



## Board of Adjustment

Brevard County Government Center

2725 Judge Fran Jamieson Way, Building C, Commission Room, Viera, Florida

Agenda

Wednesday, January 17, 2024

### Call To Order - 1:30 PM

### Approval of Minutes

### G. Public Hearings

- G.1.** Bradley W. and Aleta K. Sinclair (Kim Rezanka) request one variance for a fence/wall, and four variances for accessory structures in an RU-1-9 zoning classification. (23V00044) (Tax Account 2611575) (District 4)
- G.2.** Jeff Haggard requests a variance for an accessory structure in an RU-1-13 zoning classification. (23V00046) (Tax Account 2437357) (District 2) This item to be tabled to the 02/21/24 meeting.
- G.3.** Christopher D. Strozier requests a variance to lot width in an RU-1-11 zoning classification. The property is currently zoned RU-1-9. (23V00047) (Tax Account 2104016) (District 1)
- G.4.** William L. and Maureen F. Baker request a variance to the minimum lot size in an AU zoning classification. (23V00048) (Tax Account 2001869) (District 1)
- G.5.** Luz Nogueroles requests two variances for an accessory structure (barn) in an AU zoning classification. (23V00049) (Tax Account 25009830) (District 2)
- G.6.** Stacy L. Goforth and Lawrence I. Munro request two variances for a dock and watercraft in an RU-1-11 zoning classification. (23V00050) (Tax Account 2417446) (District 2)

### Public Comment

Adjournment

Pursuant to the Florida Rules of Appellate Procedure, any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment may, within thirty (30) days after the date the order is signed, apply to a court of competent jurisdiction for appropriate relief. Speakers must provide their names and addresses for the public record.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations or an interpreter to participate in the proceedings, please notify the Planning and Development Department no later than 48 hours prior to the meeting at (321) 633-2069.

Assisted listening system receivers are available for the hearing impaired and can be obtained from SCGTV staff at the meeting. We respectfully request that ALL ELECTRONIC ITEMS and CELL PHONES REMAIN OFF while the Board is in session. Thank You.

This meeting will be broadcast live on Space Coast Government Television (SCGTV) on Spectrum Cable Channel 499, Comcast (North Brevard) Cable Channel 51, and Comcast (South Brevard) Cable Channel 13 and AT&T U-verse Channel 99. SCGTV will also replay this meeting during the coming month on its 24-hour video server nights, weekends, and holidays. Check the SCGTV website for daily program updates at <http://www.brevardfl.gov>. The Agenda may be viewed at: <http://www.brevardfl.gov/Board Meetings>.



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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G.1.

1/17/2024

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### **Subject:**

Bradley W. and Aleta K. Sinclair (Kim Rezanka) request one variance for a fence/wall, and four variances for accessory structures in an RU-1-9 zoning classification. (23V00044) (Tax Account 2611575) (District 4)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Board of Adjustment conduct a public hearing to consider one variance for a fence/wall, and four variances for accessory structures in an RU-1-9 (Single-Family Residential) zoning classification.

### **Summary Explanation and Background:**

**Bradley W. and Aleta K. Sinclair** (Kim Rezanka) request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2109(c), to permit a variance of 2 ft. over the 4-ft. maximum height allowed for a fence/wall within the 20-ft. front setback; 2.) Section 62-1341(5)(a), to permit a variance of 13.7 ft. from the required 20-ft. front setback for an accessory structure; 3.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 4.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 5.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; in an RU-1-9 zoning classification. The property is 1 acre, located on the east side of Coquina Ridge Dr., approx. 390 ft. southeast of U.S. Highway 1. (4563 Coquina Ridge Dr., Melbourne)

### **Clerk to the Board Instructions:**



BOARD OF COUNTY COMMISSIONERS

## Inter-Office Memo

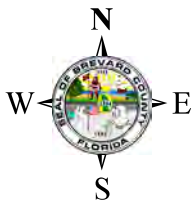
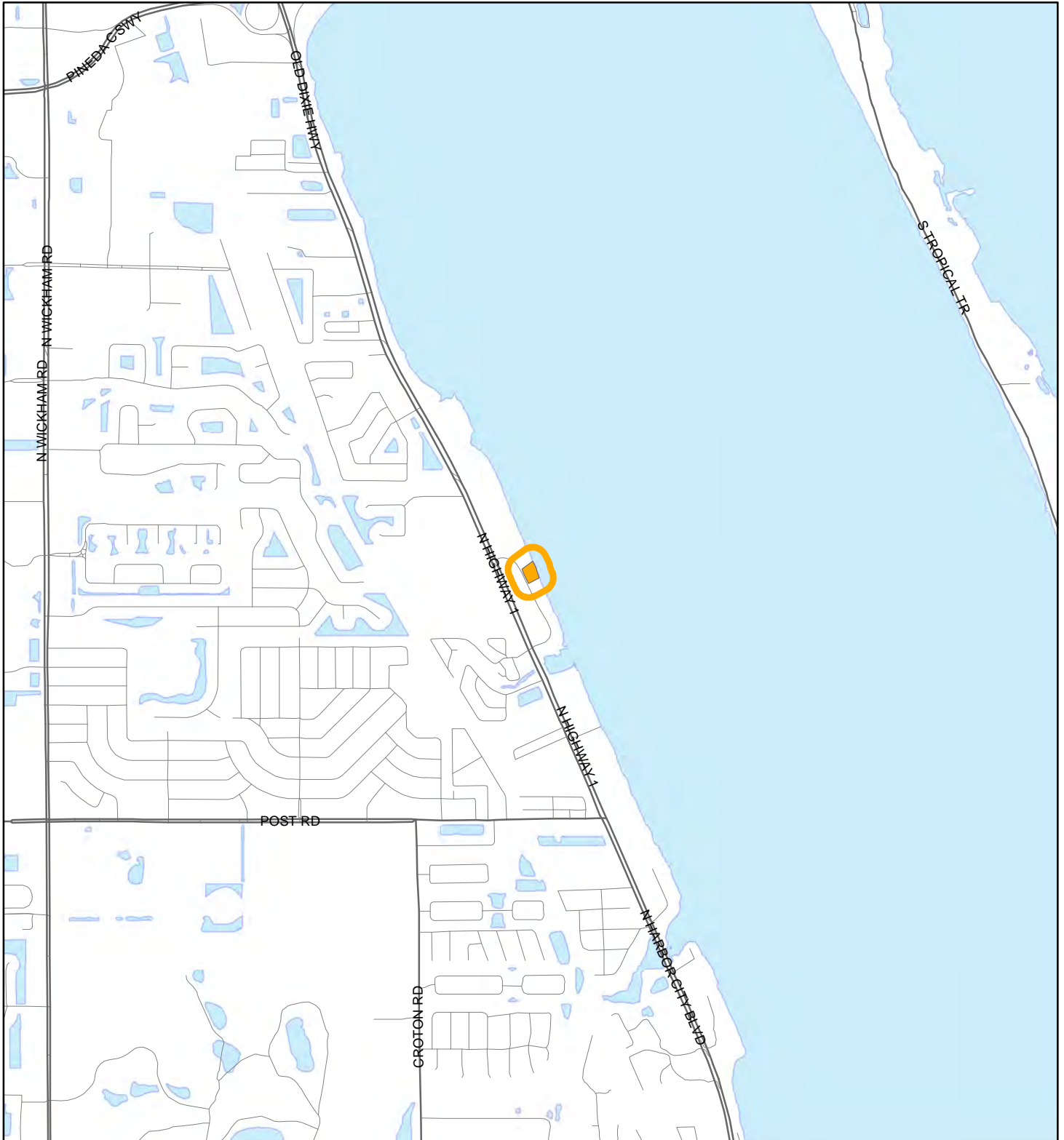
TO: Board of Adjustment Members  
FROM: Paul Body, Senior Planner  
Thru: Jeffrey Ball, AICP, Planning & Zoning Manager  
SUBJECT: Variance Staff Comments for Wednesday, January 17, 2024  
DATE: 12/28/2023

### DISTRICT 4

**1. (23V00044) Bradley W. and Aleta K. Sinclair** (Kim Rezanka) request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2109(c), to permit a variance of 2 ft. over the 4-ft. maximum height allowed for a fence/wall within the 20-ft. front setback; 2.) Section 62-1341(5)(a), to permit a variance of 13.7 ft. from the required 20-ft. front setback for an accessory structure; 3.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 4.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; 5.) Section 62-1341(5)(b), to permit an accessory structure to be located forward of the front building line of the principal structure; in an RU-1-9 (Single-Family Residential) zoning classification. This request represents the applicants' request to build a six feet high wall and legitimize three existing accessory structures. The applicants state that the extra wall height is needed for security. The applicants also state the accessory structures were built by a previous owner and were in this configuration when they purchased the property. The first request equates to a 33% deviation of what the code allows. The second request equates to a 68% deviation of what the code allows. There is one variance to the fence height requirement in the immediate area. There are two variances for the accessory building front 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 this variance, it may want to limit its approval as depicted on the survey provided by the applicant with a revision date of 07/19/2022.

# LOCATION MAP

Sinclair, Bradley  
23V00044





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

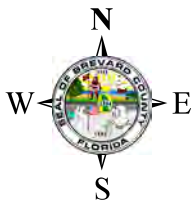
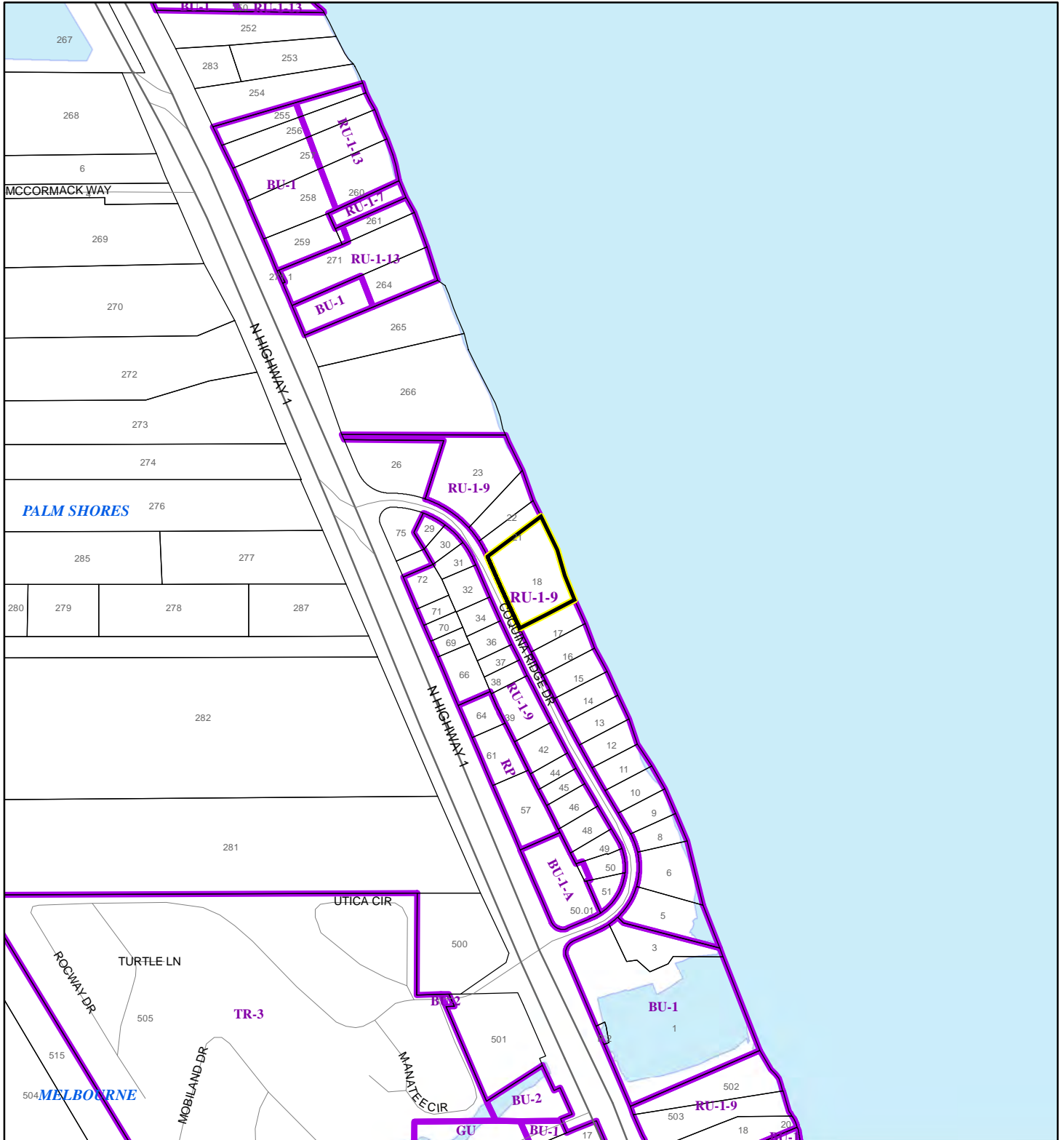
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/19/2023

-  Buffer
-  Subject Property

# ZONING MAP




Sinclair, Bradley  
23V00044



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/19/2023

-  Subject Property
-  Parcels
-  Zoning



# AERIAL MAP

Sinclair, Bradley  
23V00044




1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/19/2023

 Subject Property

 Parcels



BOARD OF COUNTY COMMISSIONERS

**Planning and Development**

2725 Judge Fran Jamieson Way  
Building A, Room 114  
Viera, Florida 32940  
(321) 633-2070 Phone

**VARIANCE HARDSHIP WORKSHEET**

Is the variance request due to a Code Enforcement action:      Yes      No

If yes, please indicate the case number and the name of the contractor:

Case Number: \_\_\_\_\_

Contractor: \_\_\_\_\_

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

1. That special conditions and circumstances exist which are not applicable to other lands, structures, or buildings in the applicable zoning classification.

Applicant Response:

See Attached
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2. That the special conditions and circumstances do not result from the actions of the applicant.

Applicant Response:

See Attached

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings, or structures in the identical zoning classification.

Applicant Response:

See Attached

4. That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant.

Applicant Response:

See Attached

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Applicant Response:

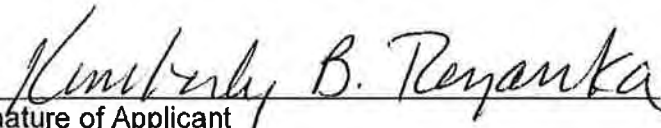
See Attached

6. That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response:

See Attached

I fully understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by a Planning and Development representative. I am fully aware it is my responsibility to prove complete compliance with the aforementioned criteria.

  
Signature of Applicant

\_\_\_\_\_  
Signature of Planner

**Variations Requested:**

A. Sec. 62-2109 (c): 2 ft. variance to 4 ft height restriction in the front setback of the Property for a fence, on Lots 18, 19, 20, and part of 21 (as reflected in blue on Exhibit "A".)

B. Sec. 62-1341(5)(a): 13.7 ft variance to the 20 ft front setback for structures to allow the existing freestanding garage to be deemed conforming, on Lot 19.

C. Sec. 62-1341 (5)(b): a variance to the requirement that accessory buildings must be located to the rear of the front building line of the principal building, on Lot 18 and 19.

**Variance Factors:**

1. The Property is a combination of four (4) lots in the 1926 Coquina Ridge Plat (Plat included with application.) Lot 18 was purchased in 1987, with the house already located on the Lot. The house was built in 1956. Part of Lot 19 was purchased in 1995. The remainder of Lot 19, all of Lot 20 and part of Lot 21 were purchased in 2007. The detached garage and shed were already located on Lot 19 at the time of purchase. The platted right-of-way is substandard at 40 feet with the asphalt width of an average of less than 20 feet, with no shoulders or sidewalks. The neighborhood is a combination of old and new homes, with redevelopment occurring mostly on the east side Coquina Ridge Dr. As the properties have redeveloped, variances have been granted, specifically Res 21PZ00022, granting various setback variances. While no variance could be found for 4429 Coquina Ridge Dr. (Berube property), its six (6) foot wall appears to be located on the property line.

