



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

7. (23V00033) Kevin and Torri Downs requests variances of Chapter 62, Article VI, Brevard County Code as follows, 1.) Section 62-1339(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 62-1339(5)(b) to permit a variance to allow an accessory structure to be located forward of the front building line of the principal structure; and 3.) Section 62-1339(5)(b), to permit a variance of 5.2 ft. from the required 10-ft. side (south) setback for an accessory structure (tennis court) in an EU (Estate Use) zoning classification. This request represents the applicants' request to legitimize the existing accessory structures in order to build a RV carport which will be required to meet setback requirements. The applicant states that the accessory structures were built by a previous owner and were in this configuration when they purchased the property on September 25, 2017. The third 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 is no code enforcement action pending with the Brevard County Planning and Development Department. If the Board approves the variances, it may want to limit its approval as depicted on the survey provided by the applicant with a survey date of 10/19/2023.