



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 6906, **Version:** 1

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### **Subject:**

Suzanne Cook (Daniel Banker) requests a Conditional Use Permit for a guesthouse in an RU-1-13 (Single-Family Residential) zoning classification. (24Z00007) (Tax Account 2431745) (District 2)

### **Fiscal Impact:**

None

### **Dept/Office:**

Planning and Development

### **Requested Action:**

It is requested that the Board of County Commissioners conduct a public hearing to consider a CUP (Conditional Use Permit) for a guesthouse in an RU-1-13 (Single-Family Residential) zoning classification.

### **Summary Explanation and Background:**

The property owner is seeking a Conditional Use Permit (CUP) to allow a guesthouse without kitchen facilities in the RU-1-13 zoning classification. Per section 62-1932(c): A guesthouse or servants' quarters may contain kitchen facilities on parcels of at least one-acre in size. However, this parcel contains 0.60 acres which does not meet the requirement to have a kitchen facility. A guesthouse shall meet the following conditions:

- The structure shall be a detached accessory structure located to the rear of the principal structure and shall not be attached to any other accessory structure.
- The structure shall not exceed the maximum size permitted for accessory structures in the applicable zoning classification. Where there is no maximum, the structure shall not exceed 50 percent of the size of the principal structure.
- The structure shall be used for the accommodation of family members, temporary guests (maximum six months), or servants only.
- The structure shall not be used for rental purposes.
- The structure shall be set back a minimum of ten feet from the side and rear lot lines.

To the north are single-family homes on parcels less than one acre lots with RU-1-13 zoning. Abutting to the south is a religious facility with IU(L) (Institutional Use Low intensity) zoning. West across N. Banana River Drive is zoned RP (Residential Professional) and developed with a Group Home. East across the canal is GU (General Use) zoning and developed with a single-family home.

The applicants included a set of plans for the proposed structure in their CUP application showing the proposed location, layout, and size of the structure as required by code. In addition, the applicant acknowledged that the guesthouse cannot have a kitchen and redlined the plans to omit the kitchen facility.

The Board's approval confirms the exclusion of a kitchen, range, and electrical service for the range.

The Board may wish to consider the compatibility of the proposed CUP with the surrounding area. The Board may also wish to consider additional conditions beyond those cited in Sections 62-1901 and 62-1906 in order to mitigate potential offsite impacts to the abutting properties.

On June 10, 2024, the Planning and Zoning Board heard the request and unanimously recommended approval.

**Clerk to the Board Instructions:**

Upon receipt of resolution, please execute and return a copy to Planning and Development.