

Board of Adjustment Agenda

Wednesday, September 21, 2022, at 1:30 p.m.

Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor,
Viera, Florida

Approval of August 17, 2022 Minutes

1. **(21PZ00096) Jeffrey D. & Gayle T. Kluesner** request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1340(5)(a), to permit a variance of 12 ft. from the required 20-ft. rear setback for a principal structure; 2.) Section 62-1102, to permit a variance to allow an additional structure to be attached to the principal structure without having a common roof with similar design to the principal structure, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.37 acres, located on the southeast corner of Bahama Dr. and N. Riverside Dr. (595 Bahama Dr., Indialantic) (Tax Account 2730449) (District 5)

BOA ACTION: Bovell/Higgins - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

2. **(22V00009) Joseph V. and Kelly A. Collura** (Tracee Huff/Scott Herber) request a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2118(d)(3), to permit a variance of 2.3 feet over the maximum 16-ft. projection (20% the width of the waterway) for a boat dock, in a RU-1-11 (Single-Family Residential) zoning classification. The property is 0.20 acres, located on the east side of Artemis Blvd., approx. 0.4 mile east of N. Courtenay Pkwy. (175 Artemis Blvd, Merritt Island) (Tax Account 2418390) (District 2)

BOA ACTION: McCann/Bovell - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

3. **(22V00018) Frederick M. and Sandra N. DeArment** request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1334(4), to permit a variance of 45 ft. from the required 150-ft. lot width in an AU (Agricultural Residential) zoning classification; 2.) Section 62-1334(4), to permit a variance of 0.57 acres from the required 2.5-acre minimum lot size in AU. The property is 1.89 acres, located on the east side of S. Tropical Trail, approx. 85 ft. south of River Cliff Lane (892 S. Tropical Trail, Merritt Island) (Tax Account 2501521) (District 2)

BOA ACTION: McCann/Higgins - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

4. **(22V00022) TGAC Real Estate, LLC** (Sergio Garcia) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1483(5)(a)(2), to permit a variance of 1.3 ft. from the required 25-ft. front setback for a principal structure, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 3.79 acres, located on the south side of E. Merritt Island Cswy., approx. 0.19 miles east of Newfound Harbor Dr. (1775 E. Merritt Island Cswy., Merritt Island) (Tax Account 2438639) (District 2)

BOA ACTION: McCann/Bovell - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

5. **(22V00026) Robert J. and Carol L. Anderson** (Woody Donnelly) requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1334(4), to permit a variance of 0.39 acres from the required 2.5-acre minimum lot size in the AU (Agricultural Residential) zoning classification; 2.) Section 62-1334(4), to permit a variance of 75 ft. from the required 150-ft. lot width in AU. The property is 2.106 acres, located on the south side of Pennsylvania Ave., approx. 305 ft. west of U.S. Highway 1. (3845 Pennsylvania Ave., Mims) (Tax Account 2004729) (District 1)

BOA ACTION: Higgins/Bovell - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

6. **(22V00027) Charlotte A. Jillson** (Dwayne Dingus) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1405(6)(a), to permit a variance of 1.8 ft. from the required 7.5-ft. side (south) setback for a principal structure in a TRC-1 (Mobile Home Cooperative) zoning classification. The property is 0.12 acres, located on the west side of Periwinkle Circle, approx. 130 ft. south of Gladiolus Drive. (719 Periwinkle Circle, Barefoot Bay) (Tax Account 3003787) (District 3)

BOA ACTION: Bovell/Higgins - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

7. **(22V00028) Krodel Properties, LLC** (Keith Krodel/Deborah Wilburn) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1340(5)(a), to permit a variance of 5 ft. from the required 20-ft. side street setback, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.32 acres, located on the southwest corner of S. Banana River Dr. and Orris Ave. (1425 S. Banana River Dr., Merritt Island) (Tax Accounts 2514967 & 2514968) (District 2)

BOA ACTION: McCann/Higgins - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

8. **(22V00029) Robert J. Brooks** requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1401(5)(b), to permit a variance of 9.47 ft. from the required 15-ft. side (east) setback for an accessory structure; 2.) Section 62-2100(1)(d), to permit a variance of 2,576.5 sq. ft. over the 1,053.5 sq. ft. (50% of living area of principal structure) allowed for an accessory structure; 3.) Section 62-2100(1)(b), to permit a variance of 1,555.7 sq. ft. over the total floor area of 2,578 sq. ft. of the principal structure allowed for all detached structures. All variances are in the RRMH-1 (Rural Residential Mobile Home) zoning classification. The property is 2.45 acres, located on the south side of Gandy Rd., approx. 0.22 miles east of Hog Valley Rd. (4725 Gandy Rd., Mims) (Tax Account 2002218) (District 1)

BOA ACTION: Higgins/Bovell - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

9. **(22V00030) Jerry G. and Lennie G. Ballard** (John and Robin Karlovitch) request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1334(5)(b), to permit a variance of 6.5 ft. from the required 15-ft. side (west) setback for an accessory structure; 2.) Section 62-1334(5)(b), to permit a variance of 13.2 ft. from the required 15-ft. side (east) setback for an accessory structure in an AU (Agricultural Residential) zoning classification. The property is 5.19 acres, located on the north side of Milwaukee Ave., approx. 138 ft. west of LaVeta Dr. (3280 Milwaukee Ave., Melbourne) (Tax Account 2802092) (District 5)

BOA ACTION: McCann/Bovell - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

10. **(22V00031) Donald K. and Maria K. Kosick, Trustees** (Kris Kosick) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1337(5)(b), to permit a variance to allow an accessory structure to be located forward of the front building line of the principal structure, in an SEU (Suburban Estate Use Residential) zoning classification. The property is 2.59 acres, located on the west side of S. Tropical Trail, approx. 0.42 mile south of Hilliard Lane. (7105 S. Tropical Trail, Merritt Island) (Tax Account 2605898) (District 2)

BOA ACTION: McCann/Higgins - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

Pursuant to the Florida Rules of Appellate Procedure, any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment may, within thirty (30) days after the date the order is signed, apply to a court of competent jurisdiction for appropriate relief. Speakers must provide their names and addresses for the public record.