

Fence Variance Request Document

Applicant Information

Name: Michael Lemonie

Address: 4905 Hebron Drive, Merritt Island, FL 32953

Email: mike.lemonie@gmail.com

Property Legal Description

Lot 28, Block L, Egrets Landing Phase 4, as per plat thereof, recorded in Plat Book 67, Pages 96 and 97, of the Public Records of Brevard County, Florida.

Parcel ID: 23-36-35-53-L-28

Tax Account Number: 3021729

Zoning: EU-2

Variance Request

Requesting a variance of Chapter 62, Article VI, Brevard County Code Section 62-2109(c), to permit a variance of 2 feet over the 4-foot maximum height allowed for a fence within the required side street setback on a corner lot which is contiguous to a key lot that is less than 100 feet in width.

Attachments

- Certified survey
- Property deed
- Variance hardship worksheet
- Supporting document including layout, neighborhood example, and considerations

Signature

I hereby affirm that the information provided in this request is accurate to the best of my knowledge.

Michael Lemonie

05 AUG 2025

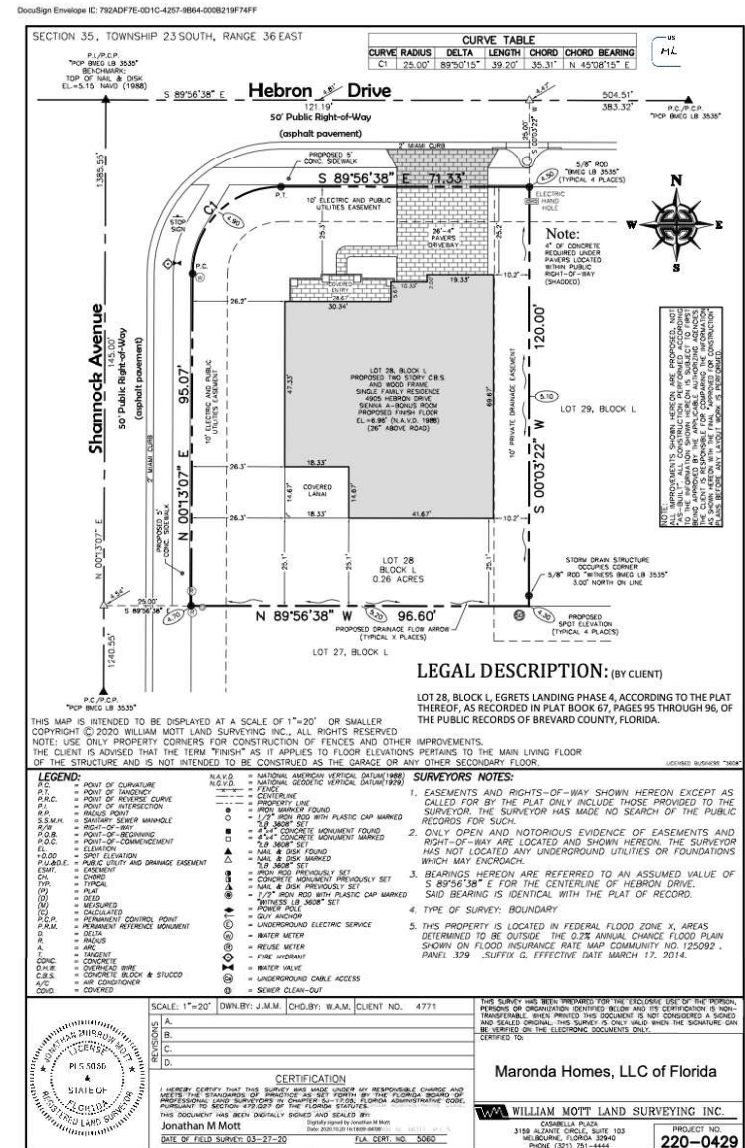
Residential Fence Variance Application

Prepared for the Brevard County Board of Adjustment

Prepared by Michael Lemonie

August 2025

- Owner: Michael Patrick Lemonie
- Address: 4905 Hebron Drive,
Merritt Island, FL 32953
- Tax Account Number: 3021729
- Lot: 28
- Block: L
- Millage Code: 2200
- City Code: County