Many of the houses along Coquina are utilized for rentals, short-term and long term. This has resulted in many transients and trespassers in the neighborhood. Because of the requirement of a twenty-foot setback for a six-foot wall, there is almost twenty feet of the Property owners' land that is being utilized for parking by transients, trespassers and service providers for neighbors. See Exhibit "B".

The special conditions of this land is the larger dimensions than the other properties in the subdivision, the long stretch of land along the straight-away of Coquina Ridge Drive, the heavily foliated area along the straight-away, the existence of the buildings on the Property prior to purchasing the various lots, and the need to protect the one-acre Property.

2. The garage and shed were on the Property at the time of purchase – Variance A, B and C. As to Variance A, the inability to build a tall fence to secure the garage and foliated area of the Property is due to the location of both – not any action of the Owners – and because the lot is a double-frontage lot as defined by Brevard County. If the river front of the Property was deemed the front of the Property, this proposed six-foot fence could be placed on the Property line. The parking on the Property by transients and trespassers is also not the result of actions of the Owners.
3. No special privilege would be granted to the Property Owners as others have walls and structures in the front and side setbacks exist, some with and some without variances.

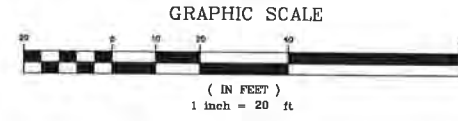
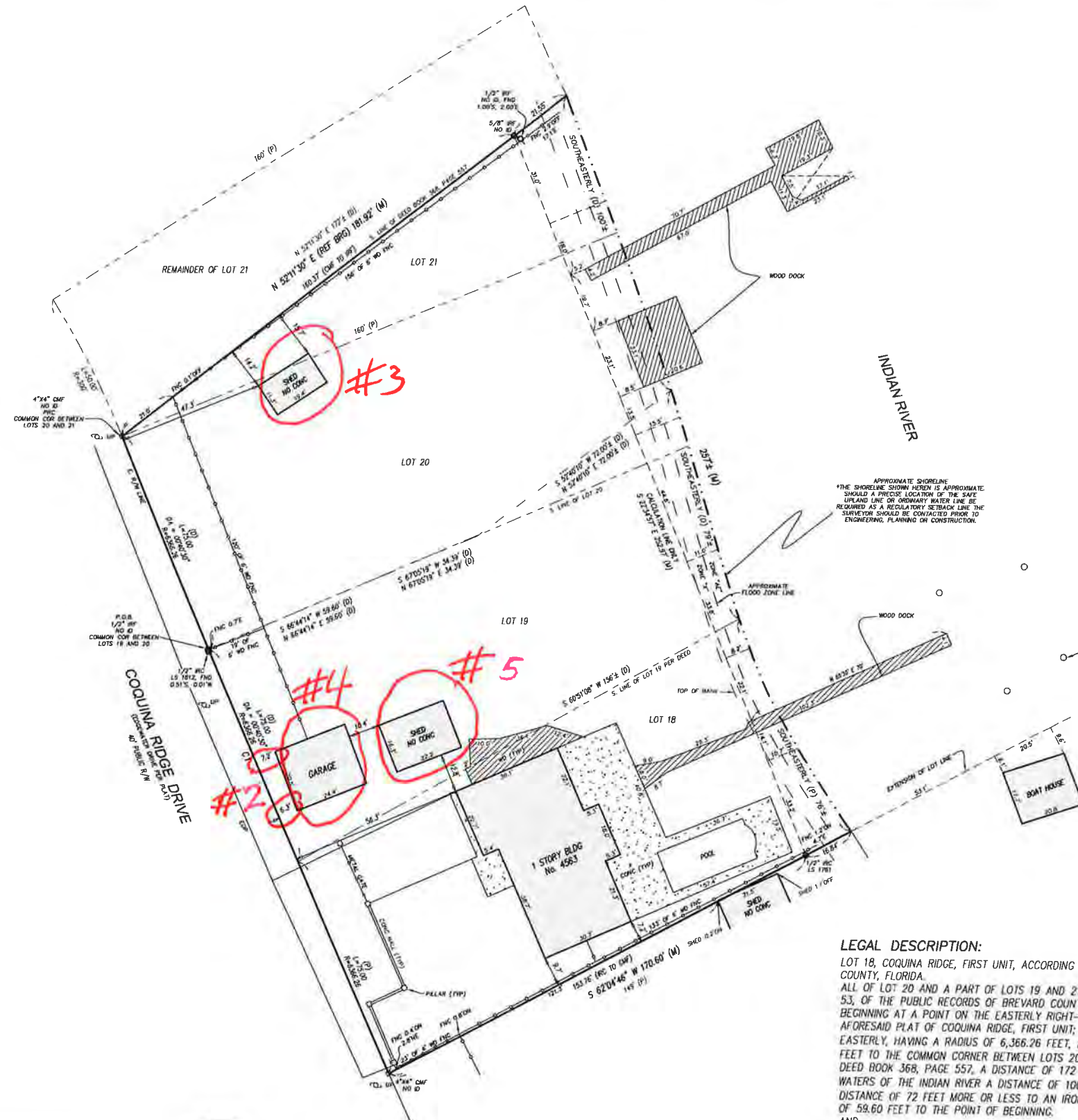
Because this neighborhood was built in the 1940's and 1950's, before the zoning code, many houses and structures have required variances. These variances will allow the Owners to protect their Property and to make the Property more aesthetically pleasing, as others in the neighborhood have been allowed to do.

4. As to Variance B and C, literal enforcement of the Code would not allow any modifications or improvements to the home, garage or shed because of the non-conforming status of the Property. As to Variance A, the inability to have a six-foot fence to keep out trespassers and transients, and to secure the Property would deprive the Owners of similar rights that others in the neighborhood have been granted.
5. These are the minimum variances needed to correct the nonconforming status of the Property and to allow a six (6) foot fence to fully enclose the existing garage with the ability to walk between the fence and the garage with sufficient clearance.
6. The granting of these variances will allow the Owners to cure the nonconforming status of the Property and to compliment the regentrification of the neighborhood. They will also allow the Owners to fully enclose the Property with a tall enough fence to keep the Owners' Property and possessions safe from trespassers and transients. These variances will not be detrimental to the public welfare as they will result in increased value to other properties and assist with the illegal parking and trespassing in the neighborhood.





MAP OF BOUNDARY SURVEY



CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEG
C(1)	225.00'	6,366.26'	225.34°	225.17'	N23°32'06"W
C(2)	225.18'	6,366.26'	225.34°	225.17'	N23°32'06"W

APPROXIMATE SHORELINE  
\*THE SHORELINE SHOWN HEREIN IS APPROXIMATE. SHOULD A PRECISE LOCATION OF THE SAFE USE AND LINE OF ORDINARY WATER LINE BE REQUIRED AS A REGULATORY SETBACK LINE THE SURVEYOR SHOULD BE CONTACTED PRIOR TO ENGINEERING, PLANNING OR CONSTRUCTION.

- LEGEND**
- A = ARC
  - A/C = AIR CONDITIONER
  - BFE = BASE FLOOD ELEVATION
  - BLDG = BUILDING
  - BLK = BLOCK
  - BM = BENCHMARK
  - BRG = BEARING
  - (C) = CALCULATED
  - CTV = CABLE TELEVISION
  - CBS = CONCRETE BLOCK STRUCTURE
  - CHD = CHORD
  - C/L = CENTERLINE
  - CLF = CURB LINK FENCE
  - CMF = CONCRETE MONUMENT FOUND
  - CMP = CORRUGATED METAL PIPE
  - CONC = CONCRETE
  - COR = CORNER
  - (D) = DEED
  - DR = DEED BOOK
  - DA = DELTA ANGLE
  - ELEC = ELECTRIC
  - ELEV = ELEVATION
  - ENC = ENCROACHMENT
  - EOP = EDGE OF PAVEMENT
  - ESMT = EASEMENT
  - FB = FIELD BOOK
  - FEMA = FEDERAL EMERGENCY MANAGEMENT AGENCY
  - FF = FINISHED FLOOR
  - FNC = FENCE
  - FOU = FOUND
  - FPAL = FLORIDA POWER & LIGHT COMPANY
  - ID = IDENTIFICATION
  - IRP = IRON PIPE FOUND
  - IRC = IRON ROD & CAP FOUND
  - IRF = IRON ROD FOUND
  - IRS = 5/8" IRON ROD SET "LB 7838"
  - LB = LICENSED BUSINESS NUMBER
  - LS = (RLS) or (PLS) REGISTERED OR PROFESSIONAL LAND SURVEYOR
  - (M) = MEASURED
  - MAVD = NORTH AMERICAN VERTICAL DATUM
  - NDF = NAIL & DISK FOUND
  - NDS = 1 1/4" NAIL & DISK SET "LB 7838"
  - NVD = NATIONAL GEODETIC VERTICAL DATUM
  - NO = NUMBER
  - O/H = OVERHEAD
  - ORB = OFFICIAL RECORDS BOOK
  - O/S = OFFSET
  - (P) = PLAT
  - PB = PLAT BOOK
  - PC = POINT OF CURVATURE
  - POC = POINT OF COMPOUND CURVATURE
  - PCP = PERMANENT CONTROL POINT
  - PI = POINT OF INTERSECTION
  - PLS = PROFESSIONAL LAND SURVEYOR
  - POB = POINT OF BEGINNING
  - POC = POINT OF COMMENCEMENT
  - PRC = POINT OF REVERSE CURVATURE
  - PRM = PERMANENT REFERENCE MONUMENT
  - PSM = PROFESSIONAL SURVEYOR AND MAPPER
  - PT = POINT OF TANGENCY
  - PUDE = PUBLIC UTILITY & DRAINAGE EASEMENT
  - PUE = PUBLIC UTILITY EASEMENT
  - R = RADIUS
  - REF = REFERENCE
  - RNG = RANGE
  - R/W = RIGHT OF WAY
  - SEC = SECTION
  - SHA = SPECIAL FLOOD HAZARD AREAS
  - TEL = TELEPHONE RISER
  - TWP = TOWNSHIP
  - TYP = TYPICAL
  - UP = UTILITY POLE
  - WD = WOOD
  - WT-COR = 5/8" IRON ROD SET WITH CAP "WITNESS LB 7838"
  - WM = WATER METER
  - WCF = CROSS CUT FOUND

- NOTES:**
- BEARINGS BASED ON THE S. LINE OF DEED BOOK 368, PAGE 557 BEING N 52°11'30" E AS PER DEED (SEE SKETCH)
  - ELEVATIONS BASED ON \_\_\_\_\_
  - FLOOD ZONE "X" AND "AE", MAP No. 12008C0517H, COMMUNITY No. 125082, JANUARY 29, 2021 FLOOD ZONE INFORMATION DEPICTED HEREIN IS APPROXIMATE. FEMA RETAINS SOLE AUTHORITY REGARDING BOUNDARY AND EXTENT OF SFHA
  - HORIZONTAL CLOSURE MEETS OR EXCEEDS THE ACCURACY REQUIREMENTS FOR SUBURBAN LAND AS PER FLORIDA STATUTE 5J-17-6.003
  - BEARINGS, DISTANCES OR ANGLES SHOWN ARE THE SAME AS PLAT, DEED OR RECORD UNLESS SHOWN OTHERWISE
  - NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY.
  - THE SURVEYOR HAS NOT LOCATED NOR ATTEMPTED TO LOCATE ANY UNDERGROUND UTILITIES, FOUNDATIONS, OR STRUCTURES OTHER THAN THOSE THAT MAY BE SHOWN HEREON
  - ONLY BOUNDARY CORNER MONUMENTS AS SHOWN HEREON ARE TO BE USED FOR THE LOCATION AND CONSTRUCTION OF IMPROVEMENTS.
  - UNLESS OTHERWISE INDICATED THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH OR ATTORNEY'S TITLE OPINION.

**LEGAL DESCRIPTION:**

LOT 18, COQUINA RIDGE, FIRST UNIT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

ALL OF LOT 20 AND A PART OF LOTS 19 AND 21, COQUINA RIDGE, FIRST UNIT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF EDGEWATER DRIVE, SAID POINT BEING THE COMMON CORNER BETWEEN LOTS 19 AND 20, IN AFORESAID PLAT OF COQUINA RIDGE, FIRST UNIT; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE AND ALONG A CURVE WHICH IS CONCAVE EASTERLY, HAVING A RADIUS OF 6,366.26 FEET, A CENTRAL ANGLE OF 00°40'30" AND CHORD BEARING NORTH 22°51'44" WEST, FOR AN ARC DISTANCE OF 75.00 FEET TO THE COMMON CORNER BETWEEN LOTS 20 AND 21; THENCE NORTH 52°11'30" EAST ALONG THE SOUTHERLY BOUNDARY LINE OF PROPERTY AS DESCRIBED IN DEED BOOK 368, PAGE 557, A DISTANCE OF 172 FEET MORE OR LESS TO AND INTO THE WATERS OF THE INDIAN RIVER; THENCE SOUTHWESTERLY MEANDERING THE WATERS OF THE INDIAN RIVER A DISTANCE OF 100 FEET MORE OR LESS TO THE SOUTHEASTERLY LINE OF AFORESAID LOT 20; THENCE SOUTH 52°40'10" WEST A DISTANCE OF 72 FEET MORE OR LESS TO AN IRON ROD; THENCE SOUTH 67°05'19" WEST 34.39 FEET TO AN IRON ROD; THENCE SOUTH 66°44'14" WEST, A DISTANCE OF 59.60 FEET TO THE POINT OF BEGINNING.

AND

PART OF LOT 19, COQUINA RIDGE, FIRST UNIT, AS RECORDED IN PLAT BOOK 5, PAGE 53, OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COQUINA RIDGE DRIVE (FORMERLY EDGEWATER DRIVE), SAID POINT BEING THE COMMON CORNER BETWEEN LOTS 19 AND 20 IN AFORESAID PLAT OF COQUINA RIDGE, FIRST UNIT, THENCE N66°44'14" E A DISTANCE OF 59.60 FEET; THENCE N67°05'19" E A DISTANCE OF 34.39 FEET; THENCE N52°40'10" E A DISTANCE OF 72 FEET MORE OR LESS TO THE ORDINARY HIGH WATER LINE OF THE INDIAN RIVER; THENCE SOUTHEASTERLY MEANDERING THE ORDINARY HIGH WATER LINE OF THE INDIAN RIVER A DISTANCE OF 79 FEET, MORE OR LESS TO, THE SOUTHERLY PROPERTY LINE OF AFORESAID LOT 19; THENCE S60°51'08" W ALONG SAID SOUTH LINE OF LOT 19 A DISTANCE OF 156 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF COQUINA RIDGE DRIVE (FORMERLY EDGEWATER DRIVE), SAID POINT BEING ON A CIRCULAR CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 6,366.26 FEET, A CENTRAL ANGLE OF 0°40'30" AND A CHORD BEARING OF N23°32'06" W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 75.00 FEET TO THE POINT OF BEGINNING.

