



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, August 20, 2025

DATE: July 28, 2025

DISTRICT 5

(25V00037) Daniel Owen Mitchell (Melissa Newman) requests 2 variances of Chapter 62, Article VI, Brevard County Code as follows; 1.) Section 62-1341(5)(b) to allow 4.5 ft. from the required 7.5 ft rear (north) setback for an accessory structure; and 2.) Section 62-1341(5)(b) to allow 4.5 ft. from the required 7.5 ft. side (east) setback for an accessory structure in an RU-1-9 (Single-Family Residential) zoning classification. This request represents the applicants' request to construct an accessory structure (shed). The applicant states that the configuration of the pool in the backyard severely limits his ability to construct a small utility shed within the required setbacks. The first request equates to a 60% deviation to what the code allows. The second request equates to a 60% deviation to what the code allows. There is one variance approved for accessory structure setback requirements in the immediate area, V-2078. There are no code enforcement action(s) pending with the Brevard County Planning and 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 signed date of 06/09/2025.