests five variances for accessory structures in an RR-1 zoning classification. (23V00052) (Tax Account 2406894) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of Adjustment conduct a public hearing to consider five variances for accessory structures in an RR-1 (Rural Residential) zoning classification.

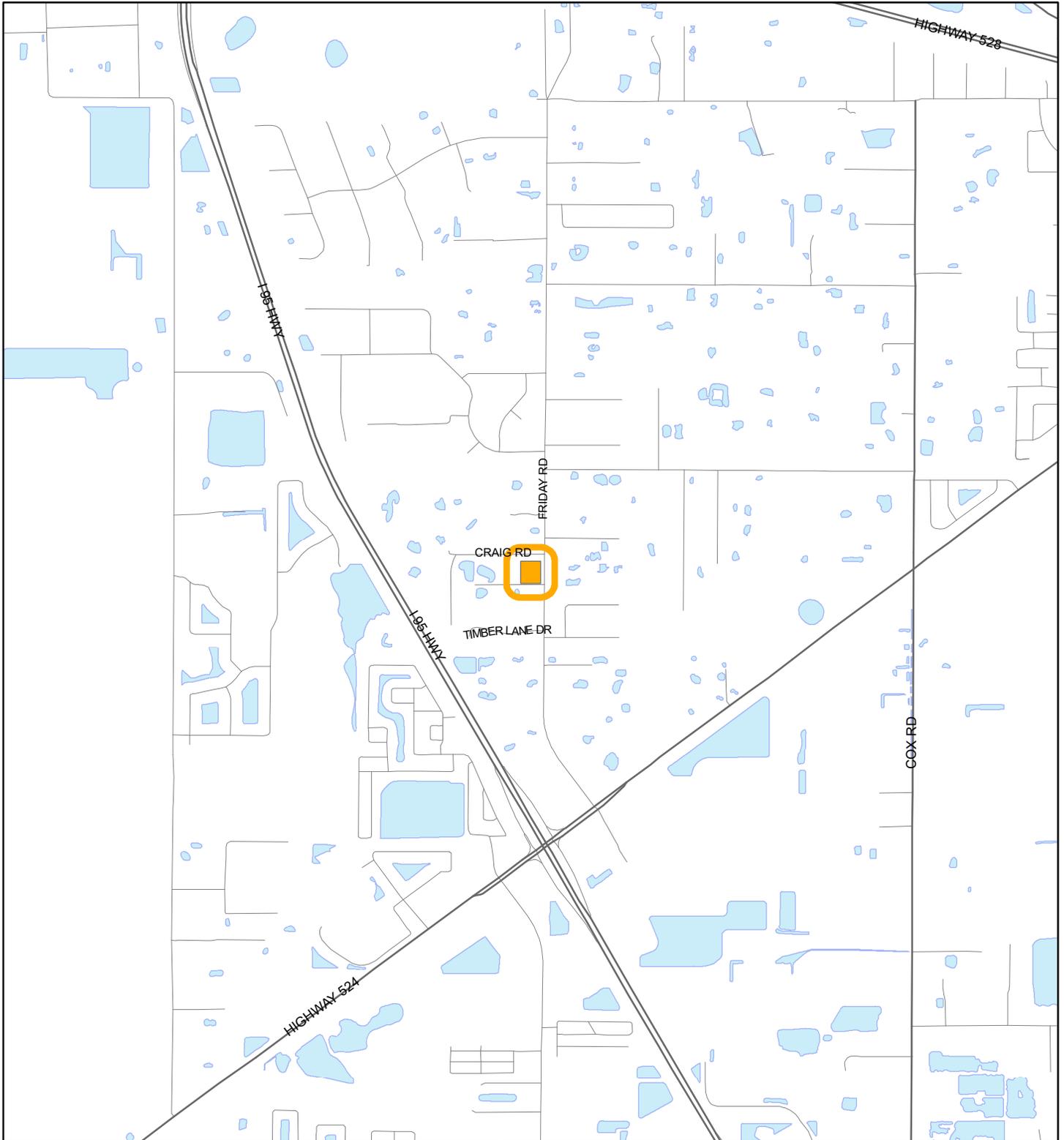
Summary Explanation and Background:

Roxy and Cheri White requests variances of Chapter 62, Article VI, Brevard County Code as follows, 1.) Section 62-2100.5(1)(b), to permit a variance of 606 sq. ft. over the permitted 3,790 sq. ft. of all detached accessory buildings exceeding the floor area of the principal structure; 2.) Section 62-1336(5)(b), to permit a variance of 3.1 ft from the required 15-foot side (south) setback for an accessory structure; 3.) Section 62-1336(5)(b), to permit a variance of 2.8 ft from the required 15-foot rear setback for an accessory structure; 4.) Section 62-2100.5(1)(d), to permit a variance of 423 square feet over the permitted 50% of living area of the principal structure size limitation for an accessory structure; 5.) Section 62-2100.5(1)(a), to permit a variance of one additional accessory structure over the permitted seven accessory structures in an RR-1 (Rural Residential) zoning classification. The property is 2.12 acres, located on the west side of Friday Road, approx. 113 ft south of Craig Rd. (1665 Friday Rd., Cocoa)

Clerk to the Board Instructions:

LOCATION MAP

Roxy & Cheri White
23V00052



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

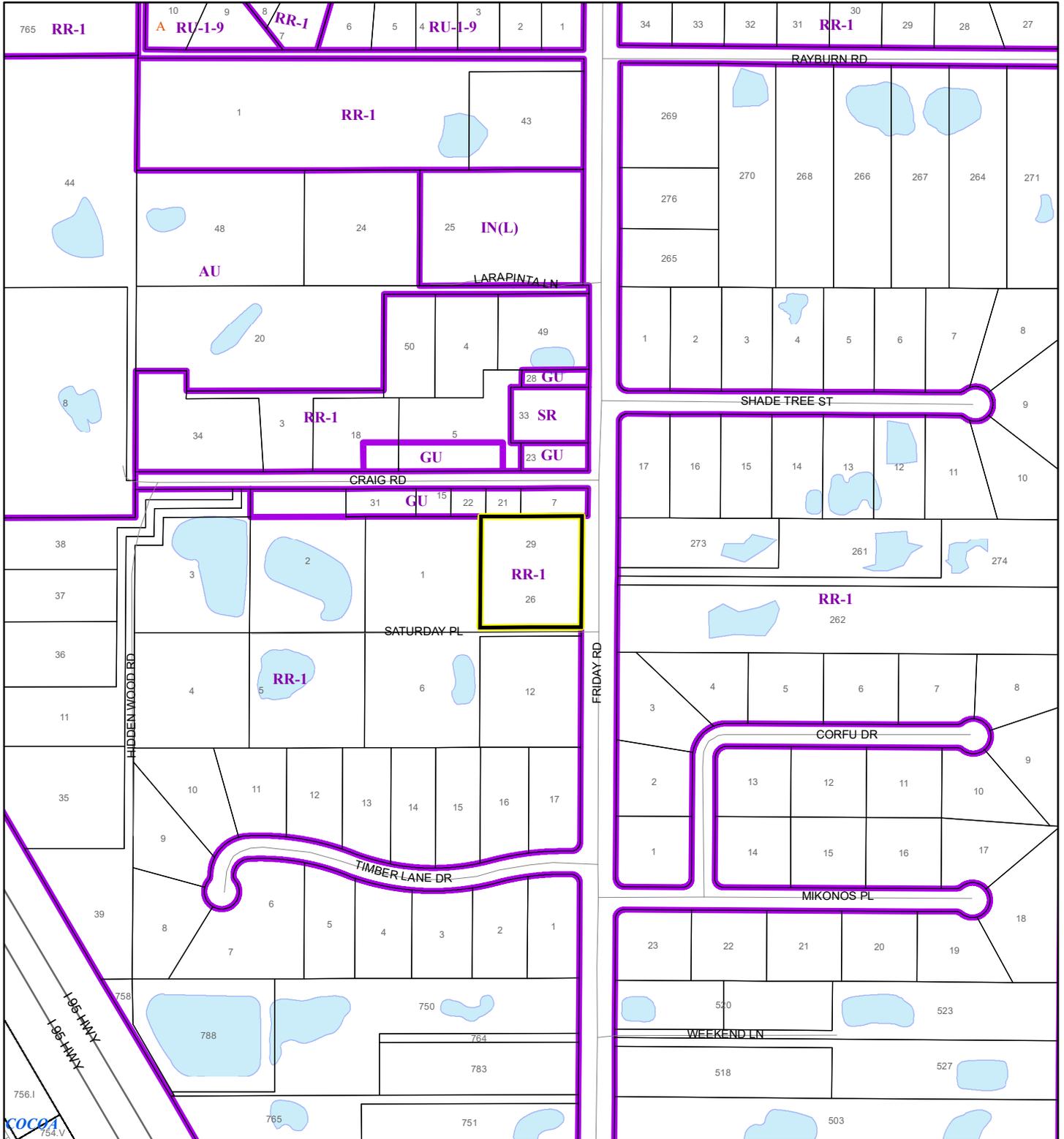
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/10/2024

