

Date: 11 June 2026

TO: Brevard County Board of Adjustment
c/o Planning & Development Department
2725 Judge Fran Jamieson Way, Bldg. A-114
Viera, Florida 32940

Email: Zoning@BrevardFL.gov

RE: Formal Objection to Variance Request

- **Zoning Case Number:** 2519534, Permit Number 25BC06008
- **Applicant Property Address:** 1680 Bay Shore Drive, Cocoa Beach, Florida 32931
- **Objecting Neighbor Address:** 1610 Bay Shore Drive, Cocoa Beach, Florida 32931

To the Members of the Board of Adjustment: Respectfully request Development 25V00090 Variance request be denied.

Our names are Greg and J.Marie Sheppard, and, we are the property owners of 1610 Bay Shore Drive, Cocoa Beach, FL 32931.

1610 Bayshore Drive, is adjacent to the applicant's property and will be directly, and negatively impacted if this variance is approved. These properties form a cul-de-sac- at the end of the Grand Canal of the West Point Addition to Snug Harbor Estates. We are writing to formally object to the requested zoning variance to install a boat lift on the applicant's existing dock for the following reasons.

1. Unnecessary Property Hardship

There is no property specific hardship that makes this variance warranted. The land of this plot at the water's edge is smooth, long and unencumbered. The depth of the water makes an extended reach into the canal unnecessary.

Granting this variance will negatively impact public safety and navigation rights. The minimum relief necessary to allow the property owner to reasonable use of their water rights does not lay with the granting of a variance. The need for this variance is completely of the property owners making, or more correctly, I believe, of a misrepresentation by the company who built this dock and made promises that do not align with compliance standards. A smaller dock is possible, and was planned for at one time (the 8x30 dock that started on shore, Permit 25BC06008, issued **31 July, 2025 for Installation of a 10k cradle lift. 8' x 30' dock w/4' x 20' access walkway.**), is perfectly viable and utilitarian and requires no variance to include a boat lift. Nor would this have caused concerns with the owners of adjacent properties.

However, the variance request, 25V00090, is dramatically different from documents previously provided, requesting approval of a dock which is now 12" x 30" w/6' x 9' access walkway. Unlike the original plot plan submitted where the dock was built flush with their property, the current build out, as it exists, begins in the waterway. (plot plan submitted/accepted 25 June 2025 **without a boat lift**). In addition, the boat lift approved was a "cradle" boat lift and the variance is requesting an "elevator" boat lift. These two boat lifts operate in completely different ways: cradle lifts are traditional, submerged cable-and-beam systems, while elevator arm lifts use negative-lift forks to grab boats in stacked configurations or marinas. These lifts are a clear example of what is being attempted/completed versus what was requested and approved. Nonetheless, if approved, both lifts, when boat is elevated, will severely restrict and/or negatively affect riparian rights of adjacent homes.

The hardship of building a code-compliant dock is completely financial to the property owner. If granted, a variance would transfer the hardship from the property owner's responsibility of being in compliance to the neighbors to bear the burden of accepting non-compliance. Granting this variance will negatively impact public safety and navigation, as well as riparian rights, not to mention ongoing environmental damage, blocking public navigation easements and impede the safe flow of vessel traffic in the waterway.

This application struggles with multiple and constantly changing permit requests, plot plans, and hardware requirements. It is almost impossible to follow the pattern of this buildout due to the volume of documents submitted all with constant changes and additions. The structure currently in place cannot be supported by the appropriate approved documentation on file and lacks records of inspections. ***We request the process, as it applies here, as well as the documentation on file, be reviewed for accuracy and compliance, especially before a variance receives consideration.***

2. Public Safety and Navigation Rights

The Grand Canel of the West Point Addition is listed by the county as an 80 ft canal. Our research indicates that the canal is as narrow as 65 ft in places and there is no place where the canal is actually 80 ft across.

