



BOARD OF COUNTY COMMISSIONERS

Inter-Office Memo

TO: Board of Adjustment Members
FROM: Paul Body, Senior Planner
Thru: Trina Gilliam, Interim Planning & Zoning Manager
SUBJECT: Variance Staff Comments for Wednesday, March 19, 2025
DATE: February 6, 2025

DISTRICT 3

(25V00001) Matthew S. and Gretchen W. Solar (Natasha Petrie and Dan Coe) request variances of Chapter 62, Article VI, Brevard County Code as follows, 1.) Section 62-2109(c) to allow 5.3 ft. over the maximum 4 ft. height permitted for a fence/wall in the 20 ft. front setback; 2.) Section 62-2109(a) to allow 4.5 ft. over the maximum 6 ft. height permitted for a fence/wall; and 3.) Section 62-2109(c) to allow 4.7 ft. over the maximum 4 ft. height permitted for a fence/wall in the 20 ft. setback required for a double frontage lot on a major waterbody in an RU-1-7 (Single-Family Residential) zoning classification. This request represents the applicants' request to legitimize a fence constructed on top of a retaining wall. The applicants state that the extra height is required to meet the Building Code for fall protection. The first request equates to a 133% deviation of what the code allows. The second request equates to a 75% deviation of what the code allows, and the third request equates to a 118% deviation of what the code allows. There are no variances to the fence/wall height requirement in the immediate area. There are no code enforcement actions pending with 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 12/23/2024.