**CERTIFICATION:**  
I HEREBY CERTIFY THAT THE ATTACHED SURVEY WAS DONE UNDER MY DIRECTION AND MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*Joel Seymour* DATE: 5/15/23  
JOEL A SEYMOUR PROFESSIONAL LAND SURVEYOR AND MAPPER  
STATE OF FLORIDA NO. LS 6133



5/15/2023 | 3:45 AM PDT

**CERTIFIED TO:**  
BRADLEY W. SINCLAIR AND ALETA K. SINCLAIR

BOUNDARY	DATE: 7/19/22	JOB No. 37631
		COORIDGE/18-20

**Kane Surveying, Inc.**  
FLORIDA LICENSED BUSINESS No. LB 7838  
505 DISTRIBUTION DRIVE  
MELBOURNE, FLORIDA 32904  
(321) 676-0427  
FAX (321) 984-1448

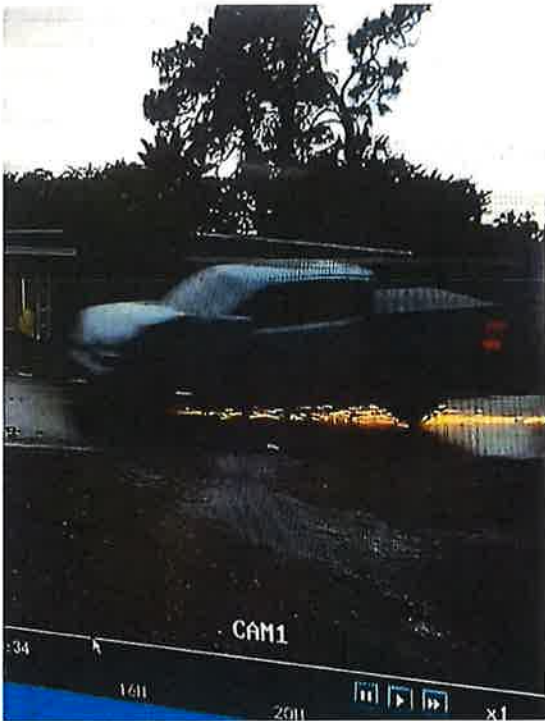


Sinclair Variance Request: COQUINA RIDGE LOTS 18, 19, 20 & PART OF LOT 21 DESC IN ORB 2914 PG 93



PAUL BERUBE

4429 Coquina Ridge Dr., Melbourne FL 32935



Driver who drove by on 3 wheels on the 4<sup>th</sup> of July weekend 2020



Driver's truck parked down the street the day after the July 4<sup>th</sup> party.



Lawn service parked in front of 4563 Coquina Ridge Dr., Melbourne





Same truck, different day.





Another random truck



Another random empty car





Trespassers







HARDIMAN FAMILY REVOCABLE TRUST  
4465 Coquina Ridge Dr Melbourne FL 32935





HARDIMAN FAMILY REVOCABLE TRUST  
4465 Coquina Ridge Dr Melbourne FL 32935



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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G.2.

1/17/2024

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### **Subject:**

Jeff Haggard requests a variance for an accessory structure in an RU-1-13 zoning classification. (23V00046) (Tax Account 2437357) (District 2) This item to be tabled to the 02/21/24 meeting.

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Board of Adjustment table the request to the February 21, 2024, meeting to allow the applicant time to add a variance to the request.

### **Summary Explanation and Background:**

### **Clerk to the Board Instructions:**





# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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G.3.

1/17/2024

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### **Subject:**

Christopher D. Strozier requests a variance to lot width in an RU-1-11 zoning classification. The property is currently zoned RU-1-9. (23V00047) (Tax Account 2104016) (District 1)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Board of Adjustment conduct a public hearing to consider variance to lot width in an RU-1-11 (Single-Family Residential) zoning classification. The property is currently zoned RU-1-9 (Single-Family Residential).

### **Summary Explanation and Background:**

Christopher D. Strozier requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1340(5) (a), to permit a variance of 10 ft. from the required 75-ft. minimum lot width in an RU-1-11 zoning classification. Currently zoned RU-1-9. The property is 0.31 acres, located on the west side of Kaiser Road, approx. 203 ft. south of Smith Road. (2466 Kaiser Rd., Mims.)

### **Clerk to the Board Instructions:**



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, January 17, 2024  
DATE: 12/28/2023

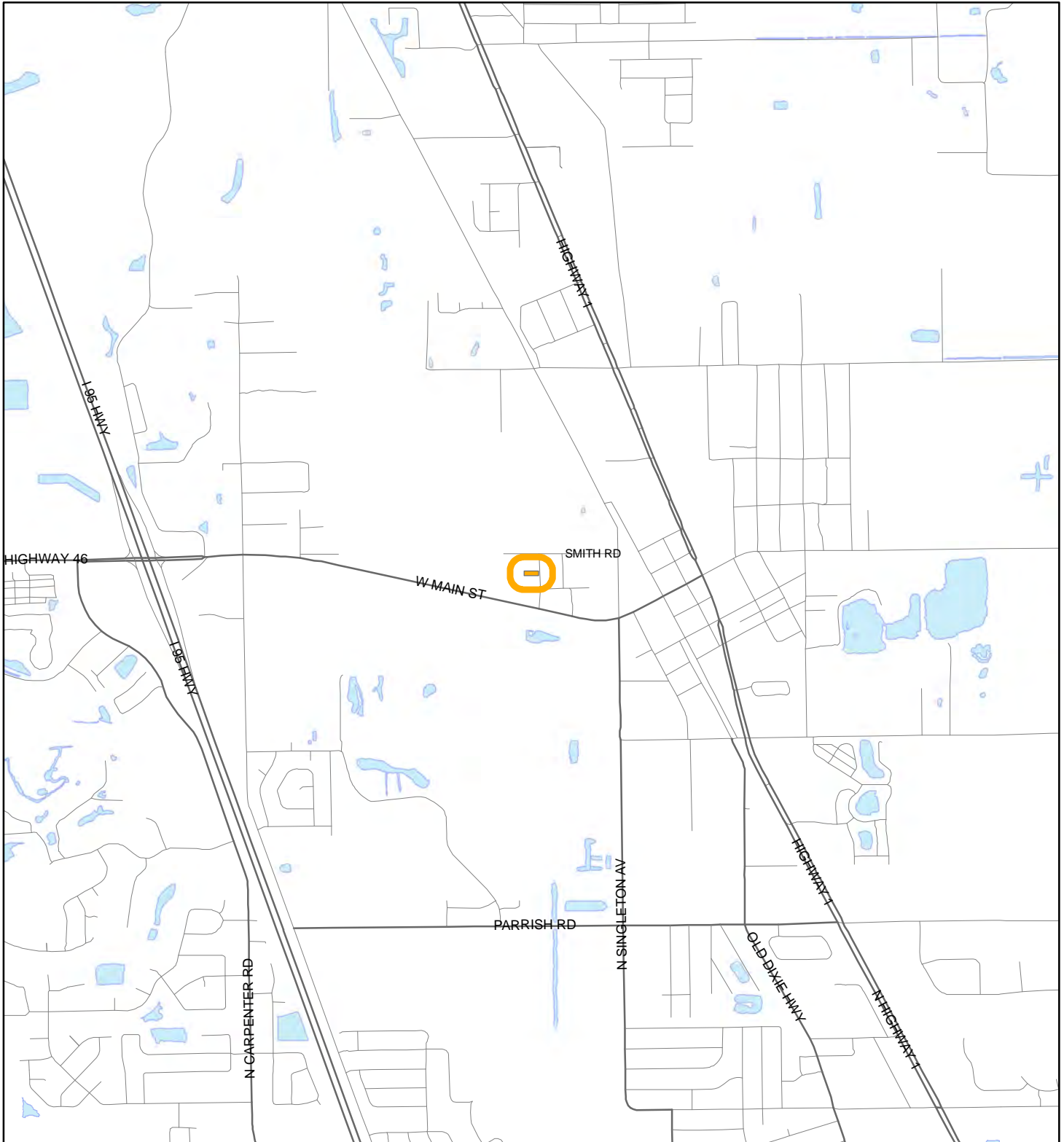
### DISTRICT 1

**3. (23V00047) Christopher D. Strozier** requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1340(5)(a), to permit a variance of 10 ft. from the required 75-ft. minimum lot width in an RU-1-11 (Single-Family Residential) zoning classification. The parcel is currently zoned RU-1-9 (Single-Family Residential). This request represents the applicant's request to legitimize an existing parcel to be rezoned to RU-1-11, the parcel is currently zoned RU-1-9, to build a proposed single-family home on the parcel. The applicant states that the parcel was subdivided into its current configuration on February 28, 1960, by a previous owner and the current RU-1-9 zoning classification is not consistent/compatible with the Residential 4 (RES 4) Future Land Use classification. This request equates to a 13% deviation of what the code allows. There are no variances to the minimum lot width requirement in the immediate area. There is no code enforcement action pending with the Brevard County Planning and Development Department. If the Board approves the variances, it may want to limit its approval as depicted on the survey provided by the applicant with a date of 10/27/2020.

# LOCATION MAP

CHRISTOPHER D. STROZIER

23V00047





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

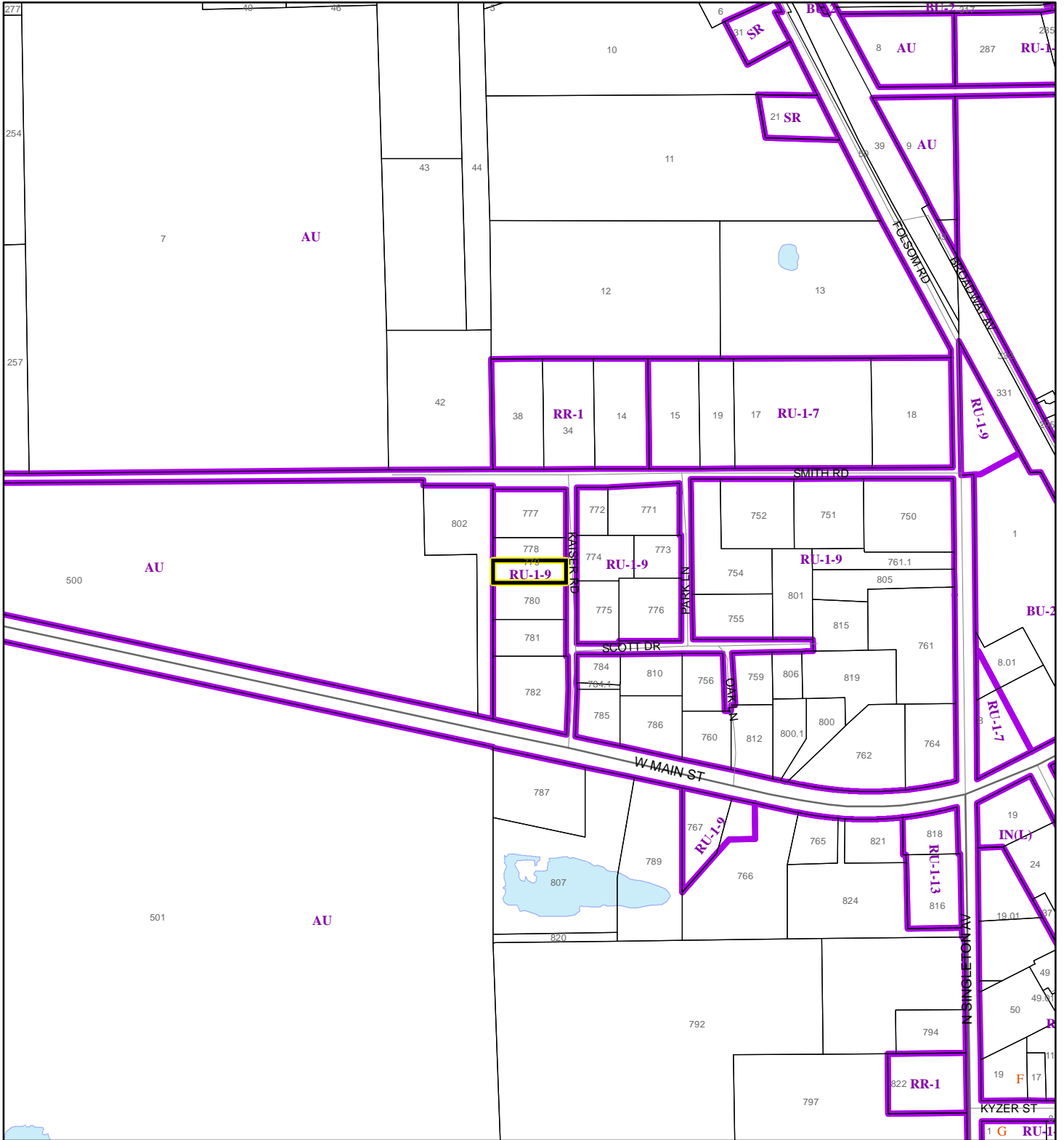
This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/28/2023

-  Buffer
-  Subject Property

# ZONING MAP

CHRISTOPHER D. STROZIER  
23V00047



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/28/2023

- Subject Property
- Parcels
- Zoning



AERIAL MAP  
CHRISTOPHER D. STROZIER  
23V00047





1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 11/28/2023

-  Subject Property
-  Parcels



## VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number \_\_\_\_\_, and

name of contractor \_\_\_\_\_

No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

*This land was subdivided in Distfiguration in 1960. And does not meet width to build a single family home.*

(2) That the special conditions and circumstances do not result from the actions of the applicant:

*This was subdivided in this figurat. na by previous owner.*

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification:

*I am just trying to legitimize This lot for a single family home.*

(over)

(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

*Without the Variance and Rezoning the property it would just be vacant land*

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

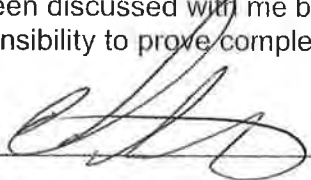
*Yes this the minimum variance requested.*

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

*Yes to be the intent to legitimize the lot to build single family houses*

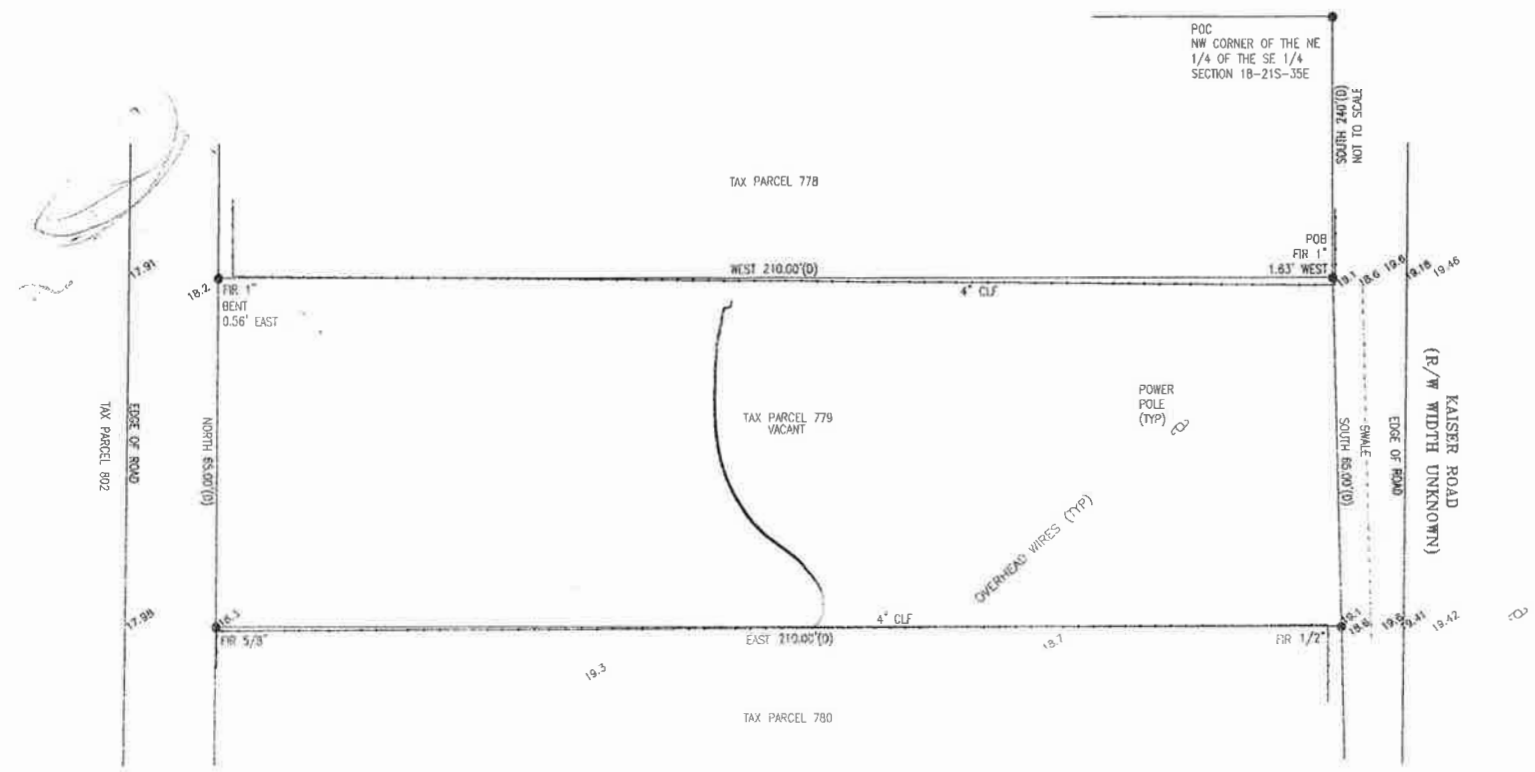
I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant



Signature of planner



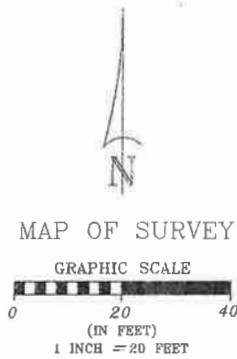


**LEGAL DESCRIPTION:**

BEGIN AT A POINT 240 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 SECTION 18, TOWNSHIP 21 SOUTH, RANGE 35 EAST; THENCE RUN SOUTH 65 FEET; THENCE RUN EAST 210 FEET; THENCE RUN NORTH 65 FEET; THENCE RUN WEST 210 FEET TO THE POINT OF BEGINNING.