-  Buffer
-  Subject Property

ZONING MAP

Roxy & Cheri White
23V00052



1:4,800 or 1 inch = 400 feet

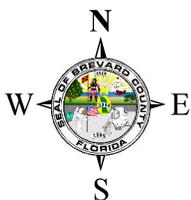
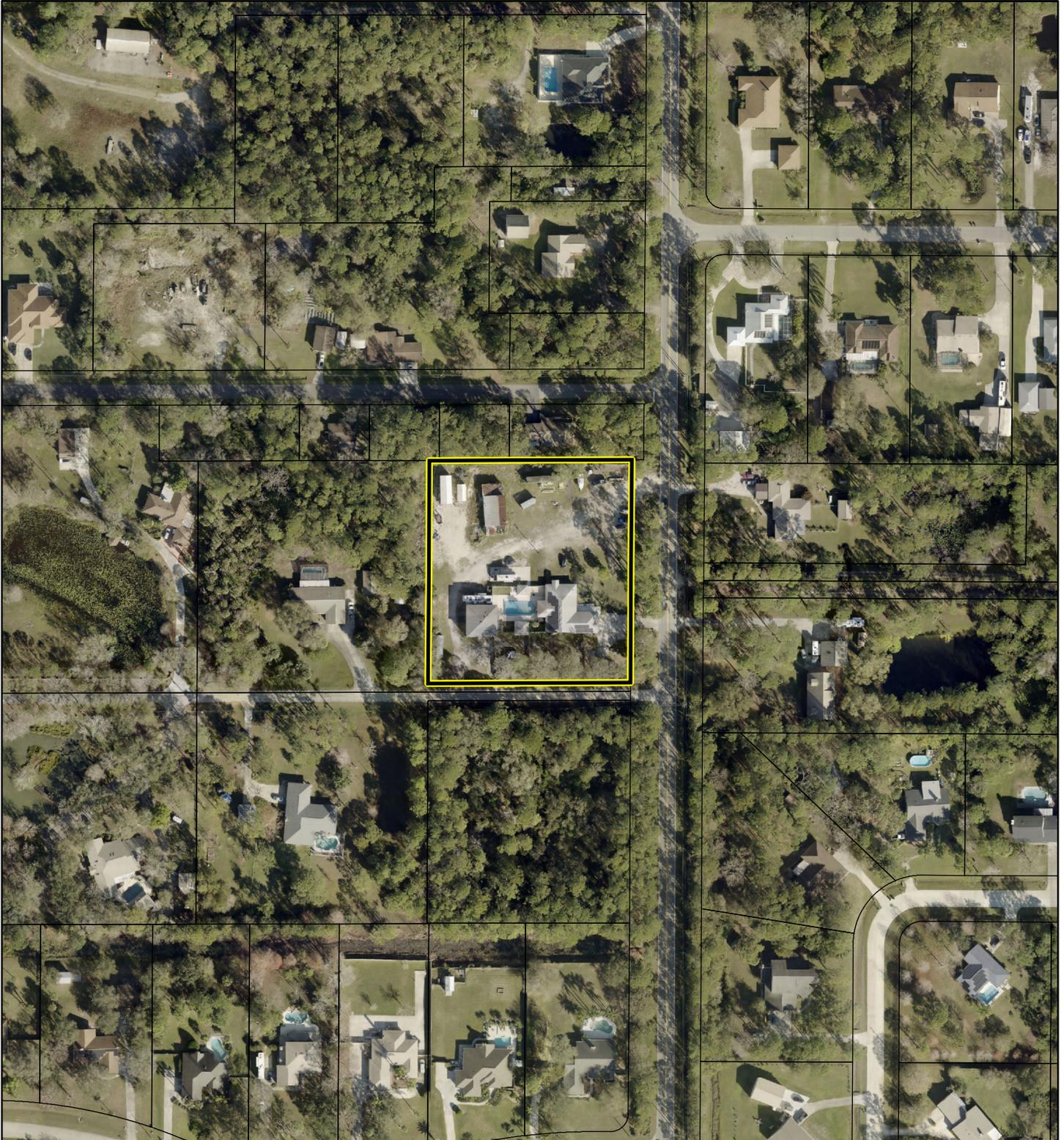
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/10/2024

- Subject Property
- Parcels
- Zoning

AERIAL MAP

Roxy & Cheri White
23V00052



1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/10/2024

 Subject Property
 Parcels

VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number 23CE-006666, and
name of contractor N/A

No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

Many structures like ours are on properties
adjacent to surrounding properties

(2) That the special conditions and circumstances do not result from the actions of the applicant:

We have applied for a permit pending this variance
because the contractor should have applied for one, and didn't.
We were unaware of this because we had received the state
permit that came with the buildings.

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification:

Structures are on back of property with woods
on the north side and west side. The south side is mostly
vacant and the east side is blocked by a barn.

(over)

(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

See attached pictures.

Many properties have like buildings and some up to 3 plus lg garage all exceed the sq footage of the residence.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

We are asking for (2) additional small buildings for storage. We have had people drive thru our property and as a result we continually have tools stolen and tires placed in our dumpster.

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

It cleans the property of debris associated with the plumbing company.

I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant

Chris White

Signature of planner

Lisa Nelson

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND RUN SOUTH 89 DEGREES 34' 50" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 50.0 FEET TO THE POINT-OF-BEGINNING; THENCE SOUTH 00 DEGREES 03' 18" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 159.32 FEET, TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 00 DEGREES 03' 18" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 159.32 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SATURDAY PLACE, AS SHOWN ON THAT PLAT OF ROBINSON ESTATES, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE SOUTH 89 DEGREES 34' 39" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 289.18 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION, THENCE NORTH 00 DEGREES 02' 46" EAST, ALONG THE EAST LINE OF SAID LOT, A DISTANCE OF 159.34 FEET; THENCE NORTH 89 DEGREES 34' 44" EAST, A DISTANCE OF 289.21 FEET TO THE POINT OF BEGINNING.

