

Jackson, Desiree

From: Stacy Goforth <stacygoforth@yahoo.com>
Sent: Thursday, February 6, 2025 3:29 PM
To: Randall, Alice; AdministrativeServices
Subject: Variance request 24V00051
Attachments: Variance.docx

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We received notification from Brevard County that a hearing will be held next Wednesday February 19, 2025 on variance request 24V00051. We oppose this variance and are submitted a letter with two attachments in opposition.

Stacy Goforth

February 6, 2025

**Brevard County Board of
Brevard County, Florida
2725 Judge Fran Jamie
Building A, Room 114
Viera, FL 32940**

Re: 24V00051 Gannon

Dear Board Members:



Sent from my iPhone

February 6, 2025

Brevard County Board of Adjustment
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, FL 32940

Re: 24V00051 Gannon Variance Request

Dear Board Members:

We are neighbors to the east of Mr. and Mrs. Gannon. The variances requested are for a large structure along 24' of our property line. According to our survey and the first survey done by The Gannons, the structure extends onto our property. We contacted Brevard County and reported this encroachment on October 20, 2023. This structure was built without a permit or variances. Brevard County's lead building inspector stated in an email dated February 2023 (2 years ago) to code enforcement "This structure cannot be there." Yet, nothing has been done to remove the structure.

The code exists to ensure safety and equality. The Gannons are asking this Board for almost complete variation from the required 5' setback from their house and the required 7.5' setback from the property line. Allowing both of these requests will essentially defeat the purpose of the code and give Mr. and Mrs. Gannon rights not enjoyed by others and grants them special privileges. This Board was developed to hear hardships, something unique about property that requires people to ask permission to adjust the code for exceptional circumstances. Over the last 4 months, Mr. and Mrs. Gannon have requested 5 hardship variances from the County because they built structures (dock roof, shed, dry sauna, and additional patio) without obtaining permits or variances. These are not hardships, it's blatant disregard for Brevard County Code. This Board has already granted Mr. and Mrs. Gannon three hardship variances. If the two requests before this Board next week are granted, this Board will be allowing 5 variances when there is no unique situation. We live in a track home neighborhood. Mr. and Mrs. Gannon's exact same floor plan was built over 50 times in our neighborhood and their lot size is comparable to most neighbors. If all of the people with the same floor plan/lot were granted these "hardships", it would be a safety debacle. It would ruin our neighborhood aesthetic. It is inequitable and unjust.

The structure which requires these variances affects Mr. and Mrs. Gannon's access to their own backyard. When they were doing extensive renovations they used our property (without permission) for heavy equipment to access their seawall/backyard because they had no access on their own property. It was months of machinery on our

property. This structure is a safety hazard, diminishes our property value, and has required workers to trespass on dozens of occasions. We have statements from other neighbors who witnessed this trespass attached.

The variance requests today are for an ADDITIONAL patio area. At the first hearing when this Board denied their requests, Mrs. Gannon stated they needed an area for grandkids to “get out of the sun”. This statement was misleading because they already have an existing large porch area right next to pool for kids to “get out of the sun”. (30x15 450 sq. ft. - Picture attached with porch circled, and square around new structure which they are requesting variances). This original porch area is huge and has sofas, tables, bar area and more than adequate space to “get out of the sun”. The structure which they are requesting variances for is tucked on the side of their home against our property. If they need more space, they have a huge open backyard which would not encroach on the property line or affect safety/access. It would not require variances. This Board denied their variance requests on this same structure last February. How does changing the request by literally two inches affect the Board’s decision? How is it possible that people who own a standard home, on a standard lot, have the need for 5 hardship variances within months? Let that sink in. This is definitely granting them rights not enjoyed by everyone. It’s literally taking away all code requirements for one homeowner. They are not asking for a variance to alter code a few feet or even half the distance, they are asking for 4.9’ of a 5’ variance and 7.4’ of a 7.5’ variance. Mr. and Mrs. Gannon are making a mockery of this process.

We can’t attend the hearing, but please listen for their “hardship” during testimony. They already received a variance in November 2024 to “move the pre-existing shed for extra storage”. They have an existing large patio (450 sq. ft.) between their home and pool. There is no necessity for this additional patio structure. What is the hardship? They knew the code prior to building. They testified under oath on October 18, 2023 before this Board stating their “due diligence” and how people should be aware of codes prior to building or buying property. They just chose not to pay for permits or, in the words Mr. Gannon told us “You don’t think I’m gonna go through that (variance) circus.”

Bottom line is - What if everyone built large structures from their home to their property lines? What if we build to our property line because we need extra patio space? When you make an exception for one...the law demands you make the same exception for others under the same “hardship”. If not, that’s inequality.

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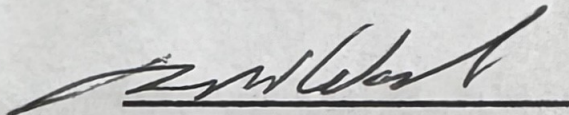
February 6, 2025

**Brevard County Board of Adjustment
Brevard County, Florida
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, FL 32940**

Re: 24V00051 Gannon Variance Request

Dear Board Members:

I am writing this letter to substantiate I was witness to Mr. and Mrs. Gannon using the property of 305 Ursa Avenue for heavy equipment access to their backyard. This activity was done during the renovations to their seawall, dock, and backyard. I also witnessed a worker trespassing on 305 Ursa Avenue on October 18, 2023. This worker had equipment on 305 Ursa and was working on the roof of the structure which is the subject of this variance request. He was on a ladder located on 305 Ursa Avenue and had no permission to be on the property. It's apparent that there is no accessibility because the structure takes up from the home to the property line.



**Mike Walsh
1485 Sykes Creek Drive
Merritt Island, FL 32953**