



## 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, Planner III

FROM: Jeffrey Ball, AICP, Planning & Zoning Manager

SUBJECT: Variance Staff Comments for Wednesday, May 17, 2023

DATE: April 25, 2023

### DISTRICT 5

**3. (23V00012) John K. and Rebecca J. Marshall** request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1336(5)(b), to permit a variance to allow an accessory structure to be located forward of the front building line of the principal structure; 2.) Section 62-1336(5)(b), to permit a variance of 6.29 ft. from the required 15-ft. side (south) setback for an accessory structure (carport), in an RR-1 (Rural Residential) zoning classification. This request represents the applicants' request to legitimize an existing carport for a building permit (23BC04898). The applicant states that with the location of the existing house, septic tank, drain field and pond behind the house there is not any other location for the accessory structure. The second request equates to an 42% deviation of what the code allows. There are no variances approved to accessory structure location requirement or accessory structure setback requirements in the immediate area. There is a code enforcement violation (23CE-00096) for a carport and shed built on property without permits. The applicant states that the shed is to be removed. 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 revision date of 2/03/2023.