

Board of Adjustment Agenda

Wednesday, August 16, 2023, at 1:30 p.m.

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

Approval of July 19, 2023, Minutes

1. **(23V00015) Penny Louise Amundson** (Gabriel Joseph) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2123(a), to permit a variance of 10.43 ft. from the required 20-ft. side street setback for a swimming pool, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.20 acres, located on the northwest corner of N. Banana River Dr. and Seashell Dr. (1600 Seashell Dr., Merritt Island) (Tax Account 2432702) (District 2)

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

2. **(23V00024) The 109 Franklyn Avenue Trust** (Kelly Hyvonen) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2109(c), to permit a variance of 2.5 ft. over the maximum 4-ft. height allowed for a fence in a RA-2-6 (Single-Family Attached Residential) zoning classification. The property is 0.33 acres, located on the south side of Franklyn Ave., approx. 415 ft. west of Highway A1A. (109 Franklyn Ave., Indialantic) (Tax Account 2731681) (District 5)

BOA ACTION: Huffman/Thomas – Approved as depicted on the survey provided by the applicant. The vote was unanimous.

3. **(23V00025) John Paul Arel** requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1340(5)(b), to permit a variance of 5 ft. from the required 5-ft. separation distance for an accessory structure; 2.) Section 62-1340(5)(b), to permit a variance of 1.2 ft. from the required 7.5-ft. side (west) setback for an accessory structure; 3.) Section 62-1340(5)(b), to permit a variance of 5 ft. from the required 5-ft. separation distance for an accessory structure, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.23 acres, located on the south side of Porpoise St., approx. 280 ft. west of Manatee Court. (2015 Porpoise St., Merritt Island) (Tax Account 2432346) (District 2)

BOA ACTION: McCann/Mallard – Approved as depicted on the survey provided by the applicant. The vote was 4:1, with Rhodes voting nay.

4. **(23V00026) Anthony G. and Maja Ann Russo** request a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2118(d)(2), to permit a variance of 6.8 ft. from the required 7.5-ft. side (south) setback as projected in a straight line into the waterway, for a covered boat lift, in an RU-1-13 zoning classification. The property is 0.19 acres, located on the west side of Mohican Way, approx. 141 ft. north of Beverly Court. (57 Mohican Way, Melbourne Beach) (Tax Account 2956469) (District 3)

BOA ACTION: Mallard/Thomas – Approved as depicted on the survey provided by the applicant. The vote was 4:1, with Huffman voting nay.

5. **(23V00027) Stacy L. Goforth and Lawrence I. Munro** request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2118(d)(2), to permit a variance of 7.5 ft. from the required 7.5-ft. side (east) setback for a boat dock; 2.) Section 62-2118(d)(2), to permit a variance of 7.5 ft. from the required 7.5-ft. side (west) setback for a boat dock, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.21 acres, located on the southeast corner of Ursa Ave. and Diana Blvd. (305 Ursa Ave., Merritt Island) (Tax Account 2417446) (District 2)

BOA ACTION: McCann/Thomas – Continued to the 09/20/23, meeting. The vote was unanimous.

6. **(23V00016) Vivian Wasef** (Kim Rezanka) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-1406(6)(a), to permit a variance of 0.82-acre from the required 5-acre minimum parcel size in an RVP (Recreational Vehicle Park) zoning classification, currently zoned TR-3 (Mobile Home Park). The property is 4.18 acres, located on the east side of Imperial St., approx. 227 ft. south of Fortenberry Rd. (250 Imperial St., Merritt Island) (Tax Account 2426831) (District 2) This item was tabled from the 07/19/23 meeting at the request of the applicant.
7. **(23V00014) Broderick E. Bolton** requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1932(a)(6), to permit a variance of 1.75 ft. from the required 10-ft. side (south) setback for a guesthouse; 2.) Section 62-1340(5)(b), to permit a variance of 0.66 ft. from the required 7.5-ft. side (south) setback for an accessory structure; 3.) Section 62-1340(5)(b), to permit a variance of 0.15 ft. from the required 5-ft. separation distance for an accessory structure, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 1.14 acres, located on the west side of Newfound Harbor Dr., approx. 140 ft. north of Harbor Pines Dr. (915 Newfound Harbor Dr., Merritt Island) (Tax Account 2514500) (District 2) This item was tabled from the 06/21/23 meeting.

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.