



Planning and Development Department

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

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Board of Adjustment Members

FROM: Paul Body, Senior Planner

Thru: Trina Gilliam, Planning & Zoning Manager

SUBJECT: Variance Staff Comments for Wednesday, September 17, 2025

DATE: August 5, 2025

DISTRICT 1

(25V00040) Joseph E. Kent and Dixie L. Testa Kent request two variances of Chapter 62, Article VI, Brevard County Code as follows; 1.) Section 62-1336(5)(b) to allow 15 ft. from the required 15 ft. rear (north) setback for a proposed accessory structure; and 2.) Section 62-1336(5)(b) to allow 4 ft. from the required 15 ft. rear (north) setback for an existing accessory structure in an RR-1 (Rural Residential) zoning classification. This request represents the applicants' request to legitimize an existing accessory structure and permit a future proposed accessory structure. The applicants state the existing accessory structure was built by a previous owner and has been in this location since 1993. The applicants also state this existing accessory structure was in this location when they purchased the property on September 13, 2022. The applicants also wish to use the existing concrete pad that is abutting the existing accessory structure to build a future accessory structure. The first request equates to an 100% deviation to what the code allows. The second request equates to an 27% deviation to what the code allows. There are no variances approved to accessory setbacks in the immediate area. There is a code enforcement action (25CE-00704) pending with the Brevard County Planning & Development Department. If the Board approves the variance, it may want to limit its approval as depicted on the survey provided by the applicant with a date of 4/29/2021.