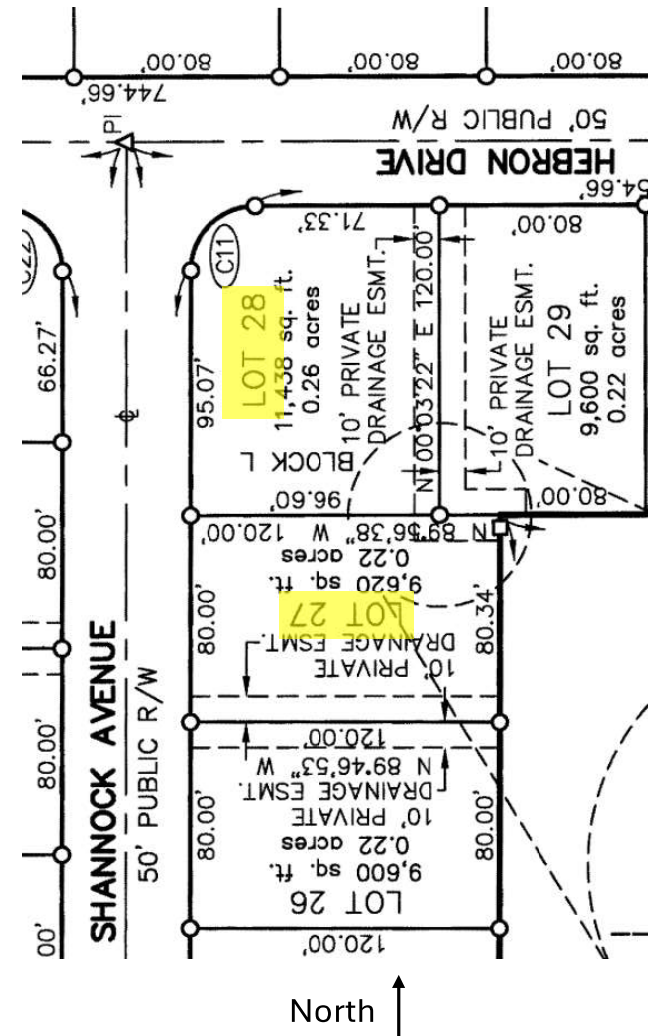
About Us

My wife, Kristy, and I, Michael, have been Brevard County residents for over six years and have called Florida home for majority of the past 14 years. In 2021, we moved into our forever home in Egret's Landing on North Merritt Island with plans to settle down and raise a family. The plot we selected from the builder was perfect; a nice corner lot that would provide us a large backyard and side yard. In the Fall of 2024, we added a golden retriever to our family, and in June of this year, we welcomed our first child. We want to install a fence to provide a safe and secure area for our growing family to explore and play in.

Requested Variance

We are requesting a variance of Chapter 62, Article VI, Brevard County Code Section 62-2109(c), to permit a variance of 2 feet over the 4-foot maximum height allowed for a fence within the required side street setback on a corner lot which is contiguous to a key lot that is less than 100 feet in width.

Key Lot Address: 4863 Shannock Avenue,
Merritt Island, FL 32953 (Lot 27)



Privacy and Security Concerns

As it stands, we are unable to construct a 6-foot privacy fence past 1.3 feet off the West side of our home, as this abuts the required 25-foot side street setback.

While Brevard County does permit a 4-foot fence within the required side street setback on a corner lot, this does not provide us the privacy, security, or peace of mind we want our family to live with while we attempt to enjoy our entire yard.

A 4-foot fence easily permits view into our back and side yard, does not provide sufficient containment of our pet, nor the protection from unwanted animals.