**SURVEYOR'S NOTES:**

1. Unless otherwise noted, only plotted easements are shown hereon.
2. P.U.D.E. denotes Public Utilities and Drainage Easement; P.U.E. denotes Public Utilities Easement.
3. No underground utilities or improvements were located unless otherwise shown.
4. Unless otherwise noted, any elevations shown are assumed for calculation purposes.
5. Bearings shown hereon are based on the Centerline line of KAISER ROAD, being SOUTH according to the Plat described hereon and may not be a True North Azimuth.
6. This site appears to lie within F.J.R.M. Zone "X" per Community Panel Number 12095C0115G, dated 03/17/14.



**LEGEND:**

- Set 1/2" iron rebar with cap # PSM 6545
- Found iron rebar, size and cap #
- Set 4"x 4" concrete monument with cap # PSM 6545
- Found concrete monument, size and identification #
- △ Set nail and disk # PSM 6545
- ▲ Found nail and disk, identification # as shown
- 75.5 Existing spot elevation NAVD 1988
- Denotes concrete areas

- PSM PROFESSIONAL SURVEYOR & MAPPER
- LB LICENSED BUSINESS
- FIR FOUND IRON REBAR
- SIR SET IRON REBAR
- R/W RIGHT OF WAY
- P PLAT
- MEAS. MEASURED DISTANCE
- FIRM FEDERAL INSURANCE RATE MAP
- P.U.D.E. PUBLIC UTILITIES AND/OR DRAINAGE EASEMENT
- CBS CONCRETE BLOCK STRUCTURE
- PC POINT OF CURVE
- S/W SIDEWALK
- A/C AIR CONDITIONING
- FB FIELD BOOK
- EP EDGE OF PAVEMENT
- TYP TYPICAL
- CLF CHAIN LINK FENCE

Drawn by:	CD	<b>Layout Services, Inc.</b>
Checked by:	JZ	
Scale:	1" = 20'	LAND SURVEYING & MAPPING 3380 S PARK AVE SUITE 7 TITUSVILLE, FL. 32796 (321) 529-4484 layout1@att.net
Date:	10-27-20	
Project #	20-466	
DATE	REVISIONS	

Section 18, Township 21S, Range 35E

**BOUNDARY & IMPROVEMENT SURVEY**

Certified to:

Christopher D Strozier  
Alliant National Title Insurance Company  
Island Title & Escrow Agency Inc.

I hereby certify that the survey shown hereon is true and correct to the best of my knowledge and belief, based on actual measurements taken in the field. This survey meets the Standards of Practice as set forth by the Florida Board of Professional Land Surveyors in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

James C Zimmerman  
Professional Land Surveyor No. 6541  
Certificate of Authorization No. 754C







# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

---

G.4.

1/17/2024

---

### **Subject:**

William L. and Maureen F. Baker request a variance to the minimum lot size in an AU zoning classification. (23V00048) (Tax Account 2001869) (District 1)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Board of Adjustment conduct a public hearing to consider a variance to the minimum lot size in an AU (Agricultural Residential) zoning classification.

### **Summary Explanation and Background:**

William L. and Maureen F. Baker request a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1334(4), to permit a variance of 0.28 acres from the required 2.5-acre minimum lot size in an AU zoning classification. The property is 2.22 acres, located on the north side of Burkholm Rd., approx. 0.32 mile east of Brighton Blvd. (4340 Burkholm Rd., Mims)

### **Clerk to the Board Instructions:**



BOARD OF COUNTY COMMISSIONERS

## Inter-Office Memo

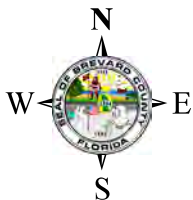
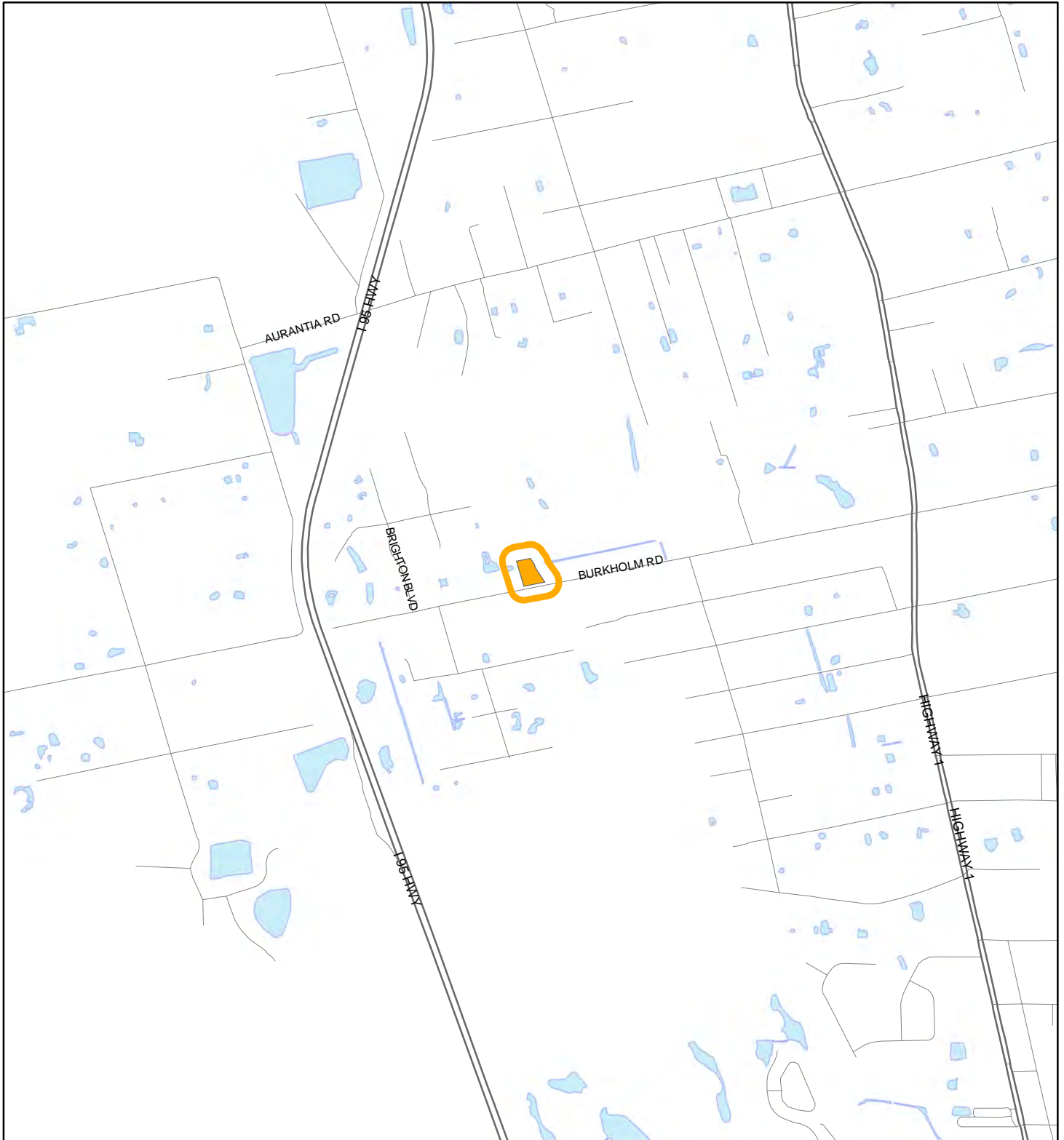
TO: Board of Adjustment Members  
FROM: Paul Body, Senior Planner  
Thru: Jeffrey Ball, AICP, Planning & Zoning Manager  
SUBJECT: Variance Staff Comments for Wednesday, January 17, 2024  
DATE: 12/28/2023

### DISTRICT 1

**4. (23V00048) William L. and Maureen F. Baker** request a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1334(4), to permit a variance of 0.28 acres from the required 2.5-acre minimum lot size in an AU (Agricultural Residential) zoning classification. This request represents the applicants' request to legitimize an existing parcel. The applicant states that the parcel was subdivided into its current configuration on July 10, 1990, by a previous owner and the house was built in 1979. This request equates to a 13% deviation of what the code allows. There are no variances to the minimum lot size requirement in the immediate area. There is no code enforcement action pending with the Brevard County Planning and Development Department. If the Board approves the variances, it may want to limit its approval as depicted on the survey provided by the applicant with a date of 02/15/2022.