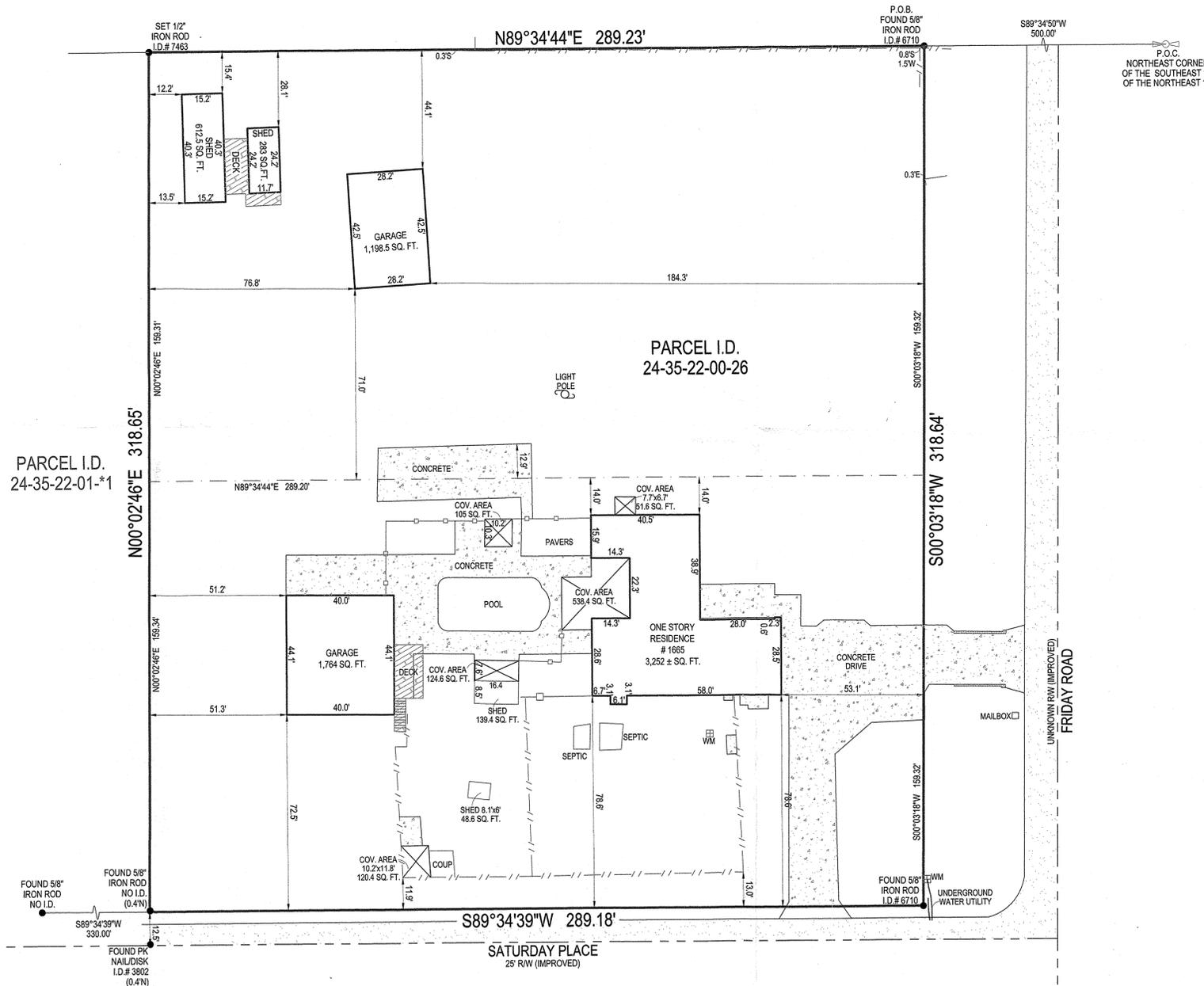
A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF NORTHEAST 1/4 AND RUN SOUTH 89 DEGREES 34'50" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 50.0 FEET TO THE POINT-OF-BEGINNING; THENCE SOUTH 00 DEGREES 03'18" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 159.32 FEET; THENCE SOUTH 89 DEGREES 34'39" WEST, A DISTANCE OF 289.21 FEET TO LOT 1 OF SAID SUBDIVISION KNOWN AS ROBINSON ESTATES AS RECORDED IN PLAT BOOK 29, PAGE 15; THENCE NORTH 00 DEGREES 02'46" EAST, ALONG THE EAST LINE OF SAID LOT A DISTANCE OF 159.33 FEET; THENCE NORTH 89 DEGREES 34'44" EAST, A DISTANCE OF 289.23 FEET TO THE POINT OF BEGINNING.

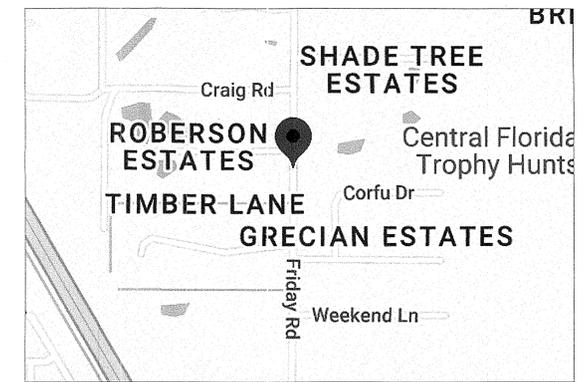
BOUNDARY SURVEY OF
1665 FRIDAY ROAD
COCOA, FL 32926

CERTIFIED TO:
CHERI WHITE

Flood Zone: X
 Community Number: 125092
 Panel: 12009C0320
 Suffix: H
 FIRM Date: 01/29/2021



- LEGEND**
- A/C AIR CONDITIONER
 - B.P. BACKFLOW PREVENTER
 - C.B.S. CONCRETE BLOCK STRUCTURE
 - E.L. ELEVATION
 - F.F. FINISHED FLOOR
 - I.D. IDENTIFICATION
 - L. LENGTH
 - L.B. LICENSED BUSINESS
 - M. MEASURED
 - N.T.S. NOT TO SCALE
 - N&D NAIL & DISC
 - N.A.V. NORTH AMERICAN VERTICAL DATUM
 - N.G.V. NATIONAL GEODETIC VERTICAL DATUM
 - O.R.B. OFFICIAL RECORDS BOOK
 - P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
 - P.R.M. PERMANENT REFERENCE MONUMENT
 - P.P.C. PAGE
 - P.B. PLAT BOOK
 - P.K. PARKER KYLON NAIL
 - R. RADIUS
 - T.A.N. TANGENT
 - T.B.M. TEMPORARY BENCH MARK
 - C.L. CENTERLINE
 - AND NUMBER
 - DELTA OR CENTRAL ANGLE
 - CONCRETE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - CHAIN LINK FENCE
 - WOOD FENCE
 - MISCELLANEOUS FENCE
 - U.E. UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT



VICINITY MAP
 NOT TO SCALE

NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
6. THE BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTHERLY PROPERTY LINE, HAVING A BEARING OF S89°34'39"W.

DATE OF FIELD WORK: 11/03/2023
 DATE OF MAP: 11/07/2023

- REVISIONS:
1. LOCATED UTILITIES... 11/07/2023
 2. REVISED BOUNDARY... 11/14/2023
 3. ADD BUILDING SQ. FOOTAGE... 11/29/2023

SURVEYORS CERTIFICATE:
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED) *Kenneth J. Osborne*
KENNETH J. OSBORNE
 PROFESSIONAL SURVEYOR & MAPPER #6415

Project **C-607373** Sheet
 Date **11/03/2023** **1 OF 1**
 Scale **1"=25'**



6250 N. MILITARY TRAIL
 SUITE 102
 WEST PALM BEACH, FL 33407
 PHONE: 561.640.4800
 FAX: 561.640.0576

LB #7463

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND RUN SOUTH 89 DEGREES 34' 50" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 50.0 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF FRIDAY ROAD; THENCE SOUTH 00 DEGREES 03' 18" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 159.32 FEET, TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 00 DEGREES 03' 18" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 159.32 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SATURDAY PLACE, AS SHOWN ON THAT PLAT OF ROBINSON ESTATES, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE SOUTH 89 DEGREES 34' 39" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 289.18 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION, THENCE NORTH 00 DEGREES 02' 46" EAST, ALONG THE EAST LINE OF SAID LOT, A DISTANCE OF 159.34 FEET; THENCE NORTH 89 DEGREES 34' 44" EAST, A DISTANCE OF 289.21 FEET TO THE POINT OF BEGINNING.

