



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3370, **Version:** 1

Subject:

Aaron-Michael A. and Penny M. Keegan (Steve DeFillips) request a CUP for a Private Boat Dock Accessory to an Adjacent Single-Family Residential Lot in an RU-1-13 Zoning Classification. (21PZ00038) (Tax Account 2953245) (District 3)

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 Private Boat Dock Accessory to an Adjacent Single-Family Residential Lot in an RU-1-13 (Single-Family Residential) zoning classification.

Summary Explanation and Background:

The applicants are seeking approval of a CUP for a private residential boat dock in the RU-1-13 zoning classification for the purpose of legitimizing an existing boat dock on the parcel as an accessory use. On June 30, 2000 this dock parcel was split into two parcels. This split created two parcels that did not meet the CUP's 30 feet water frontage requirement. The applicant has since purchased both of these parcels and combined them back together to the original configuration per warranty deed recorded in Official Records Book 9153, Page 265 on June 11, 2021. Section 62-1943.3 allows a private boat dock to be considered adjacent if the lot is located within the same neighborhood.

A CUP for the existing dock was never obtained. The applicant also owns Lot 20, Block D, located in the same Crystal Lakes subdivision approximately 1/4 mile northeast of the subject waterfront lot. Both the dock parcel and parent parcel retain the RU-1-13 zoning classification.

The character of the area is a mix of existing single-family homes and parcels with existing docks. Of the 13 similar parcels on the south side of Ross Avenue, all but two have existing docks. There have been 10 approved CUP actions for private boat docks accessory to adjacent single-family residential lots within the Crystal Lakes subdivision.

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

On September 20, 2021, 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.