# LOCATION MAP

Baker, William & Maureen  
23V00048





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

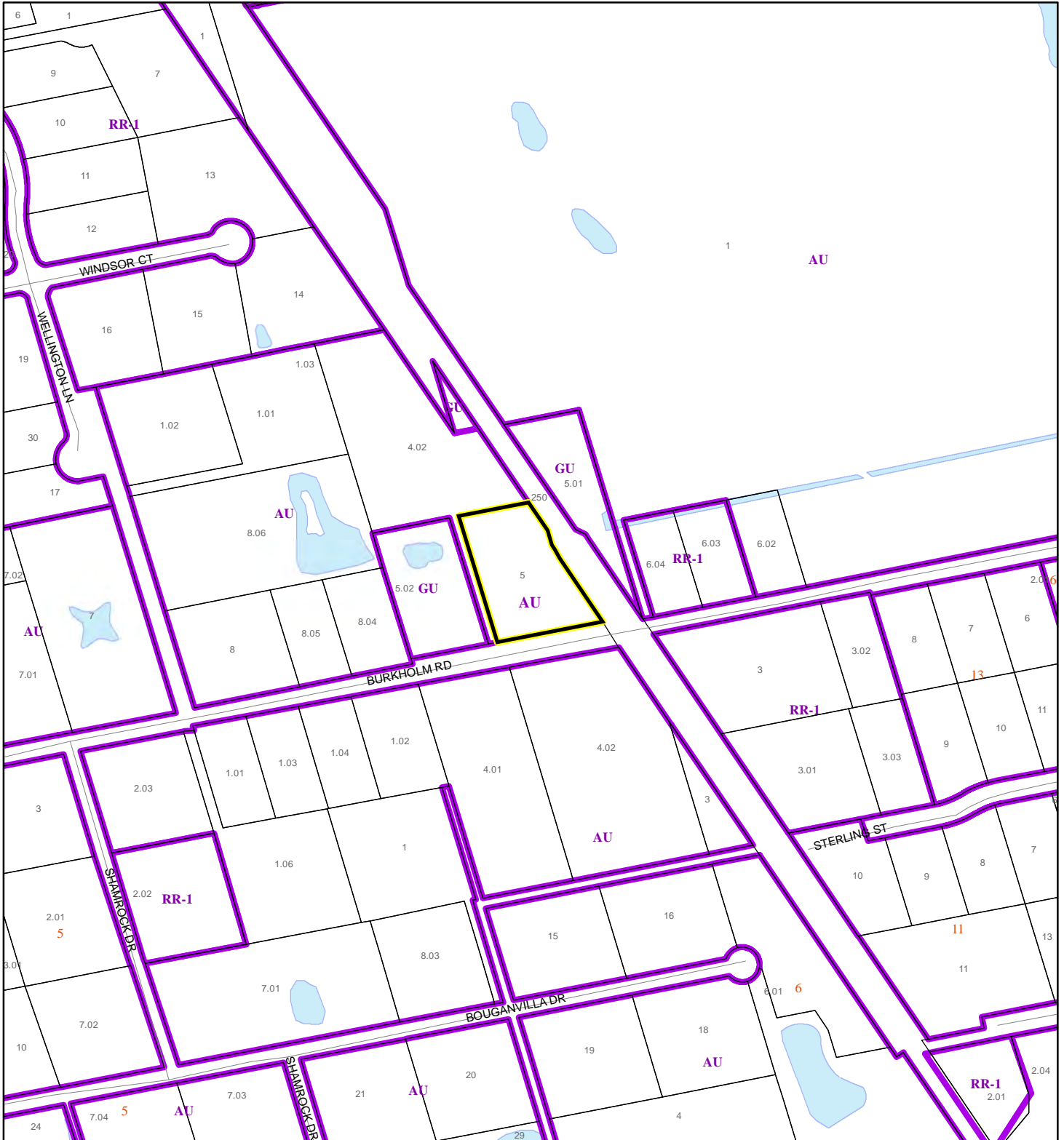
Produced by BoCC - GIS Date: 12/8/2023

-  Buffer
-  Subject Property



# ZONING MAP




Baker, William & Maureen  
23V00048



1:4,800 or 1 inch = 400 feet

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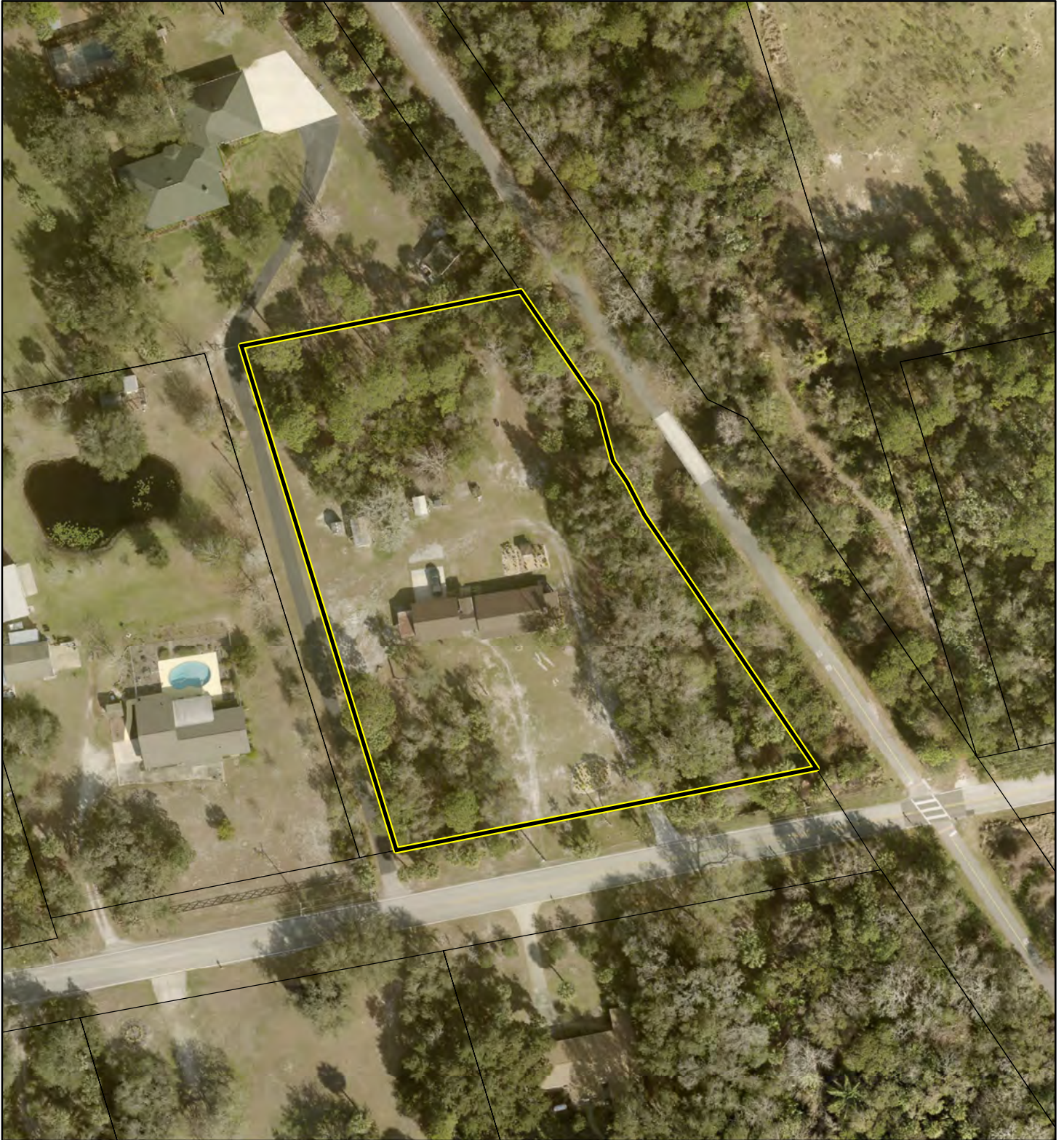
Produced by BoCC - GIS Date: 12/8/2023

-  Subject Property
-  Parcels
-  Zoning



# AERIAL MAP

Baker, William & Maureen  
23V00048




1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/8/2023

 Subject Property

 Parcels



## VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number \_\_\_\_\_, and  
name of contractor \_\_\_\_\_

No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

Land size is 2.2 acres and zoned agricultural. Does not meet the 2.5 acre requirement to be

Zoned agricultural which all properties in the area are zoned. Property was over 2.5 acres  
Before a flag stem road was built to access the property behind this property.

(2) That the special conditions and circumstances do not result from the actions of the applicant:

The property had a flag stem access road built in 1990 to access the property on the north side  
of this property. We purchased the property in March 2022.

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification:

The variance will not confer any special privileges. The variance will allow the property to  
Remain properly zoned and allow the same privileges as surrounding properties.

(over)

(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

Without the zoning variance we would not have any of the rights enjoyed by other surrounding  
Properties and would not be able to add to or improve the property as we would enjoy if properly  
Zoned. This would not allow us to add additional structures as needed to enjoy our property.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

Approving the variance as it is currently zoned is the minimum that would allow us to use and  
Develop the property as needed.

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

Approval of the variance will not be injurious to the area involved and would ensure that the  
Area will remain as intended and will not cause any conflicts that would result if it was zoned  
Differently than surrounding properties.

I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant Will Bak

Signature of planner Luigi Bellan



...GE 1 OF 1

TYPE OF SURVEY:

- BOUNDARY
- CONSTRUCTION
- CONDOMINIUM
- ALTA/NSPS
- TOPOGRAPHIC
- SPECIAL PURPOSE

PURPOSE OF SURVEY (SEE GENERAL NOTES BELOW):

purchase/ refinance

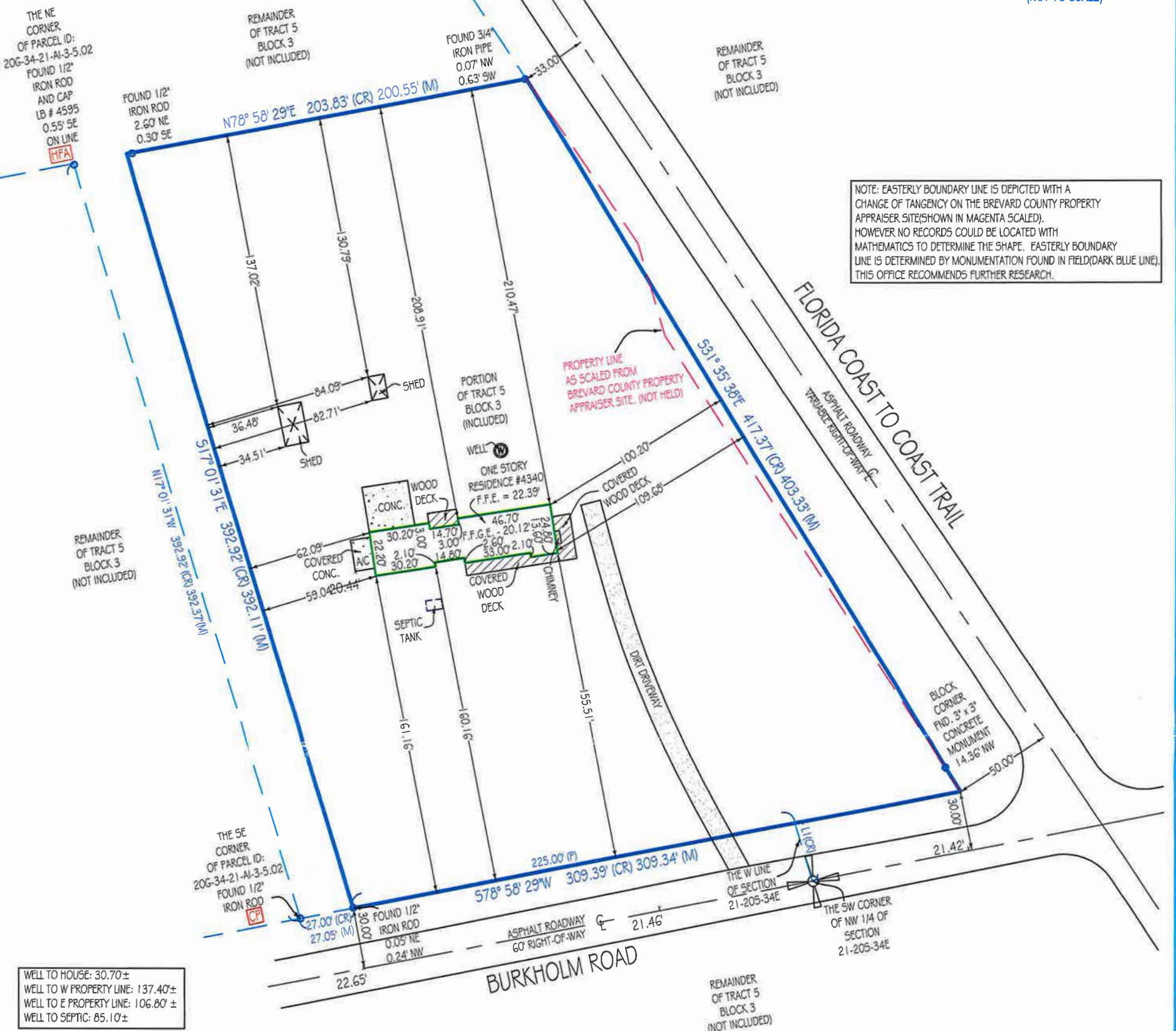


BEARING REFERENCE:

THE WEST LINE OF SECTION 21, TOWNSHIP 20 SOUTH, RANGE 34 EAST CALCULATED AS S 17°01'31" W FROM STATE PLANE COORDINATES N.A.D. 83 AS RECORDED ON LABINS.ORG.  
ALL BEARINGS SHOWN HEREON REFERENCED THERETO.



**AERIAL PHOTOGRAPH**  
(MAY NOT SHOW LATEST IMPROVEMENTS)  
(NOT-TO-SCALE)



NOTE: EASTERLY BOUNDARY LINE IS DEPICTED WITH A CHANGE OF TANGENCY ON THE BREVARD COUNTY PROPERTY APPRAISER SITE(SHOWN IN MAGENTA SCALED). HOWEVER NO RECORDS COULD BE LOCATED WITH MATHEMATICS TO DETERMINE THE SHAPE. EASTERLY BOUNDARY LINE IS DETERMINED BY MONUMENTATION FOUND IN FIELD(DARK BLUE LINE). THIS OFFICE RECOMMENDS FURTHER RESEARCH.

"CP" = CONTROLLING POINT (POINT OF ROTATION) "HFA" = HELD FOR ALIGNMENT - ALL OTHER MONUMENTATION AND IMPROVEMENTS RELATIVE THERETO

**Platted Easements & Notable Conditions (unplatted easements also listed if provided): IF APPLICABLE, RECIPIENTS OF THIS SURVEY SHOULD REVIEW THE POSITION OF ANY FENCE LINES SHOWN AND THEIR RELATIONSHIP TO THE BOUNDARY LINE.**  
-NO NOTABLE CONDITIONS FOUND.

This survey has been issued by the following Landtec Surveying office:  
700 West Hillsboro Boulevard, Suite 4-100  
Deerfield Beach, FL 33441  
Office: (561) 367-3587  
Fax: (561) 465-3145  
[www.Landtecsurveying.com](http://www.Landtecsurveying.com)

ABBREVIATION LEGEND (SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING):

- A or AL = ARC LENGTH
- CA = CENTRAL ANGLE
- CATV = CABLE TV RISER
- CF = CALCULATED FROM FIELD
- CR = CALCULATED FROM RECORD
- CH = CHORD DISTANCE
- C/O = CLEANOUT
- CONC. = CONCRETE
- DE = DRAINAGE EASEMENT
- EL. or ELEV = ELEVATION
- EM = ELECTRIC METER
- FIR = FOUND IRON ROD
- FN = FOUND NAIL
- FND = FOUND
- L = LEGAL DESCRIPTION
- M = MEASURED
- OHC = OVERHEAD CABLE
- P = PLAT
- PI = POINT OF INTERSECTION
- PT = POINT OF TANGENCY
- PRC = POINT OF REVERSE CURVE
- PCC = POINT OF COMPOUND CURVE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PH = POOL HEATER
- PP = POOL PUMP
- R = RADIUS
- SEC = SECTION
- TWP = TOWNSHIP
- RMG = RANGE
- QTR = QUARTER
- TR = TELEPHONE RISER
- UE = UTILITY EASEMENT
- UP = UTILITY POLE
- WM = WATER METER
- WV = WATER VALVE

SYMBOLS (SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING - NOT TO SCALE):

- ⊕ = UTILITY POLE
- ⊙ = LIGHT POLE
- ⊚ = CATCH BASIN
- ⊛ = FIRE HYDRANT
- ⊜ = MANHOLE
- ⊝ = WATER VALVE
- ⊞ = WATER METER
- ⊟ = WELL
- ⊠ = CENTER LINE
- ⊡ = PARTY WALL
- ⊢ = AIR CONDITIONER
- ⊣ = SEPTIC LID
- ⊤ = ELEV. SHOT
- ♿ = HANDICAP PARKING SPACE
- ⊞ = SEC. QTR. CORNER
- ⊞ = SECTION CORNER

- LINETYPES:
- BOUNDARY
  - BUILDING
  - EASEMENT
  - CHAIN LINK FENCE
  - WOOD FENCE
  - PLASTIC FENCE
  - OVERHEAD CABLE

GENERAL NOTES:

1. THIS SURVEY IS BASED UPON RECORD INFORMATION PROVIDED BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
2. AS INDICATED ABOVE, UNDER "PURPOSE OF SURVEY", IF THIS SURVEY HAS BEEN PREPARED FOR A PURCHASE OR REFINANCE, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES, AND IS NOT INTENDED FOR USE IN DESIGN OR CONSTRUCTION PURPOSES. LANDTEC SURVEYING ASSUMES NO RESPONSIBILITIES FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
3. ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL OF, OR CHANGES MADE TO, ANY FENCES UNLESS WE HAVE PROVIDED A SURVEY SPECIFICALLY LOCATING SAID FENCES FOR SUCH PURPOSES. DETERMINATION OF FENCE POSITIONS SHOULD BE BASED SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
4. GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS - DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
5. UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
6. ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988) AS SHOWN ABOVE.
7. ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
8. ANY CORNERS SHOWN AS "SET" HAVE EITHER BEEN SET ON THE DATE OF FIELD WORK, OR WILL BE SET WITHIN 5 BUSINESS DAYS OF SAID DATE AND ARE IDENTIFIED WITH A CAP MARKED LS (LICENSED SURVEYOR) #5639.

Job Nr: 135673-CE Date of Field Work : 02/15/2022 Drawn by: D.S.

Elevations, if shown:

Benchmark: AK 0732

Benchmark Elev.: 31.19'

Benchmark Datum: NAVD1988

Elevations on Drawing are in:  
N.G.V.D.29  N.A.V.D.88

Revisions:


PRINTING INSTRUCTIONS:  
WHEN PRINTING THIS PDF IN ADOBE. SELECT "ACTUAL SIZE" TO ENSURE CORRECT SCALING.  
DO NOT USE "FIT".

**LANDTEC**  
SURVEYING

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... measurably better!



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

---

G.5.

1/17/2024

---

### **Subject:**

Luz Nogueroles requests two variances for an accessory structure (barn) in an AU zoning classification. (23V00049) (Tax Account 25009830) (District 2)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Board of Adjustment conduct a public hearing to consider two variances for an accessory structure (barn) in an AU (Agricultural Residential) zoning classification.