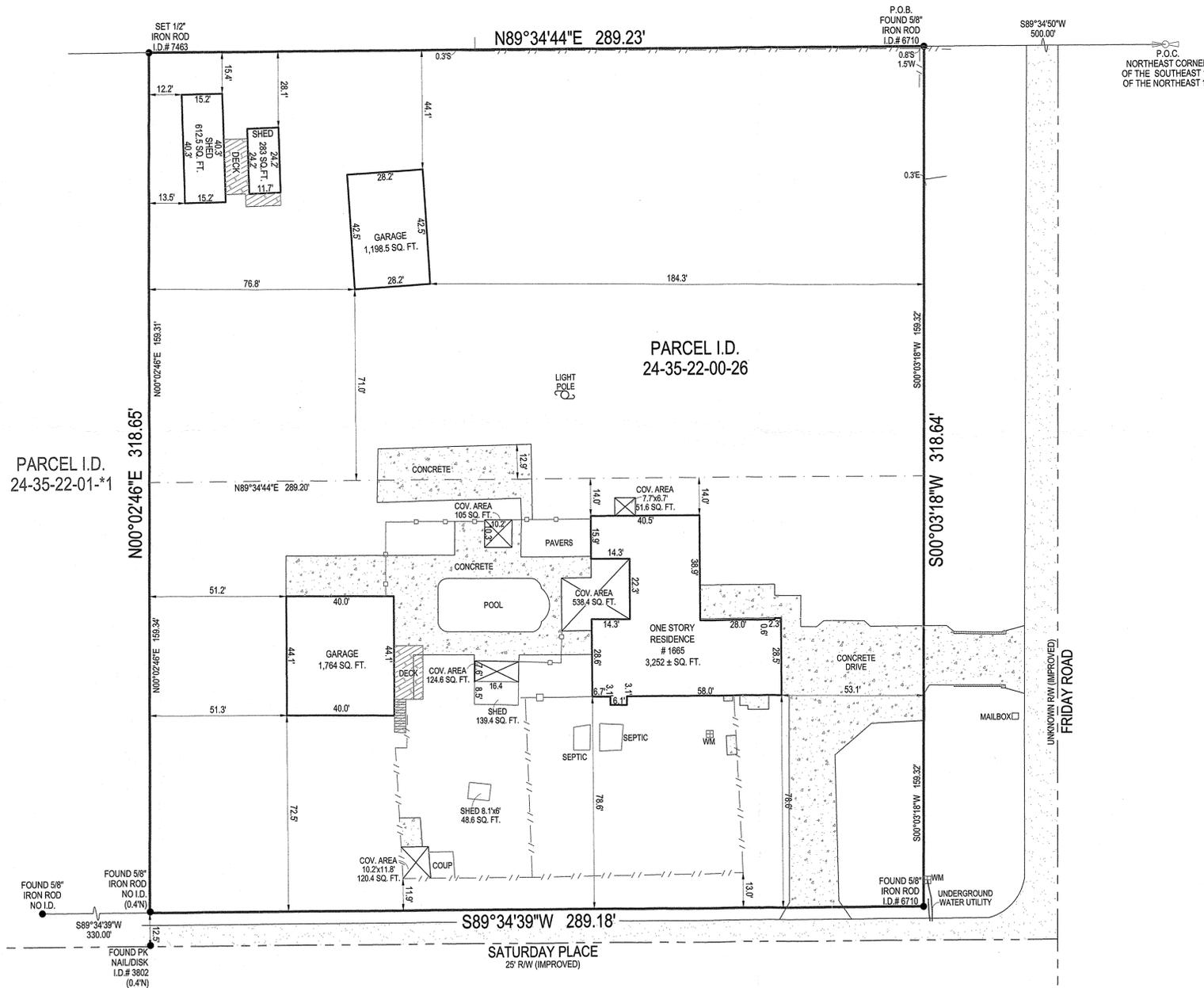
A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF NORTHEAST 1/4 AND RUN SOUTH 89 DEGREES 34'50" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 50.0 FEET TO THE POINT-OF-BEGINNING; THENCE SOUTH 00 DEGREES 03'18" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 159.32 FEET; THENCE SOUTH 89 DEGREES 34'39" WEST, A DISTANCE OF 289.21 FEET TO LOT 1 OF SAID SUBDIVISION KNOWN AS ROBINSON ESTATES AS RECORDED IN PLAT BOOK 29, PAGE 15; THENCE NORTH 00 DEGREES 02'46" EAST, ALONG THE EAST LINE OF SAID LOT A DISTANCE OF 159.33 FEET; THENCE NORTH 89 DEGREES 34'44" EAST, A DISTANCE OF 289.23 FEET TO THE POINT OF BEGINNING.

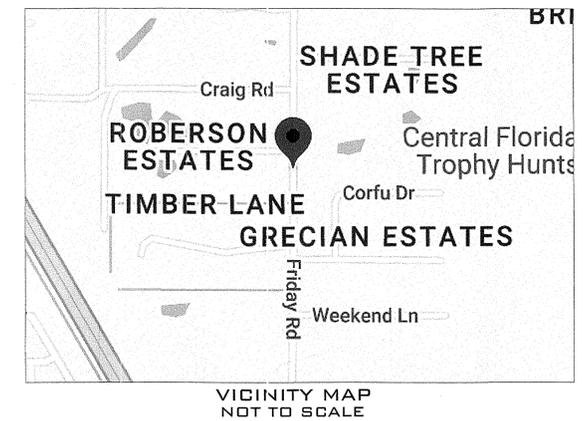
BOUNDARY SURVEY OF
1665 FRIDAY ROAD
COCOA, FL 32926

CERTIFIED TO:
CHERI WHITE

Flood Zone: X
 Community Number: 125092
 Panel: 12009C0320
 Suffix: H
 FIRM Date: 01/29/2021



- LEGEND**
- A/C AIR CONDITIONER
 - B.P. BACKFLOW PREVENTER
 - C.B.S. CONCRETE BLOCK STRUCTURE
 - E.E. ELEVATION
 - F.F. FINISHED FLOOR
 - I.D. IDENTIFICATION
 - L. LENGTH
 - L.B. LICENSED BUSINESS
 - M. MEASURED
 - N.T.S. NOT TO SCALE
 - N&D NAIL & DISC
 - N.A.V. NORTH AMERICAN VERTICAL DATUM
 - N.G.V. NATIONAL GEODETIC VERTICAL DATUM
 - O.R.B. OFFICIAL RECORDS BOOK
 - P.S.M. PROFESSIONAL SURVEYOR AND MAPPER
 - P.R.M. PERMANENT REFERENCE MONUMENT
 - P.C. PAGE
 - P.B. PLAT BOOK
 - P.K. PARKER KYLON NAIL
 - R. RADIUS
 - T.A.N. TANGENT
 - T.B.M. TEMPORARY BENCH MARK
 - C. CENTERLINE
 - A. AND
 - N. NUMBER
 - DELTA OR CENTRAL ANGLE
 - CONCRETE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - CHAIN LINK FENCE
 - WOOD FENCE
 - MISCELLANEOUS FENCE
 - U.E. UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT



NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
5. SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
6. THE BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTHERLY PROPERTY LINE, HAVING A BEARING OF S89°34'39"W.

DATE OF FIELD WORK: 11/03/2023
 DATE OF MAP: 11/07/2023

- REVISIONS:
1. LOCATED UTILITIES... 11/07/2023
 2. REVISED BOUNDARY... 11/14/2023
 3. ADD BUILDING SQ. FOOTAGE... 11/29/2023

SURVEYORS CERTIFICATE:
 I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth J. Osborne
 (SIGNED) KENNETH J. OSBORNE
 PROFESSIONAL SURVEYOR & MAPPER #6415

Project **C-607373** Sheet
 Date **11/03/2023** **1 OF 1**
 Scale **1"=25'**



6250 N. MILITARY TRAIL
 SUITE 102
 WEST PALM BEACH, FL 33407
 PHONE: 561.640.4800
 FAX: 561.640.0576

LB #7463

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND RUN SOUTH 89 DEGREES 34' 50" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 50.0 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF FRIDAY ROAD; THENCE SOUTH 00 DEGREES 03' 18" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 159.32 FEET, TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 00 DEGREES 03' 18" WEST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 159.32 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SATURDAY PLACE, AS SHOWN ON THAT PLAT OF ROBINSON ESTATES, AS RECORDED IN PLAT BOOK 29, PAGE 15 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, THENCE SOUTH 89 DEGREES 34' 39" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 289.18 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION, THENCE NORTH 00 DEGREES 02' 46" EAST, ALONG THE EAST LINE OF SAID LOT, A DISTANCE OF 159.34 FEET; THENCE NORTH 89 DEGREES 34' 44" EAST, A DISTANCE OF 289.21 FEET TO THE POINT OF BEGINNING.

