



## 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: Jeffrey Ball, AICP, Planning & Zoning Manager

SUBJECT: Variance Staff Comments for Wednesday, November 20, 2024

DATE: October 28, 2024

### DISTRICT 2

**2. (24V00037) Bobby Sweet** requests variances of Chapter 62, Article VI, Brevard County Code as follows, 1.) Section 62-2118(d)(2) to permit a variance of 7.5 ft. from the required 7.5 ft. side (east) setback for a dock; and 2.) Section 62-2118(d)(2), to permit a variance of 7.5 ft. from the required 7.5 ft side (west) setback for a dock in an RU-1-11 (Single-family Residential) zoning classification. This request represents the applicant's request to legitimize an existing dock. The applicant states that the shape of the lot as it was platted and developed along the canal leaves very little area to have a boat dock. Per Section 62-2118(d)(3): No boat dock, covered boat dock or pier, together with pilings, moored vessel(s) or watercraft, and any waterway encroachment, shall project into a manmade waterway more than 20 percent of the width of the waterway. However, the parcel's side property lines as they project into the waterway limits the projection for a dock. The first request equates to a 100% deviation to what the code allows. The second request equates to a 100% deviation to what the code allows. There are two variance to the dock setback requirements in the immediate area. There is a code enforcement action (23CE-00620) pending with the Brevard County Planning and Development Department. If the Board wishes to approve these variances, it may wish to limit its approval to the location as depicted on the survey and as noted on the survey by the applicant that the dock will not extend over the property lines as they extend into the waterway as provided by the applicant with a revision date of 3/12/2024.