



Planning and Development Department

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940

BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Board of Adjustment Members

FROM: Paul Body, Senior Planner

Thru: Trina Gilliam, Planning & Zoning Manager

SUBJECT: Variance Staff Comments for Wednesday, August 19, 2026

DATE: July 9, 2026

DISTRICT 1

(26V00046) Tracy Woodward requests a variance of Chapter 62, Article VI, Brevard County Code as follows; Section 62-1403(6) to allow 25 sq. ft. from the required 600 sq. ft. minimum living area in a TR-2 (Single-Family Mobile Home) zoning classification. This request represents the applicant's request to permit and install a proposed mobile home with 575 square feet of living area. This request equates to a 4.2% deviation from what the code requires. There are no variances approved to the minimum living area in the immediate area. There are no code enforcement actions pending with the Brevard County Planning & Development Department. If the Board approves this variance, it may want to limit its approval as depicted on the survey and provided by the applicant with a date of 05/17/2026.

Is the request due to a Code Enforcement action? **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:

Applicant response: From the beginning of purchasing the proposed manufactured home to go on the property, the one listed on the survey, no one said it was too small.

Staff response: The applicant states that upon determining that the existing home should be demolished, she was told she needed a replacement home that fit within the dimensions of the existing home before a demolition permit could be issued. According to the Brevard County Property Appraiser's website, the existing home has 840 square feet of living area.

Permit 26BC03550 was received on 03/03/2026 for the new mobile home installation. Zoning review comments entered on 03/04/2026 request clarification regarding the size of the mobile home being proposed.

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

Applicant response: I did not manufacture or purposefully purchase a home that would be too small for the property.

Staff response: The home is to be placed on 1.14 acres which can accommodate a home meeting the minimum living area while meeting all required setbacks.

(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: There are many single wide manufactured homes in the area, many that appear smaller than what I am proposing.

Staff response: There are no variances approved to the minimum living area in the immediate area.

(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: It appears that many homes, some manufactured and some not, are smaller than what I am proposing.

Staff response: There are no variances approved to the minimum living area in the immediate area.

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

Applicant response: With this variance the manufactured home I purchased to place on the property will serve the neighborhood well. It is very functional and attractive. It looks like a log cabin. It is the same type as used by Disney Fort Wilderness.

Staff response: The home is to be placed on 1.14 acres which can accommodate a home meeting the minimum living area while meeting all required setbacks.

(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:

Applicant response: The purpose of the 600 square foot minimum to ensure homes are safe, functional and consistent with neighborhood. The variance required is minor, non-intrusive and does not negatively impact neighboring properties or the community.

Staff response: Granting the proposed variance should be in harmony with the general intent of this chapter and should not be injurious to the area involved or detrimental to the public welfare.