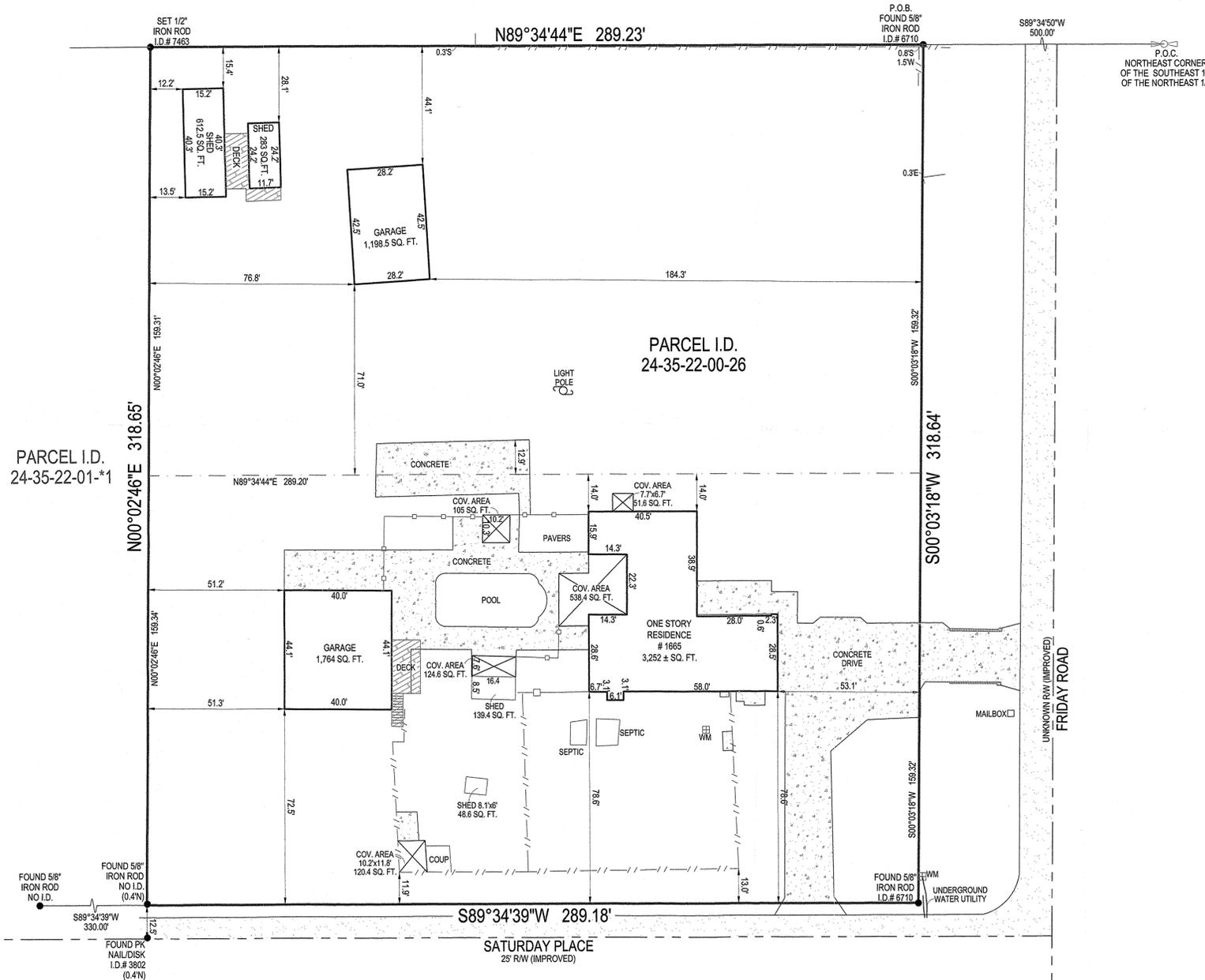
A PARCEL OF LAND LYING IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 35 EAST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4 OF NORTHEAST 1/4 AND RUN SOUTH 89 DEGREES 34'50" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 50.0 FEET TO THE POINT-OF-BEGINNING; THENCE SOUTH 00 DEGREES 03'18" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 159.32 FEET; THENCE SOUTH 89 DEGREES 34'39" WEST, A DISTANCE OF 289.21 FEET TO LOT 1 OF SAID SUBDIVISION KNOWN AS ROBINSON ESTATES AS RECORDED IN PLAT BOOK 29, PAGE 15; THENCE NORTH 00 DEGREES 02'46" EAST, ALONG THE EAST LINE OF SAID LOT A DISTANCE OF 159.33 FEET; THENCE NORTH 89 DEGREES 34'44" EAST, A DISTANCE OF 289.23 FEET TO THE POINT OF BEGINNING.

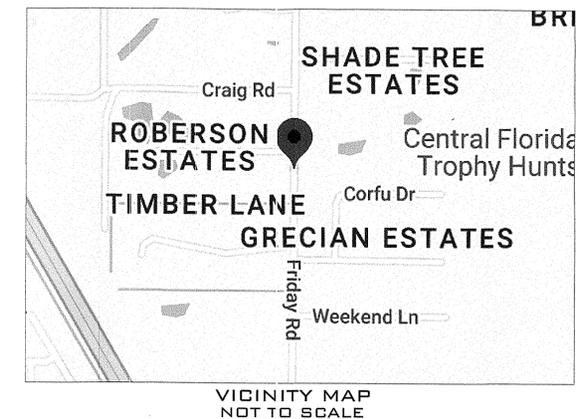
**BOUNDARY SURVEY OF
1665 FRIDAY ROAD
COCOA, FL 32926**

**CERTIFIED TO:
CHERI WHITE**

Flood Zone: X
Community Number: 125092
Panel: 12J09C0320
Suffix: H
FIRM Date: 01/29/2021



- LEGEND**
- A/C AIR CONDITIONER
 - B.F.P. BACKFLOW PREVENTER
 - C.B.S. CONCRETE BLOCK STRUCTURE
 - EL. ELEVATION
 - FF. FINISHED FLOOR
 - I.D. IDENTIFICATION
 - L. LENGTH
 - L.B. LICENSED BUSINESS
 - M. MEASURED
 - M.T.S. MET TO SCALE
 - N&D NAIL & DISC
 - N.A.V. NORTH AMERICAN VERTICAL DATUM
 - N.G.V. NATIONAL GEODETIC VERTICAL DATUM
 - O.R.B. OFFICIAL RECORDS BOOK
 - PLAT
 - PSM PROFESSIONAL SURVEYOR AND MAPPER
 - P.R.M. PERMANENT REFERENCE MONUMENT
 - P.B. PLAT BOOK
 - P.K. PARKER KYLON NAIL
 - R. RADIUS
 - TAN. TANGENT
 - T.B.M. TEMPORARY BENCH MARK
 - C. CENTERLINE
 - AND
 - NUMBER
 - DE A OR CENTRAL ANGLE
 - CONCRETE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - x- CHAIN LINK FENCE
 - /- WOOD FENCE
 - .- MISCELLANEOUS FENCE
 - U.E. UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT



- NOTES:**
- LEGAL DESCRIPTION PROVIDED BY CLIENT
 - NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
 - NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
 - ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
 - SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
 - THE BEARINGS SHOWN HEREON ARE BASED UPON THE SOUTHERLY PROPERTY LINE, HAVING A BEARING OF S89°34'39"W.

DATE OF FIELD WORK: 11/03/2023
DATE OF MAP: 11/07/2023
REVISIONS:
1. LOCATED UTILITIES... 11/07/2023
2. REVISED BOUNDARY... 11/14/2023
3. ADD BUILDING SQ. FOOTAGE... 11/29/2023

SURVEYORS CERTIFICATE:
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED) *Kenneth J. Osborne*
KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR & MAPPER #6415

Project C-607373 Sheet
Date 11/03/2023 1 of 1
Scale 1"=25'



6250 N. MILITARY TRAIL
SUITE 102
WEST PALM BEACH, FL 33407
PHONE: 561.640.4800
FAX: 561.640.0576
LB #7463



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Public Hearing

G.5.

2/21/2024

Subject:

Joshua Way and Katelynd Willis requests one variance for lot acreage and one variance for lot width in an AU zoning classification. (24V00001) (Tax Account 2103392) (District 1)

Fiscal Impact:

None

Dept/Office:

Planning and Development

Requested Action:

It is requested that the Board of Adjustment conduct a public hearing to consider two variances for lot size in an AU (Agricultural Residential) zoning classification.