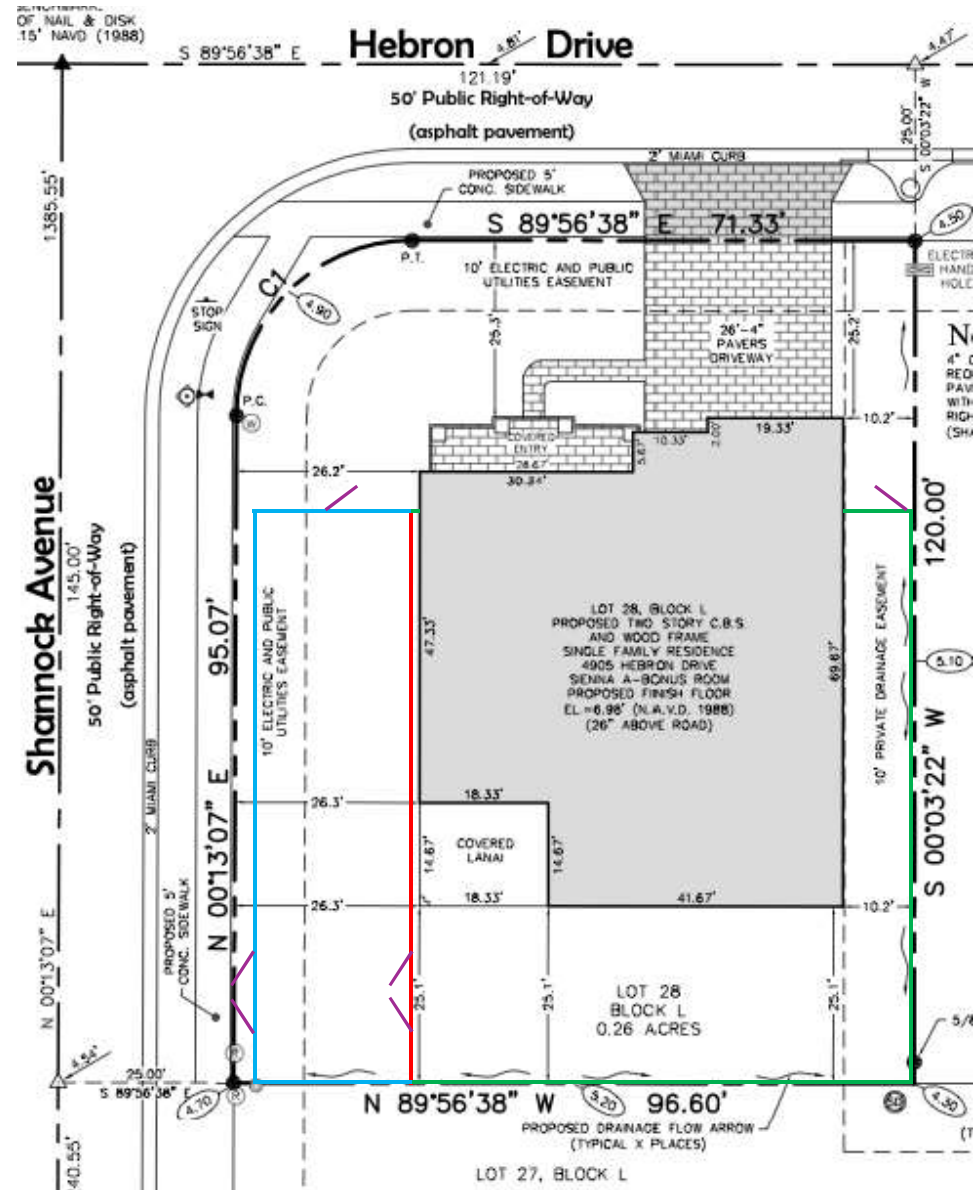
Permitted & Proposed Fence Layout

Unchanged/permitted 6-foot fence

Permitted location of 6-foot fence (1.3 feet off house) before abutment of 25-foot side street setback