We own a 47 ft Carver Voyager 450. Per the county rules, we bring the boat to our dock at 1610 Bay Shore Drive, Cocoa Beach preceding and following outings, excursions, and extended trips. This allows for the stocking of supplies and cleaning, maintenance, and general upkeep, under the same rules as Recreational Vehicles. Because this is a cul-de-sac, our boat must complete a 180-degree turn on approach to dock stern first or upon departure, to exit bow out. If a variance is granted for this property, it will make it impossible to turn the boat because the space will be insufficient, blocking access to my dock in its entirety. The only alternative would be to back the boat down a substantial length of the last section of the Grand Canal, more than 510 ft. This would be ill-advised due to the unpredictability of maneuvering a boat, in reverse, for that distance. The potential risk of damaging docks and homes in the process would be significant and foolhardy.

To reiterate, the proposed boat lift placement introduces a severe, direct hazard to the safety of boat traffic and navigation in our shared waterway.

- By placing the boat lift within the standard setback boundaries, the applicant creates a significant navigational bottleneck.
- The tight physical positioning of the proposed lift and the staging of their watercraft will directly impede my ability to safely navigate, steer, and back my boat into or out of my own dock.
- Forcing my vessel to perform evasive maneuvers in a restricted area to clear their encroaching structure creates an immediate, continuous risk of vessel collision and property damage to surrounding properties.

3. Infringement on Neighboring Riparian Rights and Unreasonable Visual Obstruction

Under Florida Supreme Court precedent (*Hayes v. Bowman*), waterfront property owners possess a legally protected riparian right to a clean, direct, and relatively unobstructed line of sight to the navigable channel.

- An open, flat dock has a minimal vertical footprint. In stark contrast, a structural boat lift introduces a massive, permanent vertical obstruction.
- When a watercraft is cranked out of the water and elevated onto the lift, it creates a towering physical wall immediately adjacent to our property line. This severely encroaches/restricts the neighboring properties' clear sightlines, and drastically affects and diminishes our protected water views, while disrupting the established aesthetic harmony of the shoreline.

4.Environment and Turbidity

This part of the Grand Canal is home to many wildlife species. The natural curve and continuous sea shore offers a particularly safe refuge from nature, such as weather and predators. Currently, this small cul de sac is home to manatees (multiple babies born yearly), dolphins, otters, waterfowl, ospreys and egrets, as well as fish and other river life. Native vegetation including the mangroves are in place.

This application includes signed documents requiring that turbidity be observed and reminders, in red print, are stamped on documents throughout the process. In spite of the warning issued “Any violation of the surface water protection ordinance will result in a code enforcement case”, turbidity measures were never utilized when the dock was built, a fact supported by video and photographs. Based on prior behavior, we fully expect this callous indifference, previously demonstrated by the applicants, will only continue should this variance be granted.

In conclusion:

A variance is an extraordinary remedy under Florida law, and the applicant bears the heavy legal burden of demonstrating a unique, land-based physical hardship. The applicant cannot satisfy this standard because this variance introduces:

- severe hazard to vessel navigation,
- infringes upon adjacent riparian viewing rights,
- impacts the environment,
- lacks any legitimate underlying hardship,
- fails to meet the legal standards required of this Board.

Most importantly, the issue of extending into the shared waterway at this location has already been addressed and prior precedent established. We were denied use of the space to permanently dock our boat at our house by Brevard County Code Enforcement and the significant financial burden of keeping the boat at alternative locations and marinas was not a consideration for allowing the boat to remain. Our boat had to be removed and to present day remains in other locations, a financial and logistical burden. As we were told then, an obstruction impacting the usefulness of the waterway to others is not allowed. To grant this variance would be allowing a privilege and consideration to the applicant which was previously denied to me.

We urge the Board of Adjustment to protect the safety and rights of the surrounding neighbors and the sanctity of their property and **DENY** this variance.

Sincerely,

Greg Sheppard

Gregory Sheppard
321.474.7253
gws@cfl.rr.com



J. Marie Sheppard
321.506.0679
Jutes204@gmail.com

From: [Debbie Steininger](#)
To: [AdministrativeServices](#)
Subject: ID #25V00090
Date: Monday, June 15, 2026 9:39:07 AM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello,

Regarding ID #25V00090, request for a variance, 1680 Bay Shore Dr, Cocoa Beach. We are neighbors with a home backing up to this canal.