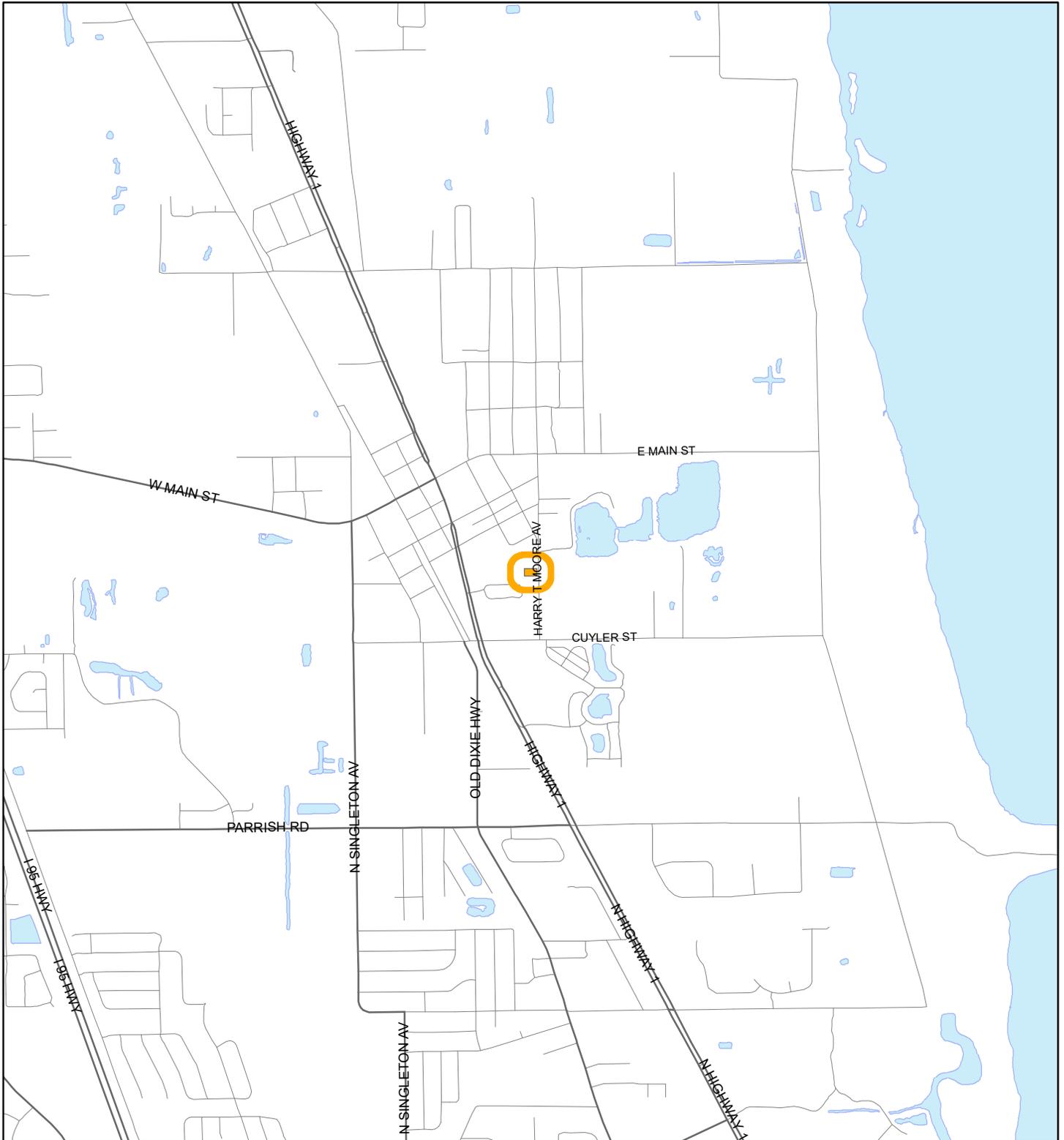
Summary Explanation and Background:

Joshua J. Way and Katelynd M. Willis requests variances of Chapter 62, Article VI, Brevard County Code as follows, 1.) Section 62-1334(4), to permit a variance of 1.99 acres from the 2.5 acres required for lot size; 2.) Section 62-1334(4), to permit a variance of 45 feet from the 150-foot minimum lot width required in AU (Agricultural Residential) zoning classification. The property is 0.51 acres, located on the west side of Harry T. Moore Ave., approx. 897 feet north of Guyler St. (2368 Harry T. Moore Ave., Mims)

Clerk to the Board Instructions:

LOCATION MAP

WILLIS, KATELYND M
24V00001



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

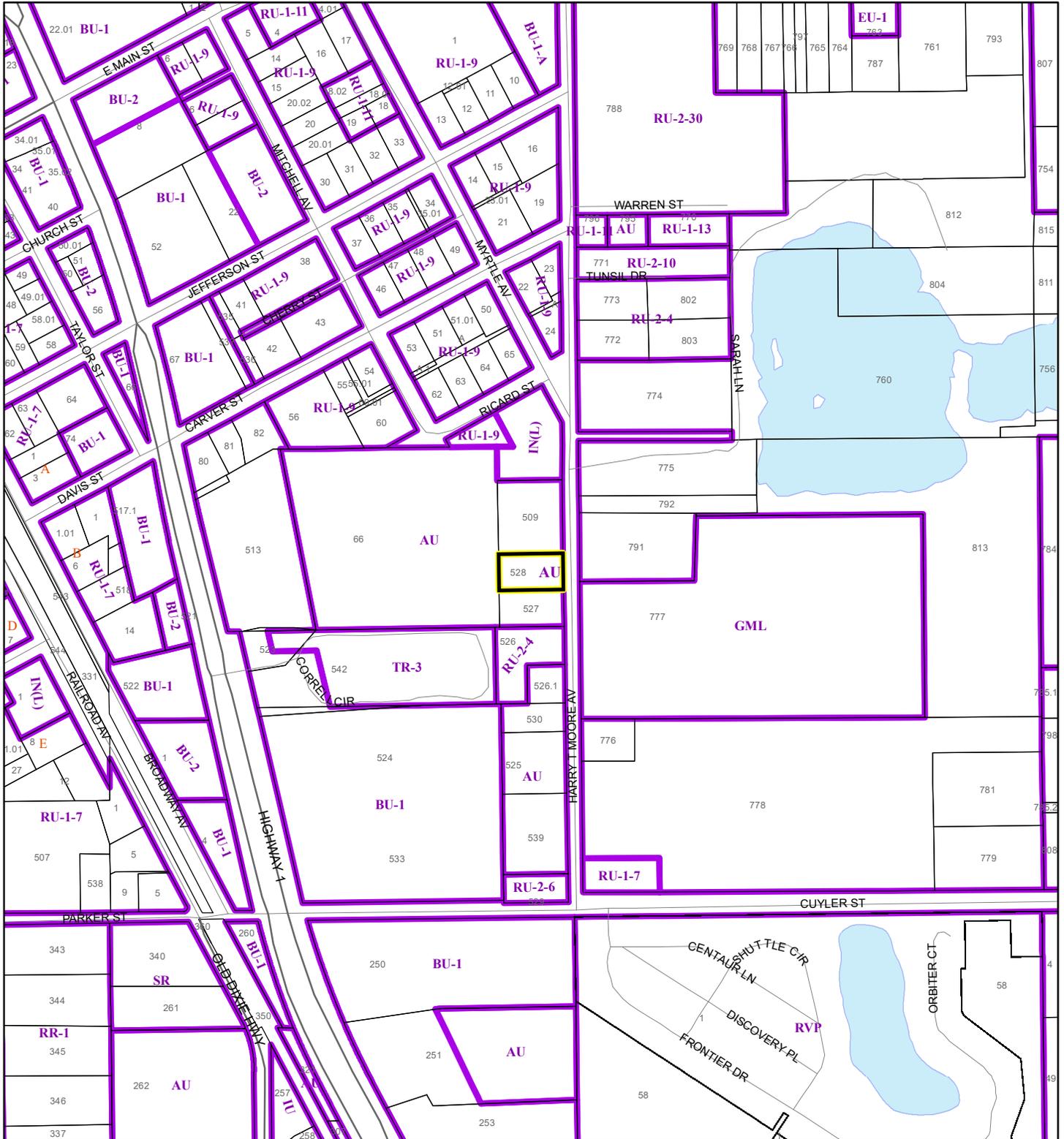
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/11/2024

-  Buffer
-  Subject Property

ZONING MAP

WILLIS, KATELYND M
24V00001



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/11/2024

-  Subject Property
-  Parcels
-  Zoning

AERIAL MAP

WILLIS, KATELYND M
24V00001



1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 1/11/2024

 Subject Property

 Parcels



BOARD OF COUNTY COMMISSIONERS

Planning and Development
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

VARIANCE HARDSHIP WORKSHEET

Is the variance request due to a Code Enforcement action: Yes No

If yes, please indicate the case number and the name of the contractor:

Case Number: NA

Contractor: _____

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

1. That special conditions and circumstances exist which are not applicable to other lands, structures, or buildings in the applicable zoning classification.

Applicant Response:

The property is non conforming from the ordinance in 1964 when it was divided to two 1/2 acre properties, and again in 1979 when amended to the current required 2.5 acres. The house was approved in 2006 and built on property that is 105 feet width rather than the required 150 feet. However, now nothing can be done on the property without seeking this variance. A rezoning could be sought, however, the 1200 square foot storage building would not be allowed under residential zoning codes. Two 600 square foot buildings would be allowed, but would make a significant financial hardship. There are many properties in the neighborhood with outbuildings similar to the one requested. There are also six other properties zoned the same on the same side of the road that are anywhere from less than 1/2 acre to one acre.