Proposed location of variance for a 6-foot fence within the side street setback in lieu of red permitted location

Proposed fence gate locations

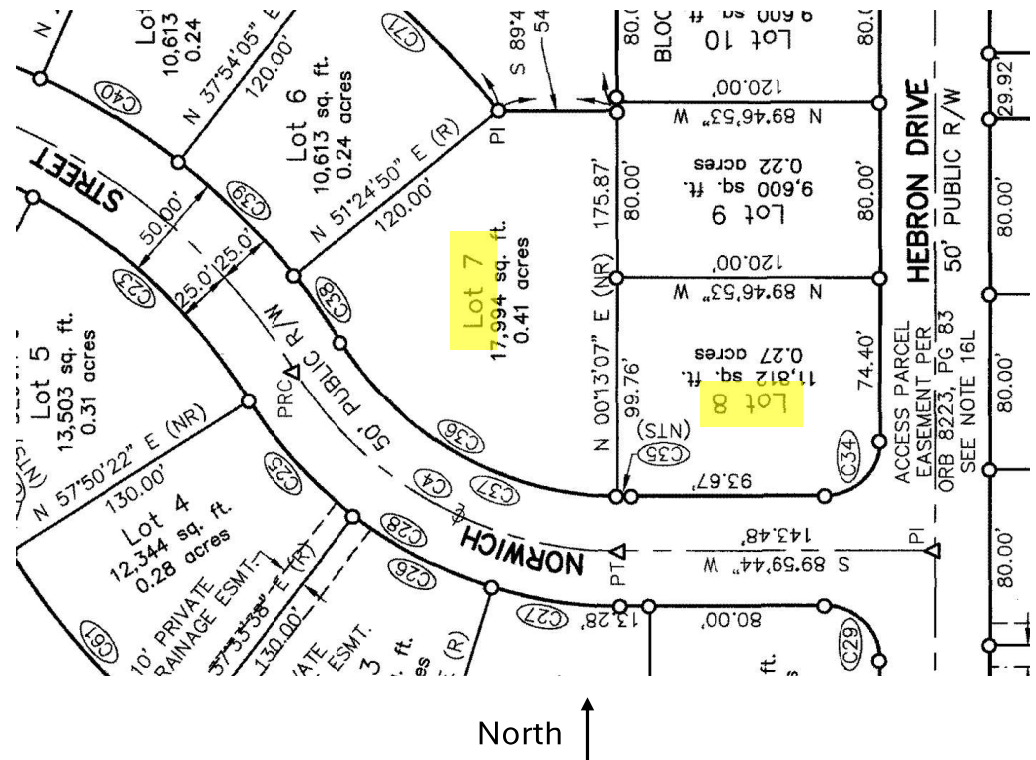


Neighborhood Example

A similar lot layout exists within Phase 3 of Egret's Landing involving a corner lot – 4740 Hebron Drive (Lot 8) – that is contiguous to a key lot – 266 Norwich Street (Lot 7).

