

BOARD OF ADJUSTMENT MINUTES

The Brevard County Board of Adjustment met in regular session at 1:30 p.m. on Wednesday, August 14, 2024, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida, with Vice Chair Sonya Mallard presiding, to consider the requests below:

Board members present were: Sonya Mallard (D1); Dave Neuman, Chair (D2 Alt); Steve Holmberg (D3); and Dr. Joanna Bass (D4)

Staff members present were: Becky Behl-Hill, Assistant County Attorney; Greg Hughes, Assistant County Attorney; Paul Body, Senior Planner; Desiree Jackson, Planner I; and Kristen Champion, Special Projects Coordinator.

Vice-Chair Sonya Mallard called the meeting to order at 1:30 p.m.

Paul Body explained the function of the Board of Adjustment; Dr. Joanna Bass explained the definition of an undue hardship; and Steve Holmberg explained the procedures of the Board of Adjustment. All speakers were sworn in at the beginning of each item.

Approval of July 24, 2024, Minutes

Motion by Dave Neuman to approve the minutes of the July 24, 2024, meeting, seconded by Dr. Steve Holmberg. The motion passed unanimously.

Paul Body announced to the Board that the applicant for 24V000029 has requested to withdraw and cancel their application so this will not be heard today.

Jack Kitchin (Victor Watson) Variances of Chapter 62, Article VI, Brevard County Code as follows, 1.) Section 62-1340(5)(a), to permit a variance of 9 ft. from the 20-ft. front setback required for a structure (garage); and 2.) Section 62-1340(5)(a), to permit a variance of 2.5 ft. from the required 7.5 ft. side (south) setback for a principal structure in an RU-1-11 (Single-Family Residential) zoning classification, on property described as Lot 42, Harbor Colony Unit 2. The property is 0.285 acres, located on the northeasterly corner of Cul-de-sac at Via Roma. (1735 Via Roma, Merritt Island) (24V00015) (Tax Account 2515226) (District 2)

No public comment.

Dave Neuman made a motion to approve the variance requested as depicted on the survey provided by the applicant, seconded by Steve Holmberg.

Sonya Mallard read aloud the six criteria for a hardship and explained the justifications for approving the variance.

Sonya Mallard called for a vote on the motion as stated, and it passed unanimously.

Danny Redman & Esther Clayton-Redman (John Campbell) Variance of Chapter 62, Article VI, Brevard County Code, Section 62-2109(c), to permit a variance of 2 ft. over the 4-ft. maximum wall height permitted in the front 20-ft. setback in an RU-1-13 (Single-Family Residential) zoning classification, on property described as Tax Parcel 15. The property is 0.98 acres, located on the east side of US Hwy 1, 425 ft. south of Portofino Ln. (6245 US Hwy 1, Melbourne) (24V00026) (Tax Account 2606081) (District 2)

John Campbell with Campbell Surveying, Merritt Island, stated he was obtained by the applicants to represent him for the item today.

Paul Body asked Mr. Campbell if he has the authorization forms that allow him to represent the applicants?

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Mr. Campbell gave him one signed by Dr. Redman, but not one signed by Mrs. Clayton-Redman. Since both parties are listed on the warranty deed of the property, it's required to have written authorization from both owners.

Motion to continue application to September 18, 2024, by Dr. Joanna Bass, seconded by Dave Neuman. The vote was unanimous.

Randolph & Jileen Torres Variance of Chapter 62, Article VI, Brevard County Code, Section 62-1334(5)(b), to permit a variance of 6 ft. from the 15-ft. required side (west) for an accessory structure in an AU (Agricultural Residential) zoning classification, on property described as Tract 6, Block 1, Indian River Park Subdivision. The property is 4.29 acres, located on the north side of Pennsylvania Ave., approx. 1,520 ft. west of Dixie Way. (3420 Pennsylvania Ave., Mims) (24V00027) (Tax Account 2004705) (District 1)

Applicant was not present.

Motion to continue application to September 18, 2024, by Dave Neuman, seconded by Steve Holmberg. The vote was unanimous.

Upon consensus, the meeting adjourned at 2:05 p.m.