Our consideration is no to this request. This is a narrow canal, that needs to stay navigable. The extra 9 feet they are requesting would infringe on boats that come down this canal and need room to turn around.

Sincerely,

Mike and Debbie Steininger
4 West Point Dr.
Cocoa Beach

Date: June 15, 2026

Brevard County Board of Adjustment
c/o Planning & Development Department
2725 Judge Fran Jamieson Way, Building A-114
Viera, Florida 32940

RE: Formal Objection to Variance Application 25V00090
Applicant Property: 1680 Bay Shore Drive, Cocoa Beach, Florida 32931
Adjacent Property Owner: 1640 Bay Shore Drive, Cocoa Beach, Florida 32931

Members of the Board of Adjustment:

My name is David Bond, owner of 1640 Bay Shore Drive, Cocoa Beach, which is directly adjacent to the property seeking Variance Application 25V00090.

I respectfully request that the Board deny this variance application.

This objection is not based on personal preference, aesthetics, or opposition to a boat lift. It is based on the application's failure to meet variance standards, and the significant impact approval would have on neighboring property owners and the shared waterway.

The central question of this application is:

Would this variance be necessary if the dock had been constructed in accordance with the plans that were approved?

Available evidence shows that two dock configurations were approved during permitting. One was an approximately 8-foot-wide dock adjacent to the shoreline. The other allowed a larger footprint, partially over the land. Both included a boat lift that remained within the allowable canal reach.

The structure ultimately built differs significantly from both approved dock configurations.

Instead, the dock was built farther into the canal and with a footprint that differs from the approved plans. It now occupies the maximum allowable reach. The applicant seeks further relief to install a larger elevator-style boat lift than originally approved.

If either approved dock configuration and the originally approved lift had been used, the applicant would remain within allowable limits, and this variance would not be necessary.

Therefore, the applicant's claimed hardship is not due to the property itself. The need for this variance arises from decisions regarding the dock's size, placement, and construction, as well as the request for a larger lift system.

The property has no unique physical hardship. It has direct canal access, an existing dock, adequate water depth, and reasonable waterfront use. Nothing prevents compliance with County requirements.

The variance process is intended to address hardships created by the property itself, not those resulting from voluntary design choices, deviations from approved plans, or requests for larger structures than originally approved.

Approving this variance would also negatively affect neighboring riparian rights and navigation within the shared canal.

The canal at this location serves as a common waterway and turning area for vessels accessing the cove. My family and I routinely maneuver boats here. The applicant's dock already extends to the maximum allowable reach. The requested variance would permit further extension through a larger elevator-style lift system and elevated vessel storage.

Regulations on allowable canal reach preserve navigable water, protect riparian rights, and ensure reasonable access for all waterfront owners. Granting this request would allow further encroachment and shift the consequences of the applicant's design and construction decisions onto neighbors and the shared canal.

The proposed lift and elevated vessel would introduce a substantial structure into an area that is currently open water. Attached exhibits show the impact from various locations on our property, including the pool, patio, living space, and kitchen. These exhibits illustrate both the visual effect and the reduction of open water and access to the shared waterway.

Based upon the facts and documentation available, we respectfully request that the Board make the following findings:

- No unique property hardship exists.
- Any hardship is self-created.
- The variance request arises from the dimensions and placement of the structure as built rather than from any physical characteristic of the property.
- Had either approved dock configuration been constructed, and had the originally approved lift been utilized, the requested variance would not be necessary.
- Reasonable use of the property exists without the requested variance.
- The requested variance negatively impacts neighboring riparian rights.
- The requested variance negatively impacts navigation and maneuverability within the shared canal.
- Approval would effectively reward expansion beyond the footprint and lift configuration originally approved.
- Approval would be inconsistent with the purpose of maintaining navigable waterways and protecting the shared rights of waterfront property owners.

For these reasons, I respectfully request that the Board of Adjustment deny Variance Application 25V00090.

Thank you for your consideration and service to Brevard County.