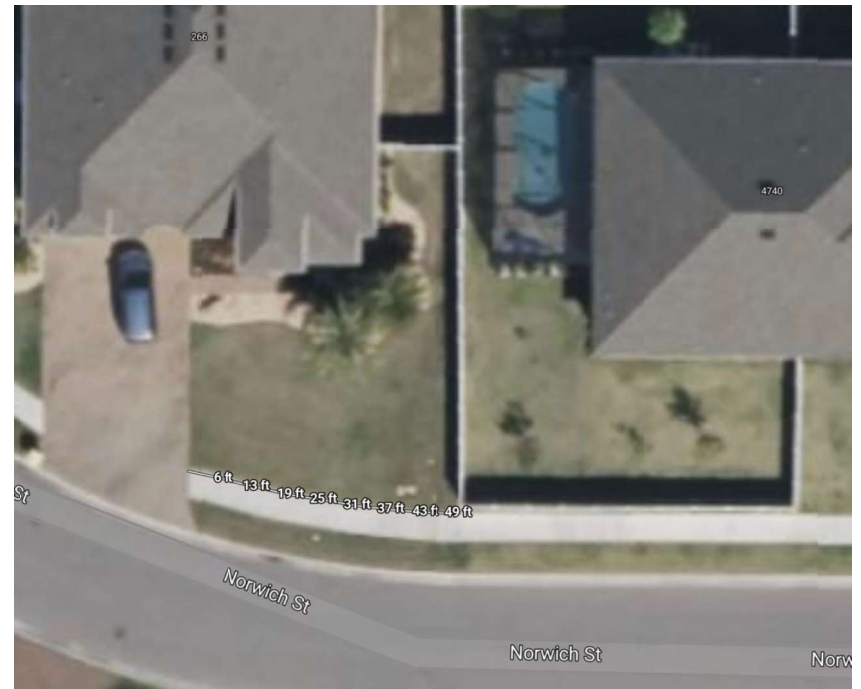
While Lot 7's property does exceed the minimum 100-foot width, driveway location among the property is not taken into consideration. Lot 7's driveway favors the East side of the property, the side closer to Lot 8's property corner/line.

Additionally, the fence on Lot 8 is installed with minimal side street setback.



Neighborhood Example (cont.)

Despite Lot 7's property being 188 feet wide, the sidewalk distance from Lot 7's driveway to Lot 8's fence is estimated to only be 49 feet.

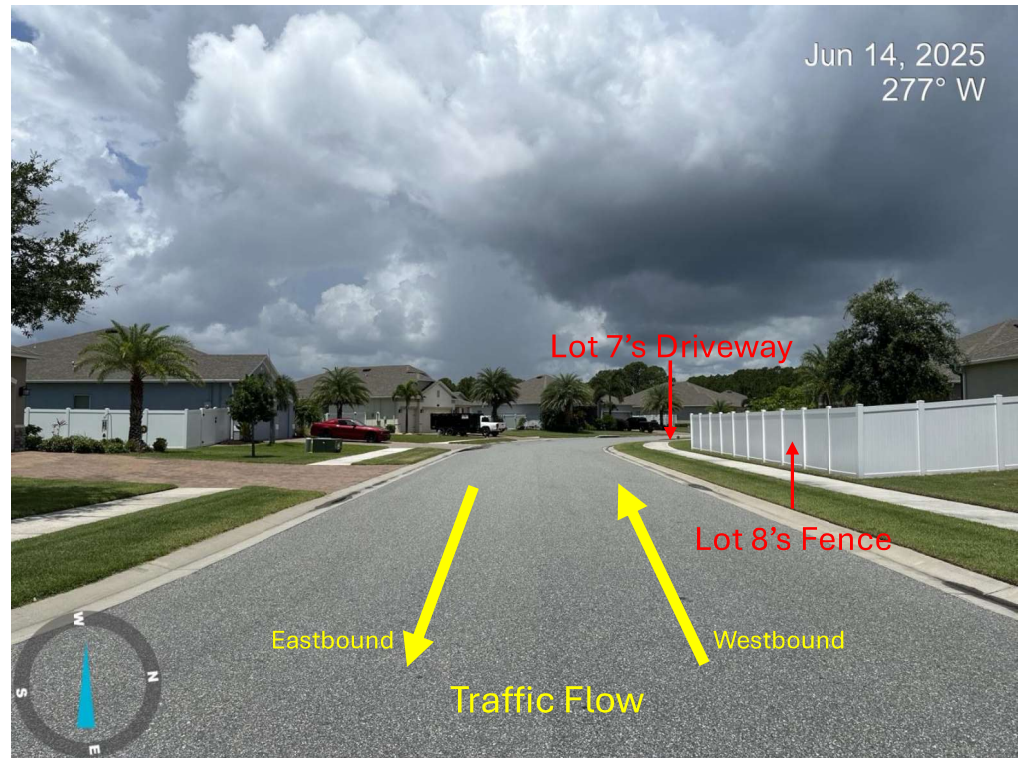


Neighborhood Example (cont.)

