



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, October 15, 2025

DATE: September 16, 2025

DISTRICT 2

(25V00052) Francisco B. Bautista, Sr. and Josephine Bautista requests two variances of Chapter 62, Article VI, Brevard County Code as follows; 1.) Section 62-1341(5)(b) to allow 2.5 ft. from the required 7.5 ft. rear setback; and 2.) Section 62-2100.5(1)(d) to allow 39 sq. ft. over the maximum allotted (881 sq. ft.) for detached accessory structure in an RU-1-9 (Single-Family Residential) zoning classification. This request represents the applicants' request to build an accessory structure (garage). The applicants state that the Public Utilities and Drainage Easements were vacated by the County Commission per resolution 2025-064. The first request equates to a 33% deviation to what the code allows. The second request equates to a 4% deviation to what the code allows. There are no variances approved to accessory setbacks and size requirement in the immediate area. There is no code enforcement action 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 6/26/2025.