



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 4833, **Version:** 1

Subject:

Evan Bales and Kelsey Godfrey (Charlene Morgan) request a CUP for a Guesthouse in an RU-1-11 zoning classification. (22Z00024) (Tax Account 2522454) (District 2)

Fiscal Impact:

None

Dept/Office:

Planning & 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-1-11 (Single-Family Residential) zoning classification.

Summary Explanation and Background:

Pursuant to Section 62-1932, the property owner is seeking a CUP to allow a guesthouse in the RU-1-11 zoning classification. This section allows a detached accessory building located on the same property as the main dwelling, to be a guesthouse used for housing members of the family occupying the main building or their temporary guests. A guesthouse is subject to the provisions, including but not limited to, the building shall not have separate utility meters, shall not be rented or otherwise used as a separate dwelling, and the structure shall contain no kitchen facilities on property that is less than an acre in size.

In this case, the guesthouse will be an additional accessory building on the 0.69-acre lot which currently contains a single-family home and one accessory building. The applicants included a dimensional sketch plan in their CUP application showing the proposed location and size of the structure. Also, the sketch plan contains the floor plan depicting the rooms and one is labeled "no kitchen". Sec. 62-1102 defines a Kitchen as a "room or area within a room whose primary purpose is to store, prepare and cook food. A kitchen will have a refrigerator to store food, counter space and a sink to prepare food, and a stove and/or range to cook food." The floor plan does not contain a stove and/or range to cook food.

The developed character of the surrounding area consists of lots less than 1-acre in size zoned RU-1-11 developed with single-family homes. A CUP for guesthouse was approved on a 0.96-acre parcel located approximately a quarter-mile southwest of the subject property on the west side of Newfound Harbor Drive.

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.

Please note, the Board's approval of the guesthouse sketch plan only applies to the location and size of the structure. The sketch plan has not been reviewed for compliance with other provisions of the Land Development Code and Florida Building Code which occur at the building permit review and approval.

On July 18, 2022, the Planning and Zoning Board heard the request and unanimously recommended approval.

Clerk to the Board Instructions:

Once resolution is received, please execute and return a copy to Planning and Development.