Lot 8's fence and the curvature of the roadway leaves only a portion of Lot 7's driveway visible from the direction of oncoming, Westbound traffic traversing the same side of Norwich Street that the properties in question are on.

Additionally, Lot 8's fence may produce an obstruction for drivers attempting to depart Lot 7's driveway.

Image taken from the crosswalk at the Norwich & Hebron intersection.



Considerations at 4905 Hebron Drive

Vehicle traffic traversing Northbound on Shannock Avenue rides on the East side of the road, which is the side of the street 4863 Shannock Avenue (Lot 27/Key Lot) is on.

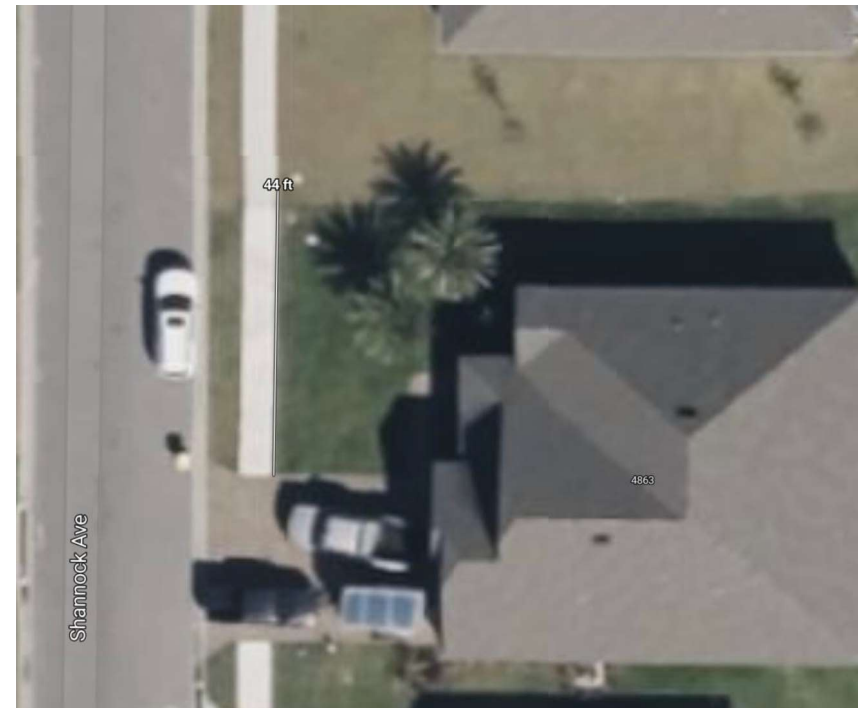
There are no visible obstructions to observing oncoming, Northbound traffic when departing the driveway at 4863 Shannock Avenue. This requires looking South on Shannock Avenue.

Our proposed fence will create less visual obstruction to oncoming, Southbound traffic, which drives on the West side of Shannock Avenue, for vehicles departing the driveway at 4863 Shannock Avenue, compared to interactions with the driveway at 266 Norwich Street and associated oncoming, Westbound traffic.

Considerations (cont.)