2. That the special conditions and circumstances do not result from the actions of the applicant.

Applicant Response:

The applicant did not create the special conditions and circumstances as the property was divided in 1964, the code was amended in 1979, the house was built in 2006 and he purchased the property in 2023.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings, or structures in the identical zoning classification.

Applicant Response:

Granting the variance will allow the applicant to build a 1200 sq. ft. storage building for his classic automobile collection and the rest of his personal property currently in storage in another state. There are like buildings all through the neighborhood under the identical zoning classification. Without the variance, the storage building will not be allowed. The building will be placed on the property with minimal visualization from offsite of the property.

4. That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant.

Applicant Response:

Without the variance, the applicant will not be allowed to move his collection to his property, or to make any changes to the existing property. There are like storage buildings in the identical zoning classification, and six other properties under the required acreage and lot dimensions. If he had to seek to rezone instead, he would not be allowed to build the 1200 sq.ft. structure, only two 600 sq.ft. buildings. This would extend the build time, and add significant cost, placing an unnecessary and almost impossible financial hardship on the applicant.

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Applicant Response:

The current code, amended in 1979, requires 2.5 acres for the AU agriculture residential designation. One acre was required in 1964 when the property was divided into two, one half acres. The variance requested is only to allow a storage building on the property behind the house barely visible from the road or other neighbors properties, and to accept the lot size and acreage that was approved when building the house in 2006.

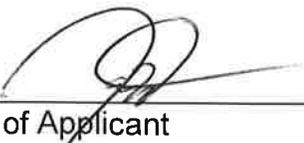
6. That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response:

The applicant has attached photos from the neighborhood showing like buildings and properties. This proposed building will be in harmony and conducive to the neighborhood, as six other properties are also on less than the required specifications with homes and similar out buildings.

The Future Land Use Element from the Comprehensive Plan puts this property in residential 4 designation permitting up to four (4) units per acre.

I fully understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by a Planning and Development representative. I am fully aware it is my responsibility to prove complete compliance with the aforementioned criteria.



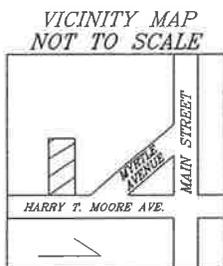
Signature of Applicant



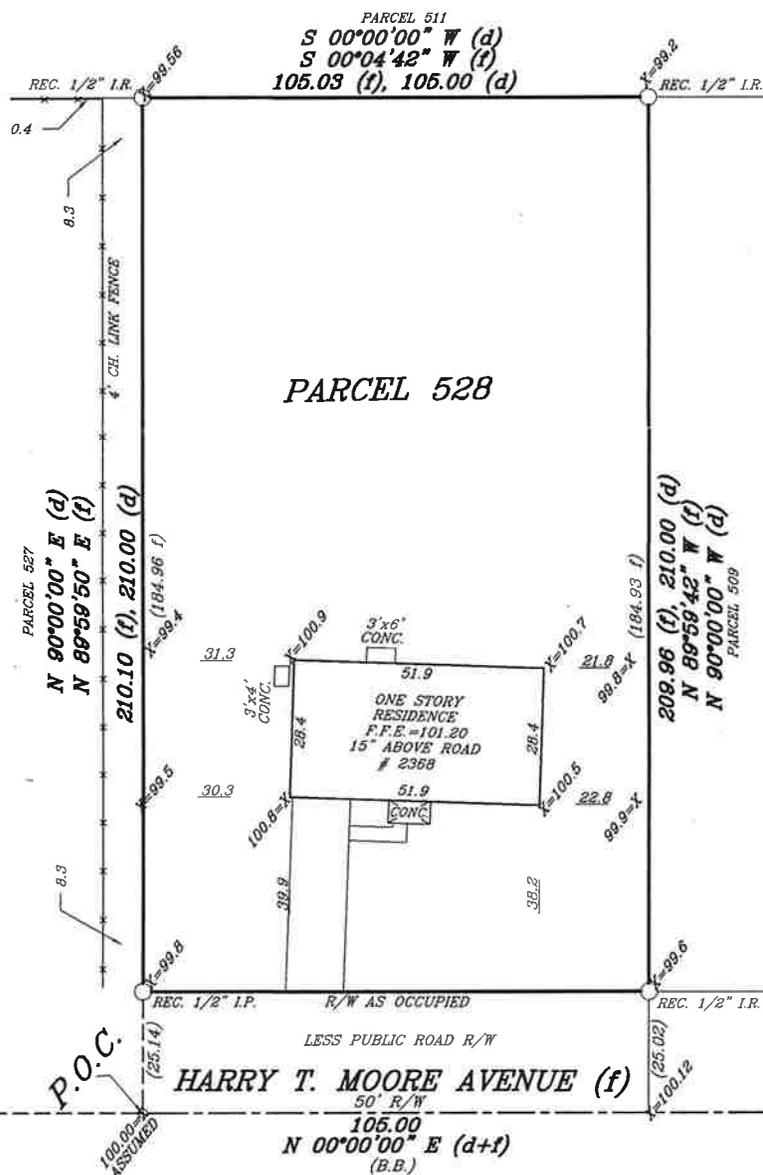
Signature of Planner

PLAT OF LAND SURVEY FOR and/or CERTIFIED TO: KEN & CARLEEN MILLER

DESCRIPTION AS FOLLOWS: BEGINNING AT THE S.E. CORNER OF THAT PART OF THE SE 1/4 OF THE SW 1/4 DESCRIBED IN THE DEED BOOK K, PAGE 355, PUBLIC RECORDS OF BRVARD COUNTY, FLORIDA, BEING IN SECTION 17 TOWNSHIP 21 SOUTH RANGE 35 EAST, BREVARD COUNTY, FLORIDA, THENCE NORTH 105' TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 105'; THENCE WEST 210'; THENCE SOUTH 105'; THENCE EAST 210' TO THE POINT OF BEGINNING IS RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.



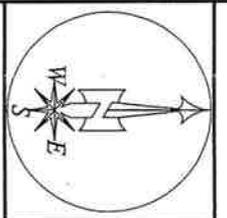
P.O.B.
SE. CORNER OF
THAT PART OF THE
SE 1/4 OF THE S.W. 1/4
OF SEC. 17-21-35



GRUSENMEYER-SCOTT & WALKER, INC.-LAND SURVEYORS

LEGEND

P	=PLAT
FP	=FIELD
I.P.	=IRON PIPE
I.R.	=IRON ROD
C.M.	=CONCRETE MONUMENT
SET I.R.	=5/8" I.R. W/HLB 6710
REC.	=RECOVERED
P.O.B.	=POINT OF BEGINNING
P.O.C.	=POINT OF COMMENCEMENT
CL	=CENTERLINE
N&D	=NAIL & DISC
R/W	=RIGHT-OF-WAY
ESMT.	=EASEMENT
DRAIN.	=DRAINAGE
UTIL.	=UTILITY
CL.L.F.C.	=CHAIN LINK FENCE
W.D.F.C.	=WOOD FENCE
C/B	=CONCRETE BLOCK
P.C.	=POINT OF CURVATURE
P.T.	=POINT OF TANGENCY
D	=DESCRIPTION
B.B.	=BASE BEARING (SEE #8)
A/C	=AIR CONDITIONER
P.U. & D.E.	=PUBLIC UTILITIES & DRAINAGE ESMT.
R	=RADIUS
L	=ARC LENGTH
Δ	=CENTRAL ANGLE
CH	=CHORD
C.B.	=CHORD BEARING
P.O.L.	=POINT ON LINE
TYP.	=TYPICAL
P.R.C.	=POINT OF REVERSE CURVATURE
P.C.C.	=POINT OF COMPOUND CURVATURE
RAD.	=RADIAL
NR.	=NON-RADIAL
W.P.	=WITNESS POINT
C	=CALCULATED
S.W.	=SIDEWALK
DH	=DRILLHOLE



G.S. & W LAND SURVEYORS
L.B. 6710
BREVARD COUNTY OFFICE
4175 S. U.S. 1
ROCKLEDGE, FL
32955
321-636-1055
321-636-1404 (FAX)

- NOTES
1. THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472-027, FLORIDA STATUTES.
 2. UNLESS EMBOSSED WITH SURVEYOR'S SEAL, THIS SURVEY IS NOT VALID AND IS PRESENTED FOR INFORMATIONAL PURPOSES ONLY.
 3. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR EASEMENTS THAT AFFECT THIS PROPERTY.
 4. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
 5. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
 6. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
 7. ELEVATIONS, IF SHOWN, ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, UNLESS OTHERWISE NOTED.
 8. BEARINGS BASED ON THE WEST R/W LINE OF PALMETTO AVENUE SAID BEARING BEING N 00°00'00" E