Respectfully submitted,

David C. Bond and Tammy J. Bond

1640 Bay Shore Drive
Cocoa Beach, Florida 32931

Phone: 321-290-3199

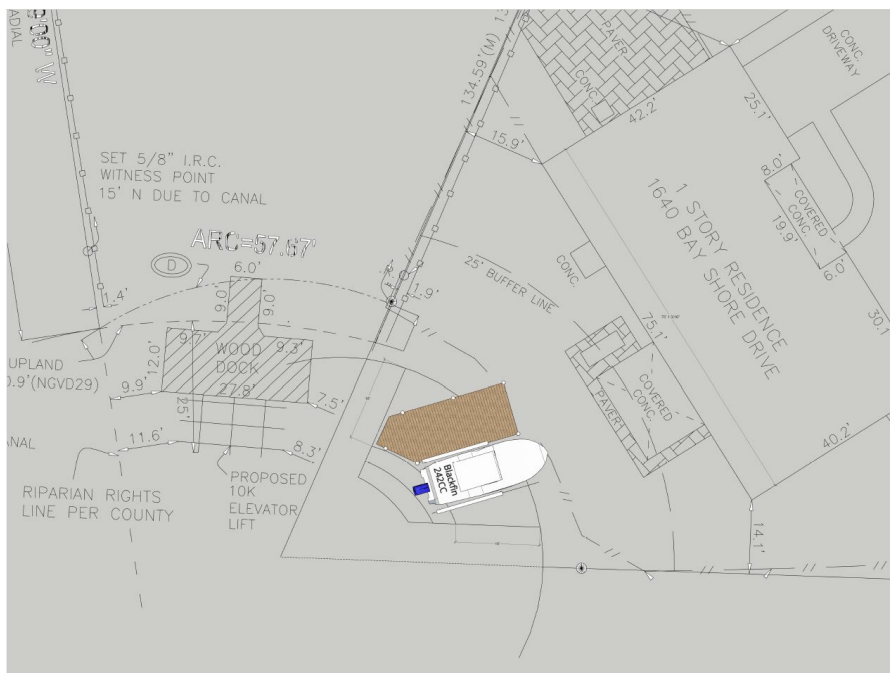
Email: david.bond@gmail.com

Picture with boat inserted into the position that they want, and the poles in the water represent 6 feet and 9 feet from the current dock position.





Exhibit of future dock build plans that we are working on, and an overlay of neighboring plans



From: [Barb Tulsie](#)
To: [AdministrativeServices](#)
Subject: Scott herber variance of 9' additional into canal
Date: Tuesday, June 16, 2026 7:53:07 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi

I am writing this to ask that the variance not be approved. Many boats come down our canal and not just from residences. It will make navigating difficult and turning nearly impossible. These rules are in place for the safety of all boaters. Someone should verify what the open dimension will be if this is approved.

Thanks

Barb Tulsie

Sent from my iPhone

From: [Stacy Hancock](#)
To: [AdministrativeServices](#)
Subject: Variance Notice 25V00090
Date: Tuesday, June 16, 2026 11:22:22 PM

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Board of Adjustment,

I am writing to formally express my opposition to the variance request (25V00090) submitted by the Lynna H Tara Revocable Trust for the property located at 1680 Bay Shore Drive, Cocoa Beach. My property is located directly across the canal from this site.

My opposition is based on several critical concerns regarding the proposed construction and the contractor's recent conduct:

- Permit and Compliance Issues: The contractor recently attempted to install a lift system that was not included on the approved permit. Additionally, construction and demolition have proceeded without the use of required turbidity barriers, leading to increased silt and sediment throughout the canal.
- Safety and Navigation: A lift system was explicitly denied on a previous application for this property. The current dock is already built higher than the land elevation and is larger than the previously denied version. Extending a lift an additional 9 feet beyond the allowed 16-foot limit would create a bottleneck, obstructing the view for vessel navigation and eliminating the neighbors' view down the canal.
- Environmental Impact: A structure of this size would block essential sunlight for seagrass growth, harming the local ecosystem. Furthermore, the property owners have frequently allowed lawn debris to be blown into the canal, contributing to muck accumulation and harmful algae blooms.
- Necessity: There is no clear reason why a dock and lift could not be designed to fit within the existing 16-foot allowance. It appears this variance is being sought primarily to increase property value for a pending sale rather than out of necessity.

