

Dixie Testa-Kent
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July 7, 2025

Brevard County Planning & Development Department
2725 Judge Fran Jamieson Way, Building A
Viera, FL 32940

RE: Variance Application Package – 3460 Carter Road, Mims, FL 32754

Dear Variance Review Committee,

I am submitting this letter along with the completed Variance Application Package to request for a variance for a pre-existing accessory structure on our property at 3460 Carter Road in Mims.

The structure in question is a pole barn originally constructed in 1992 or 1993 as a horse barn with stalls, power and water. It was later used as a general-purpose pole barn and is listed in our closing documents as a covered carport. We have recently adapted the interior space to serve as an accessory dog house for our four personal dogs. No changes have been made to the building's footprint.

While the majority of the structure complies with the required 15-foot rear setback, one rear corner extends to approximately 11 feet from the rear property line. We are requesting a variance to allow the continued use of the structure in its current location and configuration. Similar accessory structures are common in our rural area, and we believe this use is consistent with the character of the neighborhood.

The structure only came into question when our rear neighbor complained about our dogs barking. The complaint said that we were operating a commercial kennel, had 5 or more dogs at all times, and that there was a constant noise nuisance. After the Code Enforcement Officer came out for a visit and learned that none of that is true, the neighbor decided that he would go after the building itself which has been in place for decades.

Our dogs are well cared for and well behaved. They bark for approximately 2-3 minutes during their twice daily turnout and feeding periods. Housing them in the enclosed accessory structure actually minimizes the noise, ensures their safety, and aligns with the spirit of the Code by promoting responsible animal care.

We respectfully request your consideration of this variance.

Thank you,

Dixie L. Testa Kent

