

BOARD OF ADJUSTMENT MINUTES

The Brevard County Board of Adjustment met in regular session at 1:30 p.m. on Wednesday, January 15, 2025, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida.

Board members present were: Sonya Mallard, Vice Chair (D1); Jennifer Clements (D2); Dr. Joanna Bass (D4); Stephen Holmberg (D3) and Bill Huffman, Chair (D5);

Staff members present were: Greg Hughes, Assistant County Attorney; Trina Gilliam, Interim Acting Zoning Manager; Paul Body, Senior Planner; and Alice Randall, Operations Support Specialist.

The meeting was called to order at 1:30 p.m.

Approval of December 18, 2024, Minutes

Motion to approve the minutes of the December 18, 2024, meeting by Joanna Bass, seconded by Bill Huffman. The motion passed unanimously.

Election of Chair and Vice-Chair

Motion by Joanna Bass, seconded by Jennifer Clements, to elect Sonya Mallard as Chair for 2025. The motion passed unanimously.

Motion by Sonya Mallard, seconded by Bill Huffman, to elect Stephen Holmberg as Vice-Chair for 2025. The motion passed unanimously.

H.1. Boggs Family December 17, 2019, Trust (Bill & Terri Boggs) requests variances for a principal structure and an accessory structure in an RU-1-11 zoning classification. (24V00025) (Tax Account 2300362) (District 1). This item was continued from the September 18, 2024, BOA meeting.

Paul body read the item into the record.

Bill Boggs explained the purpose of the request. He stated he submitted the plans with the garage and home separate. He then presented photos of the layout. He wants to add the garage space to the house. There are 2 bays for the garage. Under roof it encompasses not just the 2 bays, but across the back there is a veranda or outside patio, workshop/craft shop, and storage space.

Sonya Mallard noted that she remembered from previously what had been discussed. Looking at it now she sees the layout more clearly. She stated that she sees there is only one house to the left.

Mr. Boggs replied "well if you're facing the house, it's to the right. And then behind it is water, to the left of it it's not buildable. And across the street I'm not sure what the restrictions are for that."

Ms. Mallard inquired if the neighbor beside of him had any objections.

Mr. Boggs said "no, no she's fine with it."

Stephen Holmberg inquired about some code enforcement problems.

Ms. Mallard responded no, no problems.

Mr. Boggs also responded with no.

No public comment.

Motion to approve item H.1. as depicted on the survey dated 5/28/2024 by Bill Huffman, seconded by Joanna Bass. The motion passed unanimously.

H.2. Anita J. McCalmont requests a variance for an accessory structure in an RU-1-9 zoning classification. (24V00048) (Tax Account 2408075) (District 1)

Paul Body read the item into the record.

Anita McCalmont explained the purpose of the request. She was under the impression that the footprint of the building was what was used to calculate the 50% or less of her home which is 1,330 sq. ft. The structure was built to those specifications, and she wanted more space going up, so she had a second floor built for storage. It was brought to her attention that that calculation should have been included in the structure of the building. It is now built, and she is requesting the variance to allow this extra square footage, that's on the second floor.

Sonya Mallard inquired if this is a house that the applicant is living in.

Ms. McCalmont stated no, the house she lives in is 1,330 sq. ft. The building she had put up is a two-story garage with storage and workbench for projects. It's in the back of the house. None of her neighbors have any opposition to it. The house on the property behind her burned down many years ago, but the garage remains. They apparently have permission or a variance to live in that structure and it has a second floor.

Ms. Mallard responded that today for the sake of this variance for your garage you're doing it to store your car with tools on top.

Ms. McCalmont responded that the tools would be on the bottom with the car. Upstairs she will store lighter things like furniture, a little space for exercise equipment.

Stephen Holmberg inquired if this is a prefab metal building. It's on concrete.

Ms. McCalmont answered that there was a concrete there already and she had to have another concrete pad put on top of that to raise the elevation. They put the building up in 2 days.

Mr. Holmberg inquired if it had power and utilities.

Ms. McCalmont responded "not yet. I just stopped everything until I get past this."

Bill Huffman stated that in summary you looked at the regulations, saw the square footage of your home, it said 50%, you put a footprint up of 50%, and now it's being interpreted to say that the second floor adds the square footage.

Ms. McCalmont replied "correct."

Mr. Huffman continued with, but the roofline is the same as it would be if it's one story, so there's no drainage or impervious problems.

Ms. McCalmont responded "correct."

Mr. Huffman went on with, you are asking to legitimize the existing condition.

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Ms. McCalmont said "right".

No public comment.

Ms. McCalmont stated that she just wanted to get past this and proceed with the next steps.

Motion to approve item H.2. as depicted on the survey dated 2/17/2023 by Bill Huffman, seconded by Stephen Holmberg. The motion passed unanimously.

The meeting was called to adjourn at 1:59 p.m.