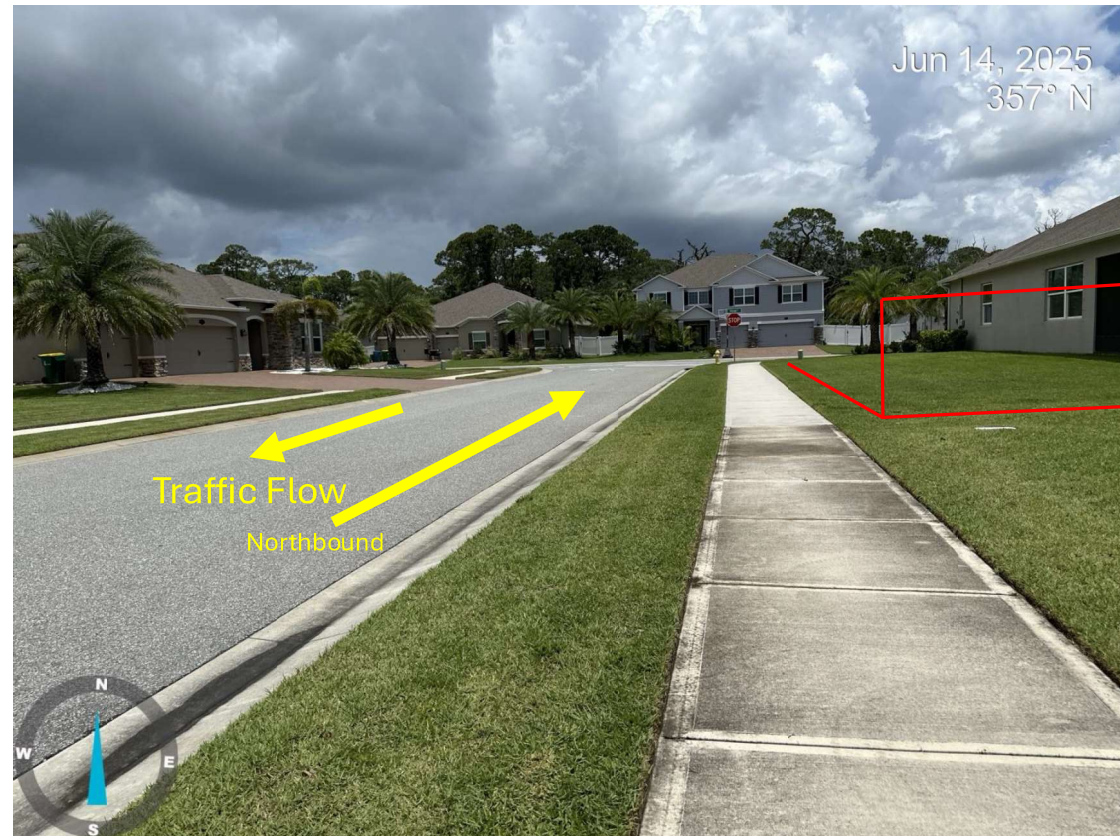
Compared to the Norwich Street sidewalk distance of ~49 feet, the sidewalk distance between 4863 Shannock Avenue and our proposed fence line is marginally smaller at roughly 44 feet.

However, there are no bends or curves in the roadway here that create additional visibility challenges as compared to the Hebron/Norwich corner lot/key lot in the Neighborhood Example.



Considerations (cont.)

Shown here, in red, is an estimated location of where our fence would be installed, and its effect on our key lot neighbor's visibility from their sidewalk/driveway. The entire roadway and the Shannock & Hebron intersection will remain unobstructed.

