



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, October 16, 2024

DATE: September 25, 2024

DISTRICT 2

(24V00034) Timothy & Denise Gannon request variances of Chapter 62, Article VI, Brevard County Code, 1.) Section 62-1340(5)(b), to permit a variance of 6.4 ft. from the 7.5 ft. side (southwest) setback required for an accessory structure; 2.) Section 62-1340(5)(b), to permit a variance of 7.5 ft. from the 7.5 ft. side (northeast) setback required for an accessory structure; 3.) Section 62-1340(5)(b), to permit a variance of 5 ft. from the 5 ft. separation distance required for an accessory structure in an RU-1-11 (Single-Family Residential) zoning classification. This request represents the applicants' request to legitimize two existing accessory structures built without building permits. A building permit has not yet been applied for. The applicants state with the size of their lot there is no other location on the property for the accessory structures. The Board of County Commission vacated the two Public Utilities Easements the accessory structures encroached into per Resolution 2024-062. The first request equates to an 85% deviation to what the code allows. The second and third request equates to an 100% deviation to what the code allows. There are no variances to the accessory setback requirements in the immediate area. There is a code enforcement action (23CE-01280) 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 date of 6/07/2024.