### **Summary Explanation and Background:**

**Luz Nogueroles** requests a variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1334(5)(c)(2), to permit a variance of 16 ft. from the required 50-ft. side (north) setback for a barn; 2.) Section 62-1334(5)(c)(2), to permit a variance of 29.5 ft. from the required 50-ft. side (south) setback for a barn, in an AU zoning classification. The property is 5 acres, located on the west side of Martin Rd., approx. 0.62 mile northwest of S. Fiske Blvd. (1455 Martin Rd., Rockledge)

### **Clerk to the Board Instructions:**





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, January 17, 2024  
DATE: 12/28/2023

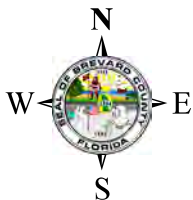
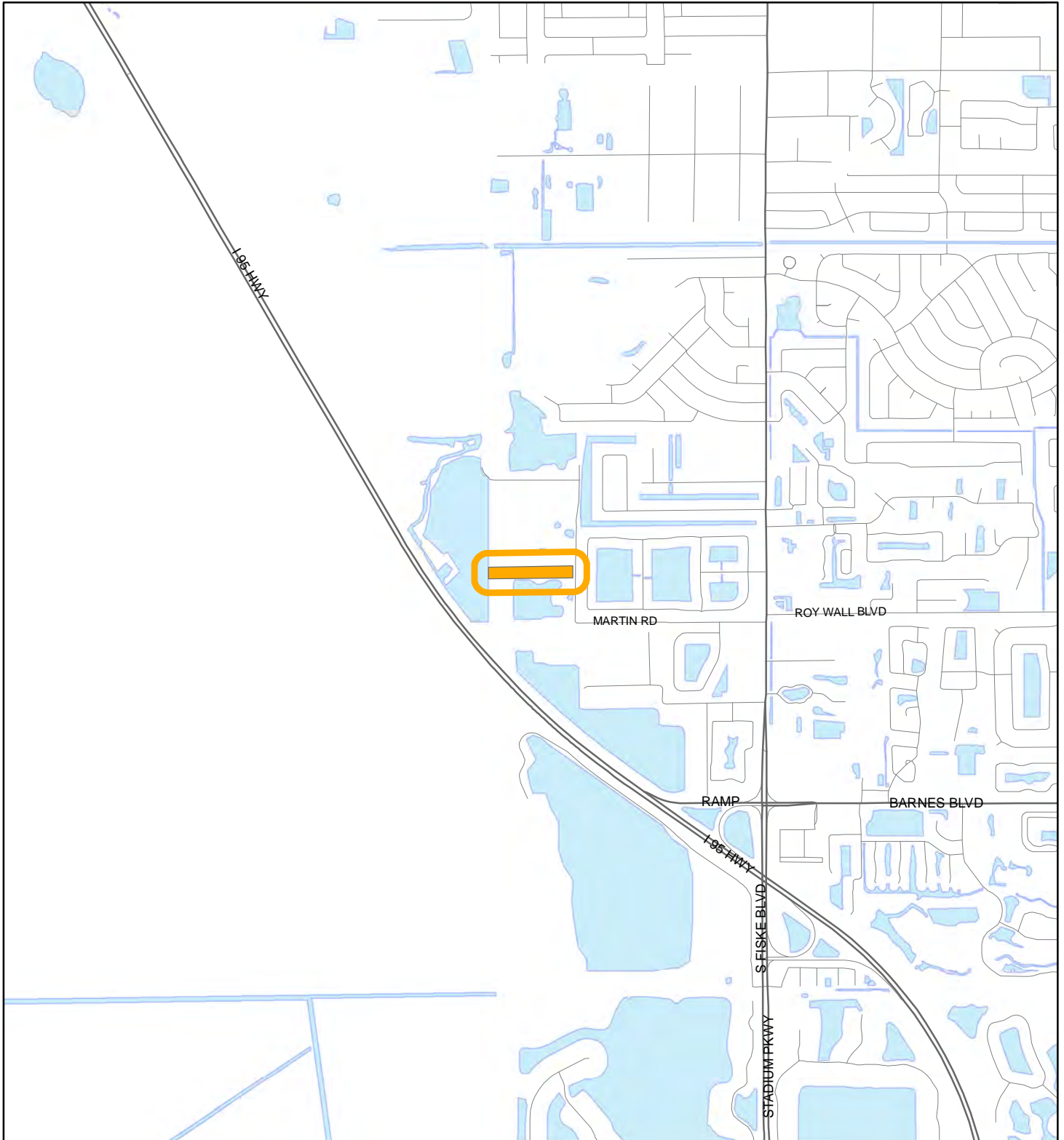
### DISTRICT 2

**5. (23V00049) Luz Nogueroles** requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1334(5)(c)(2), to permit a variance of 16 ft. from the required 50-ft. side (north) setback for a barn; 2.) Section 62-1334(5)(c)(2), to permit a variance of 29.5 ft. from the required 50-ft. side (south) setback for a barn (stable), in an AU (Agricultural Residential) zoning classification. This request represents the applicant's request to legitimize an existing barn and an existing stable. The applicant states the barn and stable were built by a previous owner in the 1980's and were in this configuration when they purchased the parcel on June 27, 2023. The first request equates to a 32% deviation of what the code allows. The second request equates to a 59% deviation of what the code allows. There is one variance 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 this variance, it may want to limit its approval as depicted on the survey provided by the applicant with a Survey date of 12/01/2023.

# LOCATION MAP

RCF 2 ACQUISITION TRUST

23V00049





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/8/2023

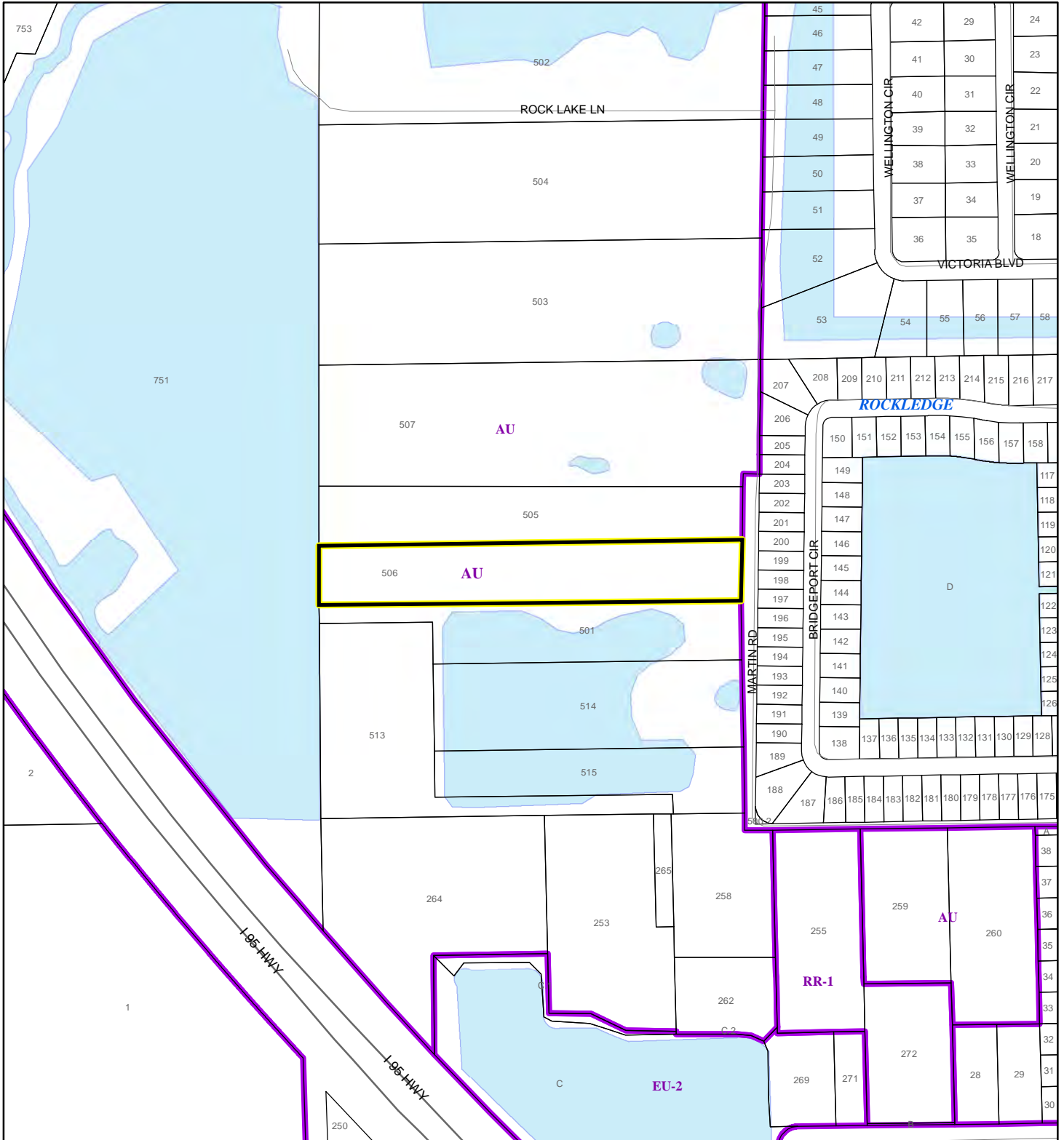
-  Buffer
-  Subject Property



# ZONING MAP

## RCF 2 ACQUISITION TRUST

### 23V00049



1:4,800 or 1 inch = 400 feet

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Produced by BoCC - GIS Date: 12/8/2023

- Subject Property
- Parcels
- Zoning

AERIAL MAP  
RCF 2 ACQUISITION TRUST  
23V00049





1:2,400 or 1 inch = 200 feet

PHOTO YEAR: 2023

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Produced by BoCC - GIS Date: 12/8/2023

-  Subject Property
-  Parcels



## VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number 23CE-01302, and  
name of contractor N/A

No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

Trying to legitimize the existing barn and stable that were built by previous owner back in the 1980's.

(2) That the special conditions and circumstances do not result from the actions of the applicant:

The structures were built prior to 1984 by previous owner.

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification:

Barns and stables are permitted in the current agriculture zoning.

(over)

(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

Demo exist Stable & Barns that were built back in the 1980's by previous owner which are allowed on the lot.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

Yes this is the minimum variance granted

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

They have been in configuration since the 1980's and are detrimental or harmful to anyone and zoning allows them.

I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant

Signature of planner



PAGE 1 OF 1  
**BOUNDARY SURVEY**

BUILDING DETAIL  
 SCALE: 1"=20'

23V00049  
 Nogueroles



**LEGAL DESCRIPTION:**

THE SOUTH 5 ACRES OF NORTH 20 ACRES OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 25 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE SOUTHWEST CORNER OF SECTION 17, AND RUN THENCE NORTH 00 DEGREES 04'12" EAST, ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 642.31 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 42'12" EAST, ALONG THE WEST LINE OF SAID SECTION 17, A DISTANCE OF 172.03 FEET; THENCE RUN NORTH 89 DEGREES 58'30" EAST, A DISTANCE OF 1,267.46 FEET; THENCE RUN SOUTH 01 DEGREES 30'49" WEST, A DISTANCE OF 172.07 FEET; THENCE RUN SOUTH 89 DEGREES 58'30" WEST, A DISTANCE OF 1,265.03 FEET TO A POINT ON THE WEST LINE OF SECTION 17 AND THE POINT OF BEGINNING.

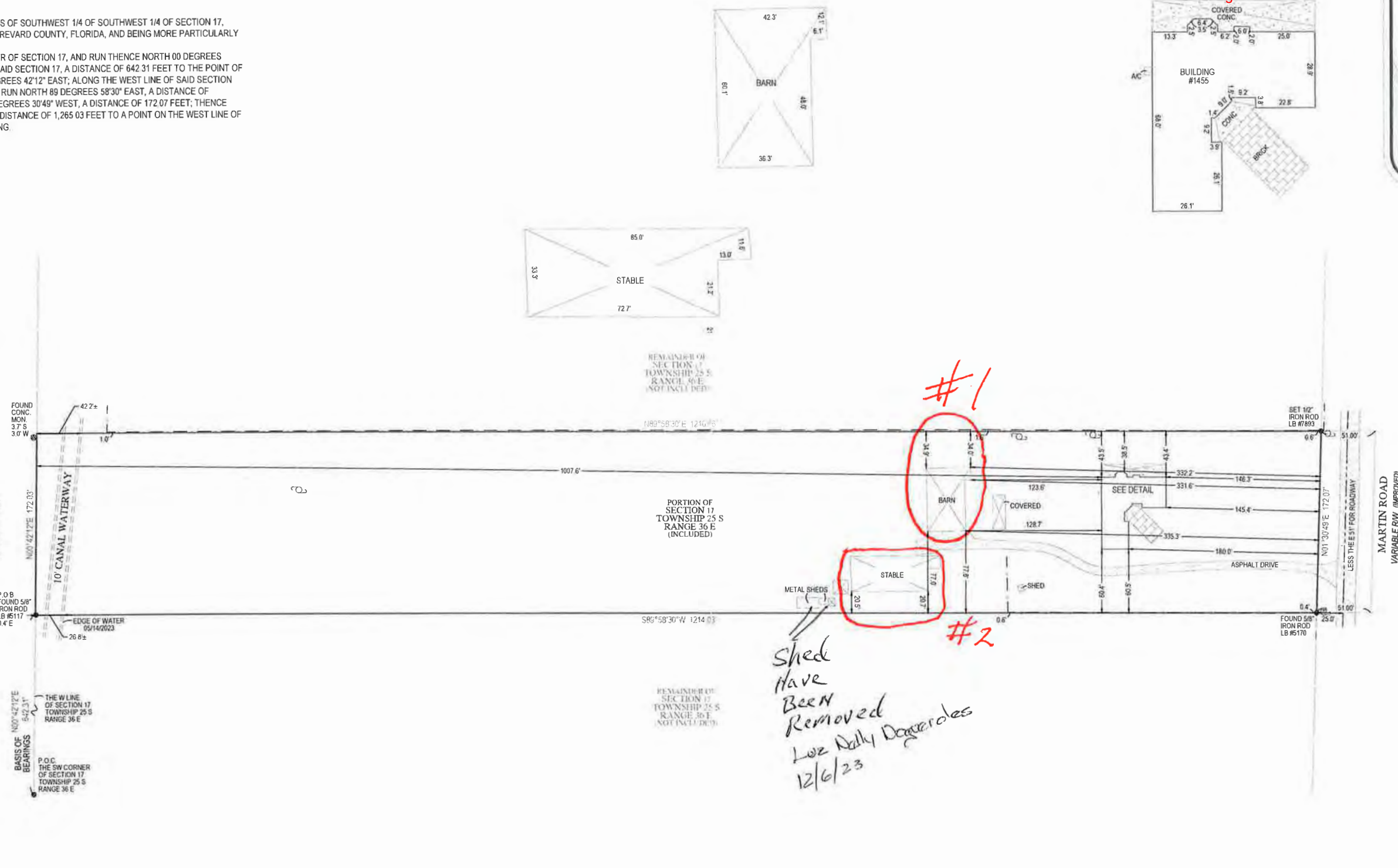
CERTIFIED TO:  
 LUZ NELLY NOGUEROLES

COMMUNITY NUMBER: 125092  
 PANEL: 12009C0425 SUFFIX: G  
 F.I.R.M. DATE: 03/17/2014  
 FLOOD ZONE: AE

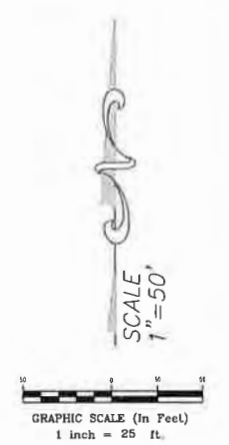
FIELD WORK: 06/14/2023

PROPERTY ADDRESS:  
 1455 MARTIN ROAD  
 ROCKLEDGE, FL 32955

SURVEY NUMBER: 590886  
 CLIENT FILE NUMBER: 2022050424CD



*Shed  
 Have  
 Been  
 Removed  
 Luz Nelly Nogueroles  
 12/6/23*



**ABBREVIATION DESCRIPTION:**

A E	ANCHOR EASEMENT	F.F. EL	FINISH FLOOR ELEVATION	O.R.B.	OFFICIAL RECORDS BOOK
A.C.	AIR CONDITIONER	F.I.P.	FOUND IRON PIPE	P	PLAT
B.M.	BENCH MARK	F.I.R.	FOUND IRON ROD	P.B.	PLAT BOOK
B.R.	BEARING REFERENCE	F.P.K.	FOUND PARKER-KALON NAIL	P.C.	POINT OF CURVATURE
(C)	CALCULATED	L	LENGTH	P.C.C.	POINT OF COMPOUND CURVE
(D)	DEED / DESCRIPTION	L.A.E.	LIMITED ACCESS EASEMENT	P.O.B.	POINT OF BEGINNING
D.H.	DRAINAGE EASEMENT	L.M.E.	LAKE MAINTENANCE EASEMENT	P.O.C.	POINT OF COMMENCEMENT
D.H.	DRILL HOLE	M	MEASURED / FIELD VERIFIED	P.O.R.C.	POINT OF REVERSE CURVE
D.W.	DRIVEWAY	M.H.	MANHOLE	P.T.	POINT OF TANGENCY
E.O.W.	EDGE OF WATER	M.N.D.	NAIL & DISK	R.W.	RIGHT-OF-WAY
F.C.M.	FOUND CONCRETE MONUMENT	N.R.	NOT TO SCALE	(R)	RADIAL / RADIUS
		N.T.S.	NOT TO SCALE	S.I.R.	SET IRON ROD
		O.H.L.	OVERHEAD UTILITY LINES	T.O.B.	TOP OF BANK
				U.E.	UTILITY EASEMENT

