



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, December 18, 2024

DATE: November 26, 2024

DISTRICT 2

2. (24V00045) Timothy Scott Gannon and Denise Irene Gannon request a variance of Chapter 62, Article VI, Brevard County Code as follows, Section 62-1340(5)(b), to permit a variance of 6.3 ft. from the required 7.5 ft. southwest side setback for an accessory structure in an RU-1-11 (Single-family Residential) zoning classification. This request represents the applicants' request to legitimize an existing accessory structure (shed) built without building permit. This request was previously heard by the Board of Adjustment on October 16, 2024, and was denied approval. The applicants have since moved the accessory structure an additional 0.10 feet from the southwest side property line. The applicants state with the size of their lot there is no other location on the property for the accessory structures. The Board of County Commission vacated the Public Utilities Easements the accessory structures encroached into per Resolution 2024-062. This request is for the accessory structure (shed) located off the southwest side property line only and does not legitimize other code violations on the property. This request equates to an 84% deviation to what the code allows. There are no variances approved to the accessory setback requirements in the immediate area. There is a code enforcement action (23CE-01280) 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 revision date of 4/19/2024.