Unfortunately, due to family medical matters, I am unable to attend the hearing in person. I appreciate your time and your careful consideration of these concerns regarding the health and safety of our waterways.

Sincerely,

Stacy Hancock
2 West Point Drive
Cocoa Beach, FL 32931
321-298-0970

From: [Zoning](#)
To: [AdministrativeServices](#)
Cc: [Joe French](#)
Subject: FW: Comments Regarding Proposed Boat Lift Variance – Snug Harbor Estates
Date: Wednesday, June 17, 2026 11:01:31 AM
Attachments: [image003.png](#)
[image004.png](#)
[Dock Issue Bay Shore 2026.docx](#)
[image001.png](#)
[image006.png](#)
[image007.png](#)

Please see below inquiry.



Main: 321-633-2070
Planning and Zoning Office
Brevard County Planning & Development Department
2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, FL 32940

This office can only provide zoning and comprehensive plan information. You may wish to contact other County agencies to fully determine the development potential of this property. This letter does not establish a right to develop or redevelop the property and does not constitute a waiver to any other applicable land development regulations. At the time of development, this property will be subject to all such regulations. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



Permit Assist

<https://PermitAssist.BrevardFl.gov/>

Introducing an online portal designed to provide customers with an intuitive, step-by-step guide when obtaining permits and considering zoning eligibility.

Registered users with an approved contractor license added, can apply for building permit applications, make payments and upload documents directly to your permit by using the [online public portal](#).

Registered users of the online system without a contractor's license can schedule inspections.

Notice of Accessibility: If you require assistance to better access a document or information contained therein, please contact our office.

From: Joe French <Joe.French@expressbadging.com>
Sent: Wednesday, June 17, 2026 8:42 AM
To: Zoning <Zoning@brevardfl.gov>
Subject: Comments Regarding Proposed Boat Lift Variance – Snug Harbor Estates

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To the Members of the Board,

I respectfully submit these comments regarding the request to extend the existing dock structure with an additional boat lift extending approximately nine (9) feet beyond the currently constructed dock at parcel 25-27-22-DP-E-14, which I cannot see if it has passed county inspection.

While I am not directly affected by this application, I have been a resident of Snug Harbor Estates since 1999 and previously served as President of the Snug Harbor Estates Homeowners Association from approximately 2009 through 2012. Prior to serving as President, I also served as Vice President and as a board member for several years. During that time, I was involved in numerous neighborhood property and waterfront disputes and consistently encouraged neighbors to resolve issues cooperatively before seeking county intervention.

Having reviewed the available permit drawings and site layouts, it appears that the applicants have already received approval for a substantial dock

structure that extends significantly into the canal basin. The current request would further extend the usable footprint of that structure through the addition of a boat lift that projects approximately nine feet beyond the existing dock.

My concern is not directed toward the applicants personally, nor am I opposed to reasonable waterfront improvements. Rather, I am concerned about the cumulative impact of extending private structures farther into a public turn basin.

In a prior waterfront dispute within Snug Harbor Estates, a homeowner constructed a dock that complied with the shoreline setback requirements but failed to account for the projected property boundaries extending into the waterway. Following review, the dock was required to be modified to comply with applicable standards. While I recognize that the present situation may involve different regulations, that experience demonstrated the importance of maintaining consistent standards and preventing encroachments that adversely affect neighboring property owners.

I respectfully request that the Board consider the following:

- Whether the proposed extension materially reduces the navigable width of the turn basin.
- Whether approval would establish a precedent for future applications by neighboring waterfront property owners.
- Whether similar requests from adjacent property owners could eventually result in a substantial reduction of navigable water area within the basin.
- Whether a legitimate hardship exists that warrants granting a variance beyond the improvements already approved and constructed.

From a practical standpoint, if one property owner is permitted to extend substantially into the basin, it becomes difficult to deny similar requests from neighboring properties in the future. The cumulative effect could significantly alter the character, navigability, and usability of the canal turnaround area.