**SYMBOL DESCRIPTIONS:**

	= CATCH BASIN		= MISC FENCE
	= CENTERLINE ROAD		= PROPERTY CORNER
	= COVERED AREA		= UTILITY BOX
	+ X.X' = EXISTING ELEVATION		= UTILITY POLE
			= WATER METER
	= MANHOLE		= WELL
	- - - METAL FENCE		- - - WOOD FENCE

**GENERAL NOTES:**

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES
- ONLY VISIBLE ENCROACHMENTS LOCATED
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN

- FENCE OWNERSHIP NOT DETERMINED
- ELEVATIONS INDICATED HEREON ARE IN FEET AND DECIMALS REFERENCED TO N.A.S.D. 1988
- THIS SURVEY HAS BEEN COMPLETED FOR A MORTGAGE TRANSACTION ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES NO DESIGN OR CONSTRUCTION SHALL BE BASED UPON THIS SURVEY WITHOUT APPROVAL FROM TARGET SURVEYING PRIOR TO SUCH USE. TARGET SURVEYING ASSUMES NO RESPONSIBILITIES FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE
- IN SOME INSTANCES GRAPHIC REPRESENTATIONS HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE RELATIONSHIPS BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. IN ALL CASES DIMENSIONS SHALL CONTROL THE LOCATION OF THE IMPROVEMENTS OVER SCALED POSITIONS

**REVISIONS**

- ADDITIONAL TIES, DILAPIDATED STABLE & SHEDS ADDED... 11-30-2023
- UPDATED CERTS.....12/1/2023

**SURVEYORS CERTIFICATE**

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION, NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL OR A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED) *Steven D Marshall*  
 STEVEN D. MARSHALL  
 PROFESSIONAL SURVEYOR AND MAPPER #16378

STEVEN D. MARSHALL  
 MARSHALL  
 Date: 2023/12/01  
 090120 4500



LB #7893  
 SERVING FLORIDA  
 6250 N. MILITARY TRAIL, SUITE 102  
 WEST PALM BEACH, FL 33407  
 PHONE (561) 640-4800  
 STATEWIDE PHONE (800) 226-4807  
 STATEWIDE FACSIMILE (800) 741-0576  
 WEBSITE <http://targetsurveying.net>



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Public Hearing

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G.6.

1/17/2024

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### **Subject:**

Stacy L. Goforth and Lawrence I. Munro request two variances for a dock and watercraft in an RU-1-11 zoning classification. (23V00050) (Tax Account 2417446) (District 2)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning & Development

### **Requested Action:**

It is requested that the Board of Adjustment conduct a public hearing to consider two variances for a dock and watercraft in an RU-1-11 (Single-Family Residential) zoning classification.

### **Summary Explanation and Background:**

Stacy L. Goforth and Lawrence I. Munro request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2118(d)(2), to permit a variance of 7.3 ft. from the required 7.5-ft. side (east) setback for a dock and watercraft; 2.) Section 62-2118(d)(2), to permit a variance of 7.3 ft. from the required 7.5-ft. side (west) setback for a dock and watercraft, in an RU-1-11 zoning classification. The property is 0.21 acres, located on the southeast corner of Diana Blvd. and Ursa Ave. (305 Ursa Ave., Merritt Island)

### **Clerk to the Board Instructions:**



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, January 17, 2024  
DATE: 12/28/2023

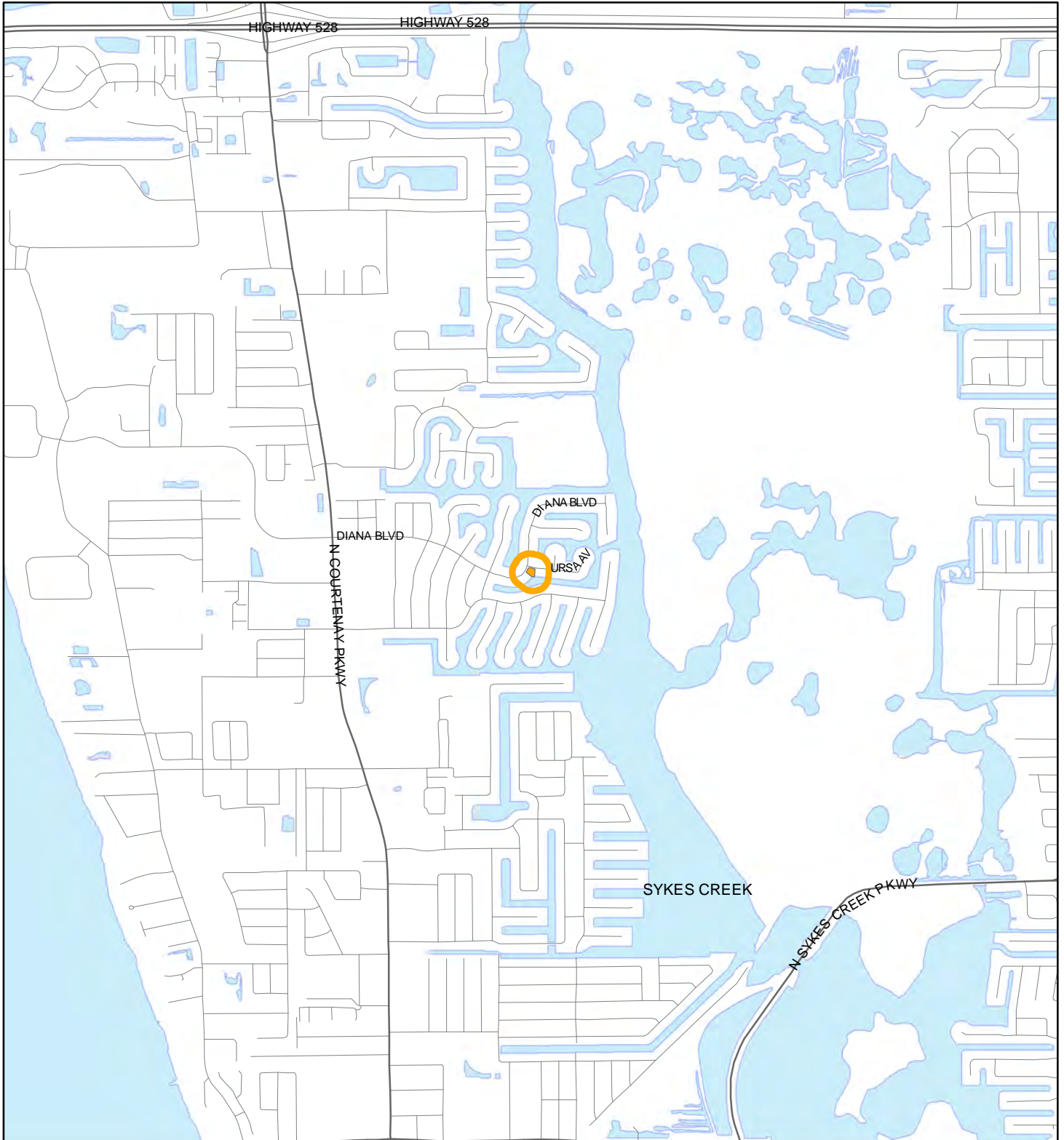
### DISTRICT 2

**6. (23V00050) Stacy L. Goforth and Lawrence I. Munro** request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2118(d)(2), to permit a variance of 7.3 ft. from the required 7.5-ft. side (east) setback for a dock and watercraft; 2.) Section 62-2118(d)(2), to permit a variance of 7.3 ft. from the required 7.5-ft. side (west) setback for a dock and watercraft, in an RU-1-11 (Single-Family Residential) zoning classification. This request represents the applicants' desire to build a new covered boat dock and lift. The applicants state that the shape of the lot as it was developed along the canal leaves very little area to have a boat dock. A previous variance (23V00027) request for a proposed dock was heard by the BOA and denied on October 18, 2023. The first and second request equates to an 97% deviation to what the code allows. There is one variance to the dock setback requirements in the immediate area. There is no code enforcement action pending with the Brevard County Planning and Development Department. If the Board wishes to approve this variance, it may wish to limit its approval to the location as depicted on the survey along with a boat and motor not longer than 21 feet as provided by the applicant with a revision date of 12/05/2023.



# LOCATION MAP

GOFORTH, STACY L & MUNRO, LAWRENCE I  
23V00050





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 200 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

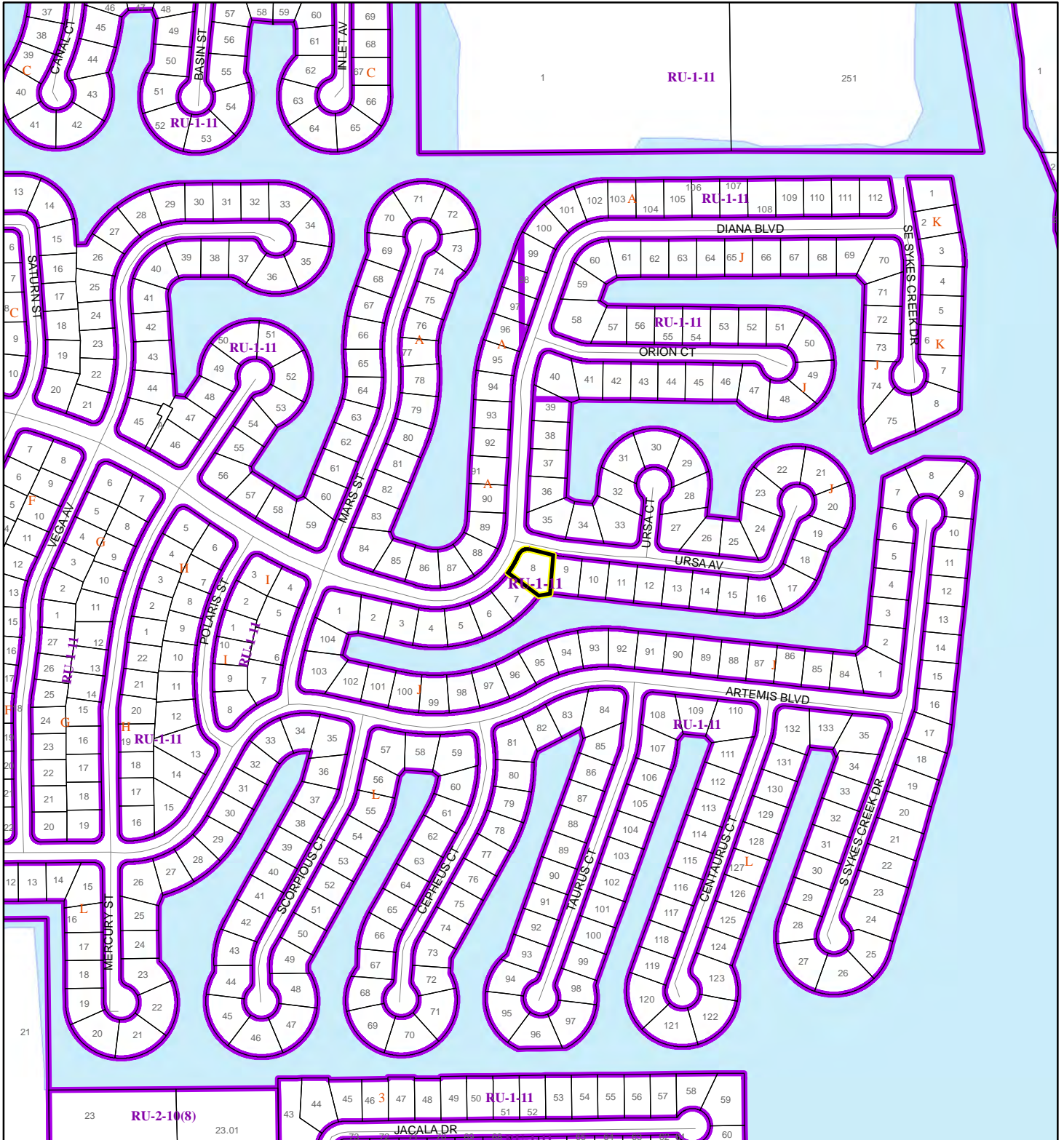
Produced by BoCC - GIS Date: 12/18/2023

-  Buffer
-  Subject Property



# ZONING MAP




GOFORTH, STACY L & MUNRO, LAWRENCE I  
23V00050



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

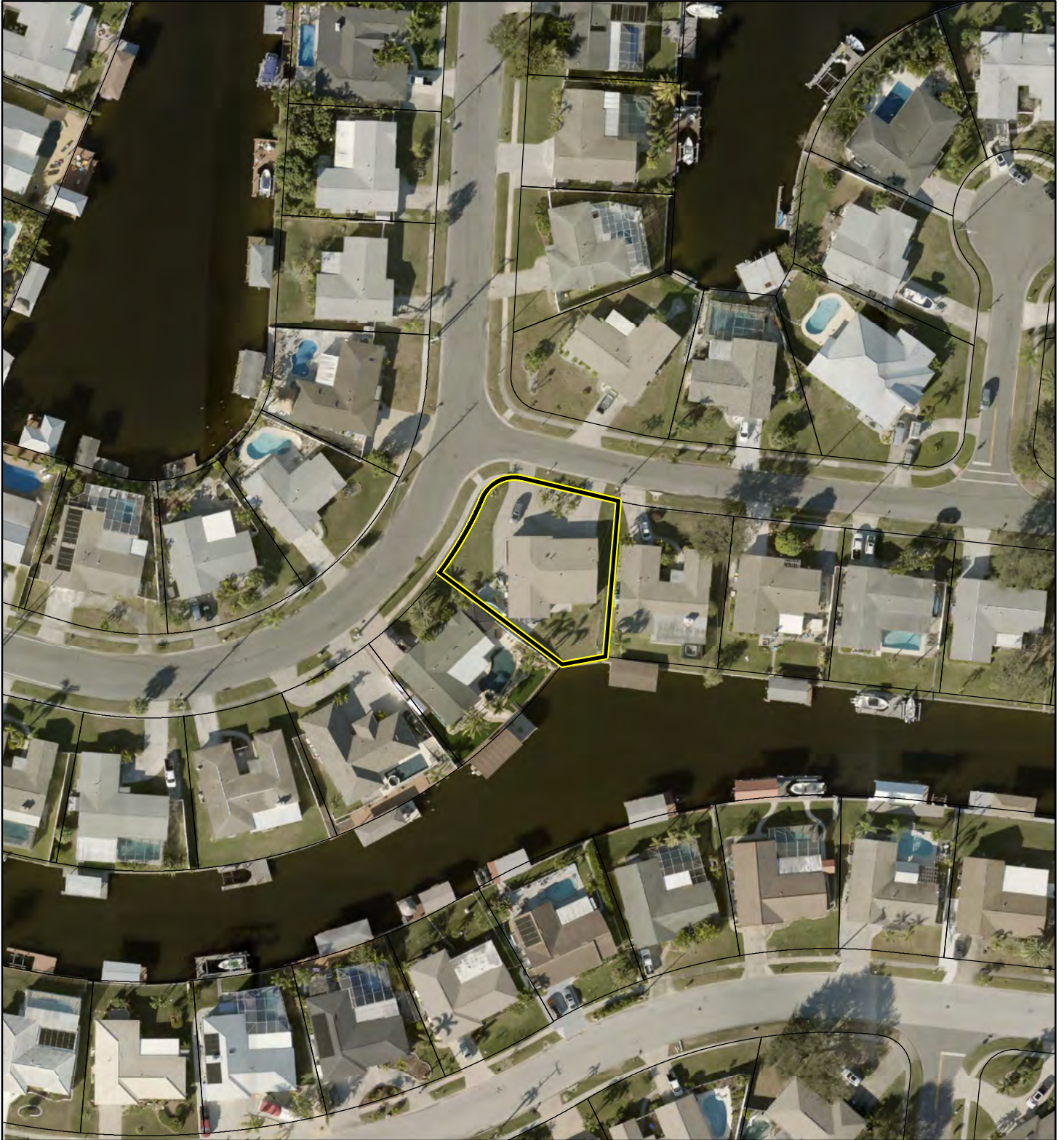
Produced by BoCC - GIS Date: 12/18/2023

-  Subject Property
-  Parcels
-  Zoning



# AERIAL MAP

GOFORTH, STACY L & MUNRO, LAWRENCE I  
23V00050




1:1,200 or 1 inch = 100 feet

PHOTO YEAR: 2023

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 12/18/2023

 Subject Property

 Parcels



# VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number \_\_\_\_\_, and  
name of contractor \_\_\_\_\_

No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

Our lot is a baseball diamond shape which is unusual in the neighborhood. The shape of the lot makes the back very narrow at only 31.20' wide.