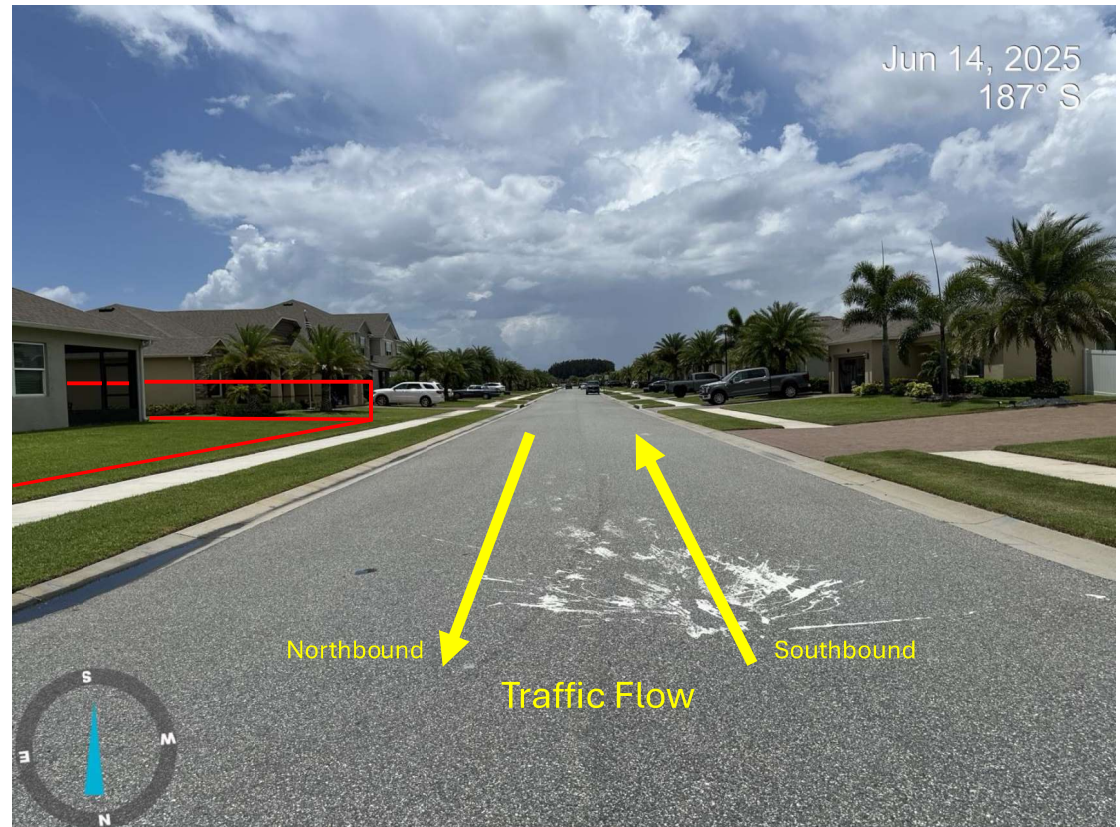


Considerations (cont.)

View from the crosswalk at the intersection of Shannock & Hebron on the North end of Shannock Avenue.

Our proposed fence, with corner post, and its minimal impact on visibility for our key lot neighbors is marked in red.

Compared to the Hebron/Norwich corner lot/key lot, our neighbor's driveway almost remains completely visible.



In Summary

While the property width at 266 Norwich Street (key lot) does exceed the 100-foot County requirement, thus allowing a 6-foot fence on the side yard of 4740 Hebron Drive (corner property), only ~49 feet of the key lot's 188-foot-wide front facing property separates its driveway with the corner lot's property line.

Comparatively, the property width of our neighbors at 4863 Shannock Avenue (key lot) does not exceed the 100-foot County requirement, as theirs is only 80 feet in width. However, approximately 44 feet separates their driveway with our property corner.

Therefore, only considering the entire property width does not seem fair to prohibit a 6-foot fence on our side yard within the side street setback.

Additionally, should a 6-foot fence be permitted on our side yard, there will remain less obstruction between oncoming traffic and the key lot, as compared to the situation on the corner of Hebron and Norwich, which not only has a significant curve in the roadway causing a blind corner, but also since the normal traffic flow most affected is closest to the same side of the street.

Further, there are locations within the neighborhood where existing fence placement (despite following County regs), plants and shrubs, and street parking create more visibility challenges on the roadways than what is being requested with this variance.

Lastly, and for what it is worth, the property owners at 4863 Shannock Avenue have provided their full support and permission in us obtaining a 6-foot fence within the side street setback.

Closing Remarks

On behalf of my family, I want to sincerely thank the Board for taking the time to consider our variance application. Our goal in fencing in our side yard along with our backyard is to create and maximize a safe, secure space where our children can play freely and our family can enjoy time outdoors together. This home is where we're putting down roots, and your thoughtful consideration means a great deal to us. We appreciate the important work you do in balancing the needs of families like ours with the character of our community.

- Michael Lemonie