



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

1. **(24V00036) Luz Nogueroles** requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1334(5)(c)(3), to permit a variance of 16 ft. from the 50-ft. rear setback required for a barn in an AU (Agricultural Residential) zoning classification. This request represents the applicant's request to create a Flag Lot by splitting off one acre from their parcel on the northeast corner and legitimize the existing barn on the Flag Lot portion of the parcel. This proposed lot split is creating the setback encroachment. The existing barn has an approved variance (23V00049) to the north side setback. If the Board approves the request, the applicant will apply to rezone the one acre parcel and apply for Flag Lot approval for the parcel. This request equates to an 32% deviation to what the code allows. There are two variances to the barn setback requirements in the immediate area. There is no code enforcement action 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 6/14/2024.