(2) That the special conditions and circumstances do not result from the actions of the applicant:

The unusual shape of the lot is because it is on a corner and not as a result of anything homeowners did.

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification:

We have done extensive research throughout the entire neighborhood and the variance we are requesting is comparable to the entire neighborhood. The variance would provide homeowners with the same privileges afforded to their neighbors.

(over)



(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

Enforcement would deprive homeowners of the same rights commonly enjoyed by other properties in the neighborhood. It would be an undue hardship to buy <sup>lower</sup> property in a canal community where homeowners could not put in a reasonable dock to house a small boat.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

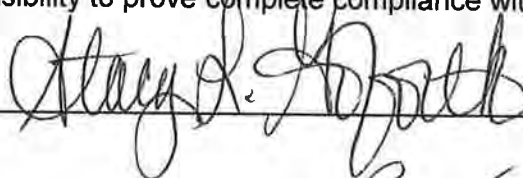
The variances requested will allow homeowner to dock their 20' boat. It in no way interferes with the navigable waterway. It is in lined with the two adjacent neighbors docks. It will not affect neighbors in any way from using their existing docks.

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

The proposed variances are in harmony with all surrounding properties and will not be detrimental in any way to the neighborhood. It will afford homeowner the same rights enjoyed by their neighbors.

I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant



Signature of planner



# SKETCH OF SURVEY

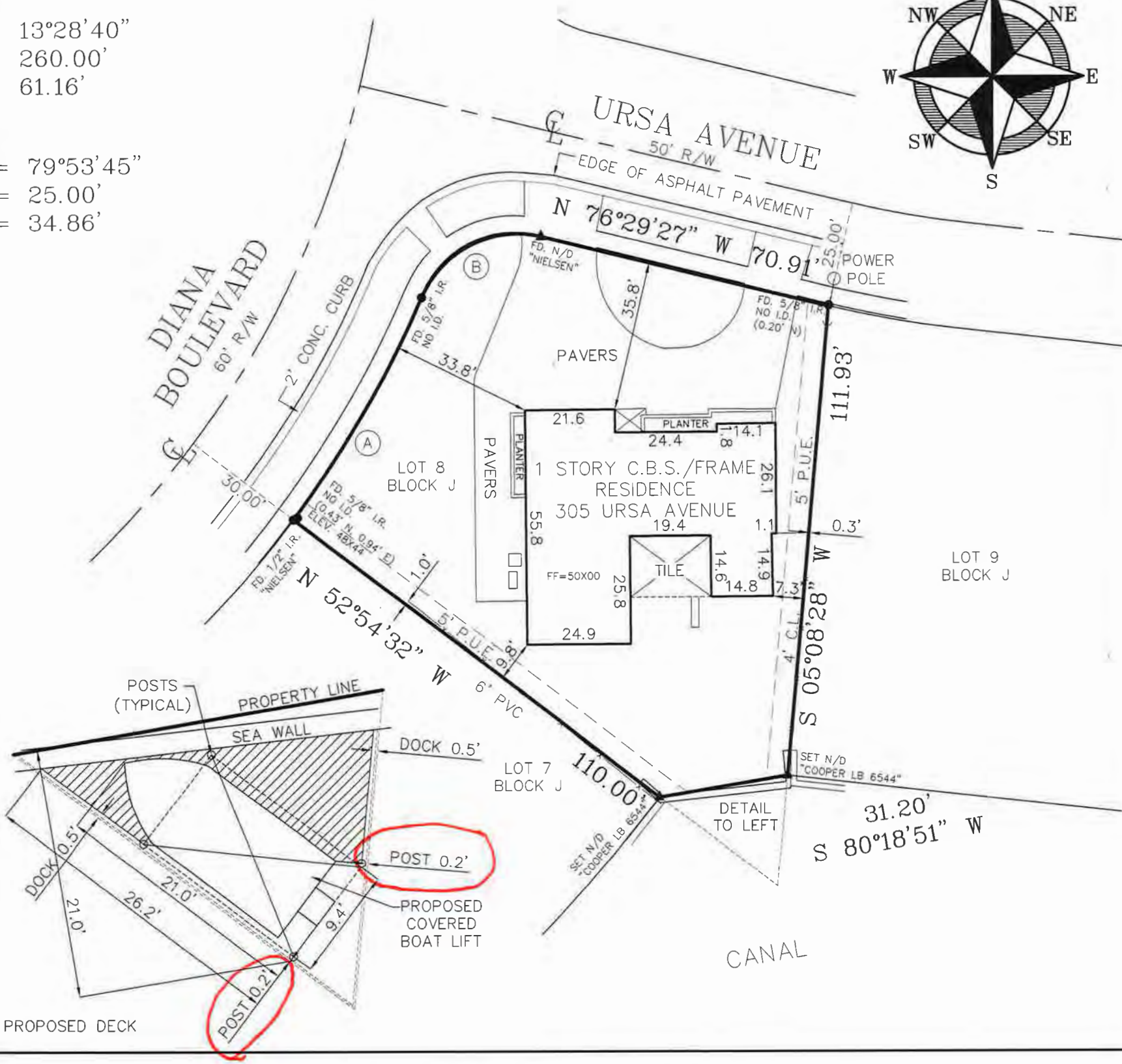
PLOT PLAN &  
BOUNDARY SURVEY



CURVE DATA:

(A)  
 $\Delta = 13^{\circ}28'40''$   
 $R = 260.00'$   
 $L = 61.16'$

(B)  
 $\Delta = 79^{\circ}53'45''$   
 $R = 25.00'$   
 $L = 34.86'$



THE PURPOSE OF THIS SURVEY IS TO SHOW THE LOCATION OF PROPOSED NEW DOCK FOR VARIANCE.

**LEGEND:**

<p>A/C = AIR CONDITIONER  A.K.A. = ALSO KNOWN AS  ALUM = ALUMINUM  AVE = AVENUE  BLK = BLOCK  BLVD = BOULEVARD  BM = BENCHMARK  (CALC) = CALCULATED  CB = CHORD BEARING  C.B.S. = CONCRETE BLOCK STRUCTURE  CD = CHORD DISTANCE  C.L. = CHAIN LINK FENCE  C = CENTER LINE  CM = CONCRETE MONUMENT  CONC. = CONCRETE  CT = COURT  (D) = DEED  DR = DRIVE  DB = DEED BOOK  D/W = DRIVEWAY</p>	<p>50x00 = PROPOSED ELEVATION  50x00 = ELEVATION SHOT  — = DRAINAGE FLOW  ESMT = EASEMENT  ELEV = ELEVATION  FF = FINISH FLOOR  FD = FOUND  FH = FIRE HYDRANT  I.P. = IRON PIPE  I.R. = IRON ROD  LB = LICENSED BUSINESS  (M) = MEASURED  N/D = NAIL &amp; DISK  N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM  ORB = OFFICIAL RECORDS BOOK  OHW = OVERHEAD WIRE  (P) = PLAT  (P.R.) = PRO-RATED  P.O.B. = POINT OF BEGINNING  P.O.C. = POINT OF COMMENCEMENT</p>	<p>WETLAND FLAGS  U.E. = UTILITY EASEMENT  D.E. = DRAINAGE EASEMENT  P.U.E. = PUBLIC UTILITY EASEMENT  P.U. &amp; D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT  PC = POINT OF CURVATURE  PRC = POINT OF REVERSE CURVATURE  P.T. = POINT OF TANGENCY  P.I. = POINT OF INTERSECTION  PCP = PERMANENT CONTROL POINT  PLS = PROFESSIONAL LAND SURVEYOR  PG = PAGE  PB = PLAT BOOK  R/W = RIGHT-OF-WAY  R.P. = RADIUS POINT  S.P. = SCREEN PORCH  ST = STREET  S/W = SIDEWALK  W.F. = WOOD FENCE  WM = WATER METER  WV = WATER VALVE</p>	<p><b>SURVEY SYMBOLS</b>  ± = MORE OR LESS  O = POWER POLE  — = GUY WIRE  L = ARC LENGTH  R = RADIUS  Δ = DELTA  [ ] = COVERED AREA  [ ] = CONC  — = CENTER LINE  —X— = FENCE  --- = EASEMENT  ● = FOUND AS NOTED  ■ = FOUND NAIL &amp; DISK  ■ = FOUND CONCRETE MONUMENT  ○ = SET 5/8" IRON ROD "COOPER LB 6544"  △ = SET NAIL &amp; DISK "COOPER LB 6544"  □ = SET 4"x4" CONCRETE MONUMENT "COOPER LB 6544"</p>
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DRAWN BY: JAB

CHECKED BY: J.W.C.

SCALE: 1" = 30'

SECTION 23, TOWNSHIP 24 S., RANGE 36 E.

**LEGAL DESCRIPTION:**

LOT 8, BLOCK J, DIANA SHORES  
UNIT No. 2  
according to the plat thereof as recorded in  
Plat Book 20 at Page(s) 148 of the Public  
Records of Brevard County, Florida.

**CERTIFIED TO:**

STACY GOFORTH AND LAWRENCE MUNRO  
COMMUNITY CREDIT UNION OF FLORIDA  
ALLIANT NATIONAL TITLE INSURANCE COMPANY  
ISLAND TITLE & ESCROW INC.

PROJECT No.	DATE	REVISION
21-12-13	12/13/21	BOUNDARY/IMPROVEMENTS
22-11-07	11/15/22	FINAL GAS BUILT
23-01-07	1/16/23	UPDATE FINAL
23-01-07C	6/27/23	PLOT PLAN (DOCK)
23-01-07C	6/27/23	ADD DOCK DETAIL
23-01-07C	11/1/23	MODIFY DOCK DIMENSIONS
23-01-07C	12/5/23	ADD DOCK DIMENSIONS

SURVEY DATE: 1/16/23 PROJECT # 23-01-07C

**SURVEYORS NOTES:**

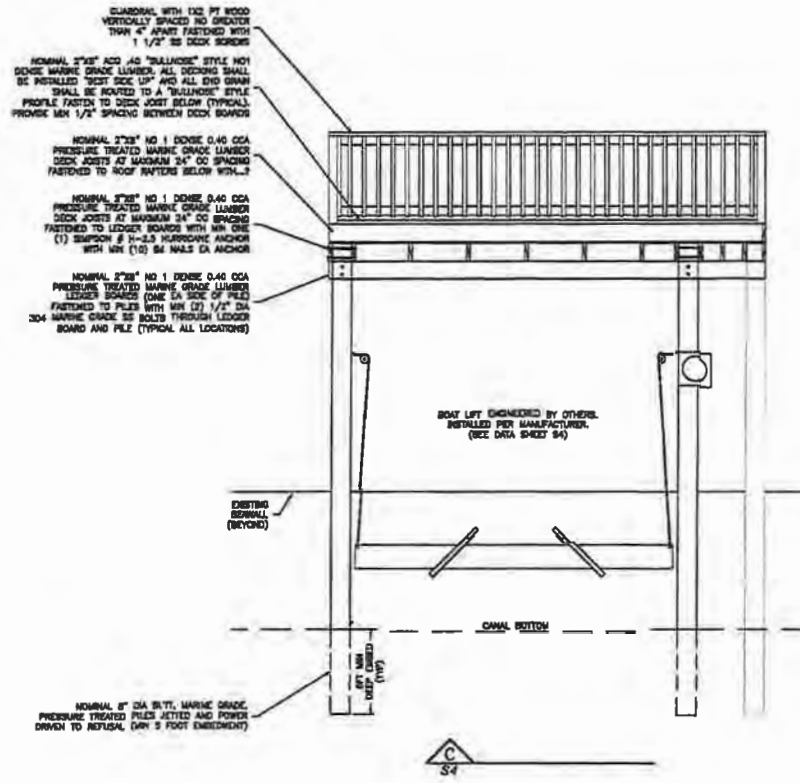
- Unless otherwise noted, only platted easements are shown hereon
- No underground utilities or improvements were located unless otherwise shown
- The surveyor no longer certifies the F.E.M.A. Zone. This certification is made by an independent contractor of the Federal Government. As a courtesy to the client, this surveyor feels that this parcel lies in F.I.R.M. Zone X per Community Panel No. 125092C0340H, dated 1/29/21
- Unless otherwise noted, any elevations shown are based on assumed datum
- Bearing shown hereon are based on the NORTH R/W LINE OF URSA AVENUE as being N 76°29'27" W, according to the Plat of DIANA SHORES UNIT No. 2 as recorded in plat book 20, at page 148 of the Public Records of Brevard County, Florida.
- This survey is prepared and certified for the exclusive use of the client named hereon
- Unless this sketch of survey bears the signature and raised seal of John W. Cooper PLS 5093, it is for information purposes only and is not a valid survey.
- Additions or deletions to this sketch of survey by other than the signing party is prohibited without written consent of the signing party.
- Ownership of fences is unknown unless otherwise noted. Due to the nature of fences it is recommended that you contact the undersigned surveyor prior to removal or installation of any fence.

**John W. Cooper**  
**LAND SURVEYING, INC.**  
2326 S. HOPKINS AVENUE  
Titusville, Florida 32780  
LB 6544  
(321) 268-5646  
FAX (321) 268-5688

I hereby certify that this survey meets the Standards of Practice as set forth by the Florida Department of Agriculture and Consumer Services in Chapter 5J-15.051 Florida Administrative Code, Pursuant to section 472.027, Florida Statutes.

*John W. Cooper*  
John W. Cooper PSM 5093 Date Signed 1/16/23





THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND  
 EDWARD F. SHENKOE, PE ON THE DATE AND FOR  
 THE STAMP SHOWN USING A DIGITAL SIGNATURE.  
 PHYSICAL COPIES OF THIS DOCUMENT ARE NOT TO  
 BE SIGNED AND SEALED AND THE SIGNATURE MUST BE  
 ON ANY ELECTRONIC COPY.

ENGINEER OF RECORD  
 INE ENTERPRISES LLC  
 4707 WILD TURKEY ROAD  
 MIMS, FL 32754  
 FLORIDA REG # 47515  
 PH. 321-665-3220



