



## 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: Jeffrey Ball, AICP, Planning & Zoning Manager

SUBJECT: Variance Staff Comments for Wednesday, March 20, 2024

DATE: February 27, 2024

### DISTRICT 4

**6. (24V00006) Ronald Robin** requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1446(d)(7), to permit a variance of 5.2 ft. from the 10-ft side (north) setback required for an accessory structure in a PUD (Planned Unit Development) zoning classification. This request represents the applicant's request to legitimize an existing accessory structure (garage) built without a building permit. The applicant states that the accessory structure was placed on an existing asphalt pad that was on the parcel when he purchased the parcel on March 29, 2023. A portion of the 10 foot wide Public Utilities and Drainage Easement the accessory structure is located in was vacated by the Board of County Commission on January 9, 2024, per Resolution 2024-004. This request equates to a 52% deviation of what the code allows. There are no variances to the accessory setback requirements in the immediate area. There was a code enforcement action (23CT-00279) pending with the Brevard County Contractor Licensing Department for having an accessory structure built without a building permit. The applicant has since applied for a building permit for the accessory structure (23BC17204) which closed the code enforcement action. If the Board approves the variance, it may want to limit its approval as depicted on the survey provided by the applicant with a field date of 09/07/2023.