



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, December 17, 2025

DATE: November 24, 2025

DISTRICT 2

(25V00081) Kelly Family Revocable Trust (Rita U. Kelly) requests two variances of Chapter 62, Article VI, Brevard County Code as follows; 1.) Section 62-2118(d)(3) to allow 2.5 ft. over the 20% canal or waterway width (16 ft.) projection allowed for a boat dock; and 2.) Section 62-2118(d)(5) to allow 36 sq. ft. over the 600 sq. ft. total coverage permitted for a boat dock with a covered roof in an RU-1-13 (Single-Family Residential) zoning classification. This request represents the applicant's request to legitimize an existing boat dock. The applicant states the boat dock and seawall were damaged in 2017 by Hurricane Irma. The applicant also states the seawall was replaced in 2018 from the Hurricane damage along with the boat dock being repaired. The first request equates to a 16% deviation to what the code allows. The second request equates to a 6% deviation to what the code allows. There is one variance approved to dock projection requirements in the immediate area. There are no variances approved to total coverage requirements for a boat dock with a covered roof in the immediate area. There is no code enforcement action pending with the Brevard County Planning & 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 10/21/2025.