I respectfully request that the Board carefully evaluate the long-term consequences of granting this variance and consider whether reasonable alternatives exist that would allow the applicants to install a boat lift while maintaining the current overall footprint extending into the waterway.

One possible alternative would be to reconfigure the existing dock layout so that a greater portion of the platform remains over upland property while maintaining approximately the same overall projection into the canal that exists today. Such an approach may accommodate the desired boat lift without requiring additional encroachment into the turn basin.

Ultimately, my hope is that this matter can be resolved in a way that protects navigation, preserves fairness among neighboring property owners, and avoids the type of long-term "dock wars" that can negatively impact neighborhood relationships for years to come.

Thank you for your consideration.

Respectfully,

Joe and Laina French
Former President
Snug Harbor Estates Homeowners Association
1649 Bay Shore Dr (Since 1999)
(2009–2012)

Joe French | President
eXpress badging services, inc.
P: 321-784-5925
E: joe.french@expressbadging.com



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4'x12' (48 sq ft - over land)
 4'x2' (8 sq ft over water)
 8x30' Deck (240 sq ft)
 248 sq ft TOTAL (overwater)

DESCRIPTION:

LOT 14, BLOCK E
 WEST POINT ADDITION TO SNUG HARBOR ESTATES
 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 88
 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

SURVEYOR'S NOTES:

1. This property is located in Flood Zone(s) X. The Structure is in Flood Zone(s) X, Map No. 1200900461H, Panel No. 461, Suffix H, Community No. 125092, Effective Date, January 29, 2021.
2. The bearings shown are based on an Assumed North Meridian, Being S 34° 30' 28" E along the South R/W line of Boy Shore Drive.
3. This map of survey is for the sole use of the named parties as certified hereon and is non-transferable is not to be relied upon by any other entity or individuals other than the certified entity.
4. This map of survey is for the sole use of the named parties as certified hereon and is non-transferable is not to be relied upon by any other entity or individuals other than the certified entity.
5. Underground improvements are not located unless requested.

