The Brevard County Board of Adjustment met in regular session at 1:30 p.m. on Wednesday, August 15, 2018, in the Commission Chambers, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida, with Chairman George Bovell presiding, to consider the following requests:

Board members present were: George Bovell, Chairman, District 4; Robert Dale Rhodes, District 3; Dale Young, District 5.

Staff members present: Jad Brewer, Assistant County Attorney; Paul Body, Planner I; and Hazel Hernandez, Office Assistant II.

The Chairman, George Bovell, called the meeting to order at 1:30 p.m.

Paul Body explained the function of the Board of Adjustment; Dale Rhodes explained the definition of a hardship, and George Bovell explained the procedures of the Board of Adjustment.

Any documents, letters, or photos submitted to the Board of Adjustment before or during the meeting is part of the public record and can be found in the original file located in the Planning and Development Department.

JULY 18, 2018 MINUTES FOR APPROVAL

Motion by Dale Rhodes, seconded by Dale Young, to approve the July 18, 2018 minutes. The motion passed unanimously.

DISTRICT 2

1. (18PZ00085) DISTRICT 2 – HUTTON EXCHANGE MERRITT ISLAND FL, LLC (Stephanie Bulman) requests a variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(b)(4) to permit a variance of 5 feet from the required 15-foot front setback for a freestanding sign in a BU-1 (General Retail Commercial) zoning classification. The property is 0.51 acres, located on the northeast corner of North Courtenay Parkway and Needle Boulevard. (536 North Courtenay Parkway, Merritt Island)

Board of Adjustment Action: Rhodes/Young- Approved as depicted on the survey provided by the applicant. The vote is unanimous.

David Maxwell, 658 Killian Circle, stated his company was trying to get a 5-foot variance on a 15-foot setback for their physical sign. He stated he went to the property to place the notice. Originally, when they put their plans out there was no turn lane there, but after they started their plans, and everything was set up there was a turn lane that put the variance 5 feet further back, which put the sign back into their parking lot. They are requesting the variance, so that the sign will not be in their parking lot.

George Bovell stated as he read the application he noticed that they had issues with sewage lines, and he asked if the location of the sign would be the best. Mr. Maxwell stated yes. Dale Rhodes asked if the sign would hang over the road. Mr. Maxwell replied no. Mr. Rhodes asked if the sign would overhang the parking lot. Mr. Maxwell replied yes. Mr. Rhodes stated that would create a hazard potentially to someone parking there. Mr. Maxwell replied that was correct. Mr. Rhodes asked if the variance was approved if it would block the sight as far as the turn lane. Mr. Maxwell stated no, there was actually a concrete pole there already, and it would not be blocking the view from that turn
lane. Mr. Rhodes asked if there was something else there already in the similar position. Mr. Maxwell replied yes.

No Public Comment.

Motion by Dale Rhodes, seconded by Dale Young, to approve the variance as depicted on the survey provided by the applicant. The motion passed unanimously.

2. (18PZ00089) DISTRICT 2 – SCOTT C. COBB AND CHERL L. COBB request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1340(5)(b), to permit a variance of 2.5 feet from the required 7.5-foot rear (east) setback for an accessory building; 2.) Section 62-1340(5)(b), to permit a variance of 3 feet from the required 7.5-foot side (north) setback for an accessory building, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.22 acres, located on the east side of Fiddler Avenue, approximately 320 feet north of Surf Side Boulevard. (1420 Fiddler Avenue, Merritt Island)

Board of Adjustment Action: Rhodes/ Young- Approved as depicted on the survey provided by the applicant.

Scott C. Cobb, 1420 Fiddler Avenue, stated he has complied with everything he has been asked to do but today he was there to talk about a shed that was there when he brought the property. The shed has been there for over 20 years, the only thing he has done to the shed was put in a new door and skin, because the skin had rotted off. He had a lean-to shed going off his neighbor’s fence that was required to be removed, and it has been removed as well as a new fence has been put up.

Mr. Bovell asked how code enforcement got involved. Mr. Cobb replied it came up after the last storm, which blew his fence down, and it took some time to get the fence up. The fence lines up with North Banana, so a lot of people could see into the backyard with the overgrowth and debris. He corrected the fence, but when code enforcement came the second time they looked at the yard debris with the lean-to shed he had placed over the neighbor’s fence. He ended up going to court and paying a fine, and they also told him what he needed to correct, since then he has complied with those things. He was then sent to this department to talk about the shed.

Mr. Rhodes asked if he was changing anything or just legitimizing a shed that has been there for 20 years. Mr. Cobb replied, yes and he has also corrected everything instructed by code enforcement with the backyard.

No Public Comment.

Motion by Dale Rhodes, seconded by Dale Young, to approve the variance as depicted on the survey provided by the applicant. The motion passed unanimously.

Meeting Adjourned at 1:44 p.m.