



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, May 15, 2024
DATE: April 25, 2024

DISTRICT 2

4. (24V00013) Vyto & Sylvia Bukausas requests variances of Chapter 62, Article VI, Brevard County Code as follows, 1.) Section 62-1340(5)(b), to permit a variance of 7 ft. from the required 7.5-ft. (west) side setback for an accessory structure; 2.) Section 62-1340(5)(b), to permit a variance of 7.1 ft. from the required 7.5-ft. (east) side setback for an accessory structure; 3.) Section 62-1340(5)(b), to permit a variance to allow an accessory structure forward of the front building line of the principal structure; 4.) Section 62-1340(5)(b), to permit a variance of 6.6 ft. from the required 7.5-ft. (east) side setback for an accessory structure; 5.) Section 62-1340(5)(b), to permit a variance of 5 ft. from the 5-ft. separation distance required between accessory structures; 6.) Section 62-2118(d)(3), to permit a variance of 6.5 ft. over the 15-ft. maximum projection (20% of the width of the waterway) for a boat dock including pilings; 7.) Section 62-2118(d)(5), to permit a variance of 132.7 sq. ft. over the 500 sq. ft. maximum allowed for a roof over a boat dock; and 8.) Section 62-2118(d)(5), to permit a variance of 35.6 sq. ft. over the 600 sq. ft. maximum square footage allowed for total coverage for a dock and roofed area; 9.) Section 62-2100.5(1)(a), to permit a variance of one additional accessory structure over the permitted two accessory structures in a RU-1-13 (Single-Family Residential) zoning classification. This request represents the applicants' request to legitimize an existing boat dock with pilings together with existing accessory structures on the property. The applicants state the accessory structures along with the dock and pilings were in this location when property was purchased on December 30, 1997. The first request equates to a 93% deviation of what the code allows. The second request equates to a 95% deviation of what the code allows. The fourth request equates to a 88% deviation of what the code allows. The fifth request equates to a 100% deviation of what the code allows. The sixth request equates to a 43% deviation of what the code allows. The seventh request equates to a 27% deviation of what the code allows. The eighth request equates to a 6% deviation of what the code allows. The ninth request equates to a 50% deviation of what the code allows. There are no variances to the dock requirements or accessory setback requirements in the immediate area. There is a code enforcement action (23CE-01039) 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 03/26/2024.