PARCEL ID.
 25-37-22-DP-E-13

PARCEL ID.
 25-37-22-DP-E-14

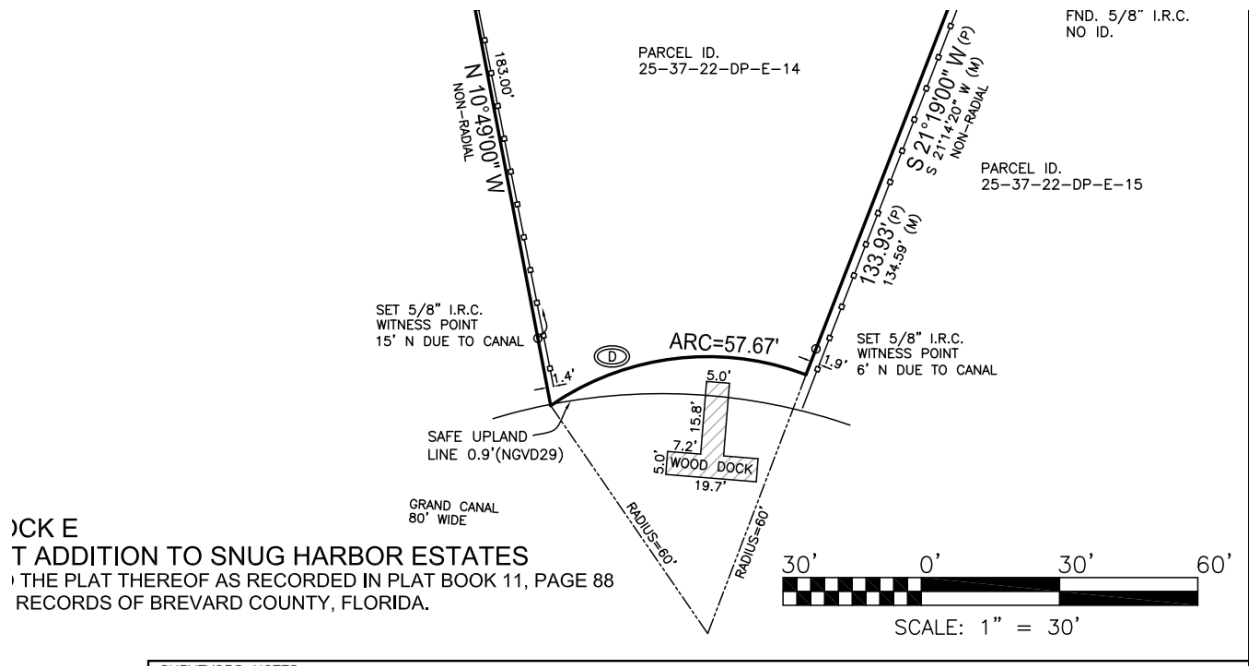
PARCEL ID.
 25-37-22-DP-E-15

DESCRIPTION:

LOT 14, BLOCK E
 WEST POINT ADDITION TO SNUG HARBOR ESTATES
 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 88
 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA.

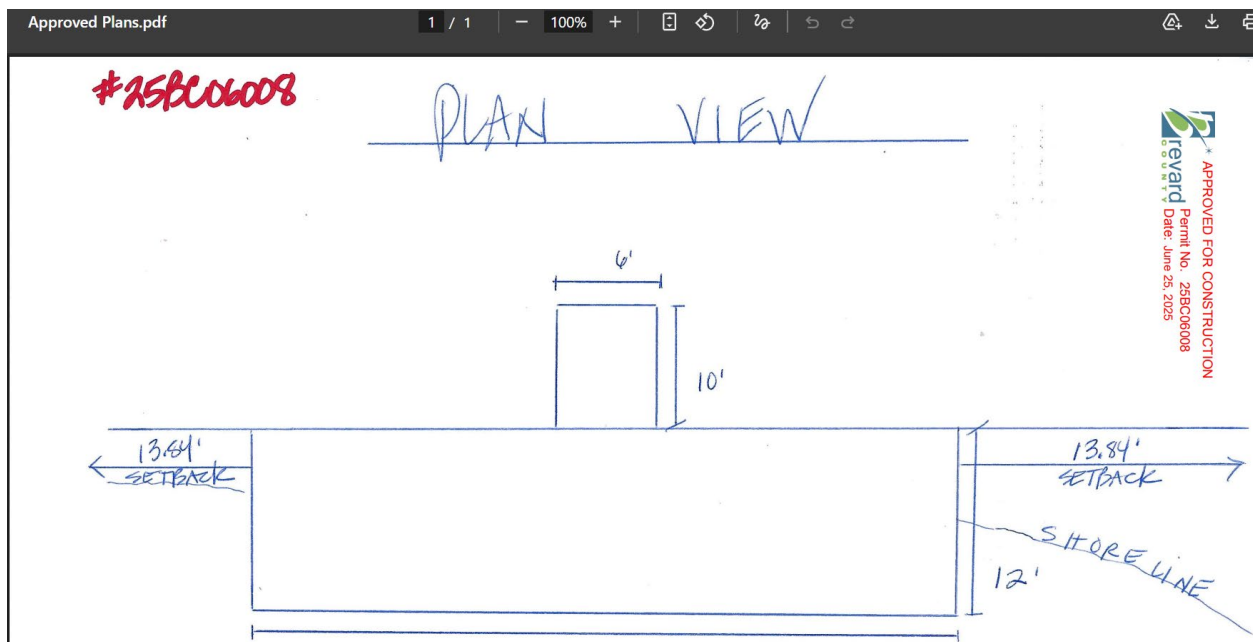
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5. Underground improvements are not located unless requested.



ADDITIONAL TEXT: N 10° 49' 00" W 183.00' NON-RADIAL, S 21° 19' 00" W (P) 211.14' NON-RADIAL, 133.93' (P) 134.59' (M)

APPROVED PLANS below



ACCEPTED PLANS below

DESCRIPTION:

LOT 14, BLOCK E
WEST POINT ADDITION TO
SNUG HARBOR ESTATES
ACCORDING TO THE PLAT THEREOF AS RECORDED
IN PLAT BOOK 11, PAGE 88 OF THE PUBLIC RECORDS
OF BREVARD COUNTY, FLORIDA.