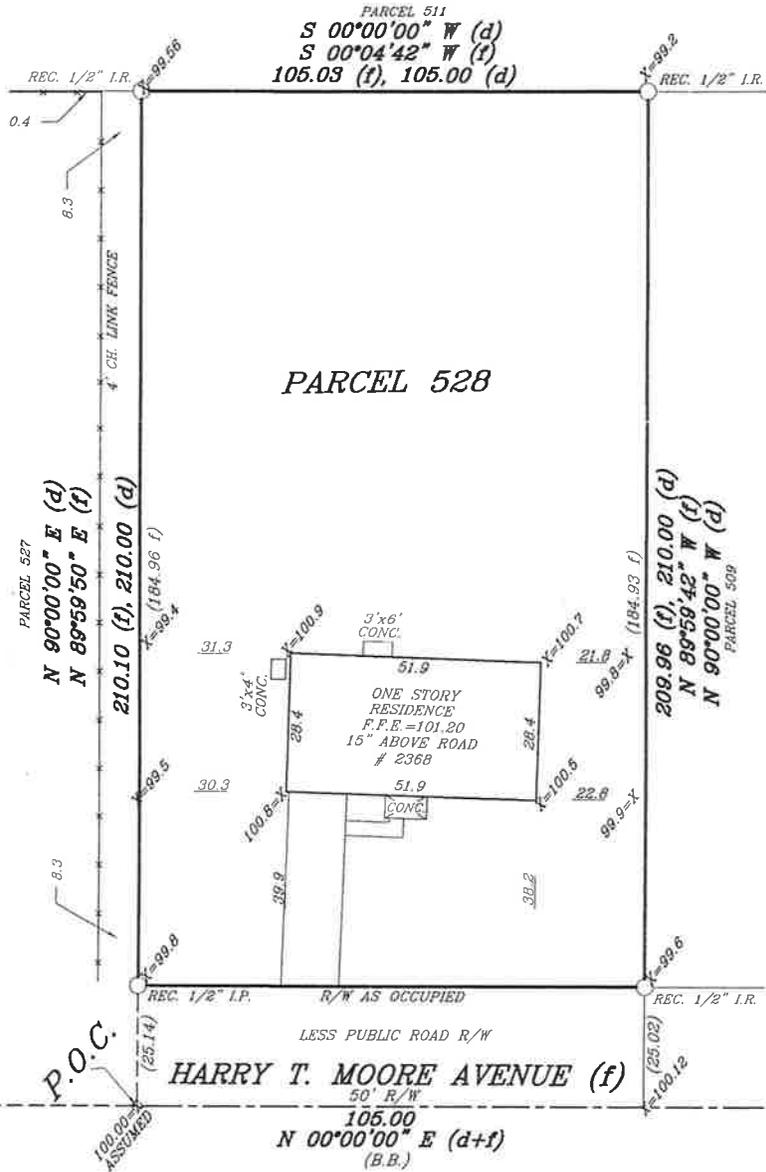
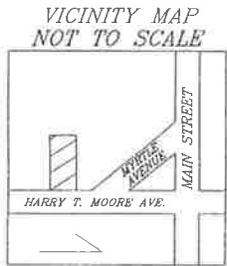
CERTIFIED BY: *[Signature]* R.L.S. NO. 5362
JOHN W. WALKER, R.L.S. NO 5362 TOM X. GRUSENMEYER, R.L.S. NO. 4714
JAMES W. SCOTT, R.L.S. NO. 4801

THIS BUILDING/PROPERTY DOES NOT LIE WITHIN THE ESTABLISHED SPECIAL FLOOD HAZARD AREA PER 'FIRM'. IT LIES IN ZONE: X
PANEL # 12009C 0105E MAP DATE: 4-3-89

SCALE 1" = 40'		ORDER NO.
FIELD DATE	BOUNDARY 1-21-04	29969
	FOUND. 5-03-06	41784
	FINAL 11-2-06	42941
DRAWN BY: R.D.C.	CHECKED BY: 21	

PLAT OF LAND SURVEY FOR and/or CERTIFIED TO: KEN & CARLEEN MILLER

DESCRIPTION AS FOLLOWS: BEGINNING AT THE S.E. CORNER OF THAT PART OF THE SE 1/4 OF THE SW 1/4 DESCRIBED IN THE DEED BOOK K, PAGE 355, PUBLIC RECORDS OF BRVARD COUNTY, FLORIDA, BEING IN SECTION 17 TOWNSHIP 21 SOUTH RANGE 35 EAST, BREVARD COUNTY, FLORIDA, THENCE NORTH 105' TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 105'; THENCE WEST 210'; THENCE SOUTH 105'; THENCE EAST 210' TO THE POINT OF BEGINNING IS RECORDED IN THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

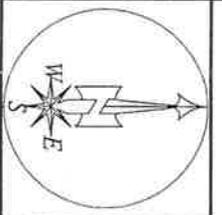


P.O.B.
SE CORNER OF
THAT PART OF THE
SE 1/4 OF THE SW 1/4
OF SEC. 17-21-35

GRUSENMEYER-SCOTT & WALKER, INC.-LAND SURVEYORS

LEGEND

P	=PLAT
F	=FIELD
IP	=IRON PIPE
IR	=IRON ROD
CM	=CONCRETE MONUMENT
SET I.R.	=5/8" I.R. W/HLB 6710
REC.	=RECOVERED
P.O.B.	=POINT OF BEGINNING
P.O.C.	=POINT OF COMMENCEMENT
CL	=CENTERLINE
N&D	=NAIL & DISC
R/W	=RIGHT-OF-WAY
ESMT.	=EASEMENT
DRAIN.	=DRAINAGE
UTIL.	=UTILITY
CL. FC.	=CHAIN LINK FENCE
WD. FC.	=WOOD FENCE
C/B	=CONCRETE BLOCK
P.C.	=POINT OF CURVATURE
P.T.	=POINT OF TANGENCY
D	=DESCRIPTION
BB	=BASE BEARING (SEE #B)
A/C	=AIR CONDITIONER
P.U. & DE.	=PUBLIC UTILITIES & DRAINAGE ESMT.
R	=RADIUS
L	=ARC LENGTH
Δ	=CENTRAL ANGLE
CH	=CHORD
C.B.	=CHORD BEARING
P.O.L.	=POINT ON LINE
TYP.	=TYPICAL
P.R.C.	=POINT OF REVERSE CURVATURE
P.C.C.	=POINT OF COMPOUND CURVATURE
RAD.	=RADIAL
NR.	=NON-RADIAL
W.P.	=WITNESS POINT
C	=CALCULATED
S.W.	=SIDEWALK
D.H.	=DRILLHOLE



G.S. & W LAND SURVEYORS
L.B. 6710
BREVARD COUNTY OFFICE
4175 S. U.S. 1
ROCKLEDGE, FL
32955
321-636-1055
321-636-1404 (FAX)

NOTES

1. THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472-027, FLORIDA STATUTES.
2. UNLESS EMBOSSED WITH SURVEYOR'S SEAL, THIS SURVEY IS NOT VALID AND IS PRESENTED FOR INFORMATIONAL PURPOSES ONLY.
3. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR EASEMENTS THAT AFFECT THIS PROPERTY.
4. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
5. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
6. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
7. ELEVATIONS, IF SHOWN, ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, UNLESS OTHERWISE NOTED.
8. BEARINGS BASED ON THE WEST R/W LINE OF PALMETTO AVENUE
SAID BEARING BEING N 00°00'00" E

CERTIFIED BY: R.L.S. NO. 5362
 JOHN W. WALKER, R.L.S. NO. 5362 TOM X. GRUSENMEYER, R.L.S. NO. 4714
 JAMES W. SCOTT, R.L.S. NO. 4801
 THIS BUILDING/PROPERTY DOES NOT LIE WITHIN THE ESTABLISHED SPECIAL FLOOD HAZARD AREA PER 'FIRM'. IT LIES IN ZONE: X
 PANEL # 12009C 0105E MAP DATE: 4-3-89

SCALE 1" = 40'	
FIELD DATE	ORDER NO.
BOUNDARY 1-21-04	29969
FOUND. 5-03-06	41784
FINAL 11-2-06	42941
22	
DRAWN BY: <u>R.D.C.</u>	CHECKED BY: