

To whom it may concern,

Multiple variances are requested from the strict application of Municipal Code 62-1331. General Use, GU, subsections (4) and (5). The current code requires a lot size of not less than 5 acres with a minimum width and depth of 300 feet and setbacks of not less than 15 feet from the side lines in the case of corner lots for accessory buildings. Both of these issues were discovered during the sale of the property by the buyers mortgage agent during due diligence. These items were unknown to us (the current owners) during the 26 years we have occupied the property. Specifically, the property at 4445 Seneca Ave, Cocoa, FL 32926, is currently zoned GU and does not qualify for that zoning based on acreage or property length. In addition, there are two accessory buildings on the lot that fall within the 15 foot setback distances. One of those was on the property when we purchased it in 1999 and the other was installed by a company in 2000. Both buildings are on slab foundations and would be unfeasible to relocate. Neither building has power or water, they are for storage only. There has been and I can not think of any harm that could result to the community if the buildings are left where they are. As for the GU zoning, there are multiple non-conforming lots in close proximity with the same designation and I would believe that this should be looked at in general for the entire community.

I am not sure why these issues weren't caught when we originally purchased the home under our VA loan application, but I don't see any way to fix this other than this variance or rezoning. Rezoning would take an excessive amount of time and cause both the current owners and the perspective buyers hardship as the current owners have already moved to support elderly relatives and need the proceeds of the sale of this property to fund living expenses and the buyers are anxious to close on the home.

We are asking the board to grant us minimum variances for the dimensions of the GU zone and the setbacks at shown in the attached survey. Thank you for your time and consideration in this matter.

Sincerely,

Robert & LeVenian Nieman

