

BOARD OF ADJUSTMENT MINUTES

The Brevard County Board of Adjustment met in regular session at 1:30 p.m. on Wednesday, November 17, 2021, in the Commission Room, Building C, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, Florida, with Chairman Dale Rhodes presiding, to consider the requests below:

Board members present were: Dale Rhodes, Chair, District 3; Jack Higgins, Vice Chair, District 1; Kevin McCann, District 2; George Bovell, District 4 and Bill Huffman, District 5.

Staff members present were: Heather Balsler, Assistant County Attorney; Sarah Beazley, Assistant County Attorney; Jeffrey Ball, Zoning Manager; Paul Body, Planner II; and Michelle Adams, Administrative Secretary.

The Chairman, Dale Rhodes, called the meeting to order at 1:30 p.m.

Approval of October 20, 2021, Minutes

Motion by Kevin McCann, seconded by Bill Huffman to approve the September 22, 2021, minutes. The vote was unanimous.

Paul Body explained the function of the Board of Adjustment; Jack Higgins explained the definition of a hardship; and Dale Rhodes explained the procedures of the Board of Adjustment.

All applicants and speakers were sworn in by the Chairman prior to providing testimony.

1. (21PZ00064) Jonathan Daniel Ames & Heidi Reichle Hollowell

Request a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2118(d)(3) to permit a variance of 2.8 feet over the 13.3 foot projection (20% of the width of the waterway) permitted for a boat dock, in an RU-1-13 (Single Family Residential) zoning classification, on 0.22 acres, located on the south side of Central Avenue approximately 0.21 miles east of Banana River Drive (1745 Central Avenue, Merritt Island) (Tax Account 2431910) (District 2)

Jonathan Daniel Ames Hollowell, 1560 Monte Carlo Court, Merritt Island.

No Public Comment.

Dale Rhodes read the six variance hardship items.

Motion by Kevin McCann, seconded by George Bovell, to approve the variance as depicted on the survey submitted by the applicants. The vote passed 3:2 with Dale Rhodes and Bill Huffman voting nay.

2. (21PZ00065) Kruse Family Revocable Trust (Integrity Marine Construction)

Requests a variance from Chapter 62, Article VI, Brevard County Code, Section 62-2118(d)(3) to permit a variance of 1.7 feet over the 15.0 foot projection (20% of the width of the waterway) permitted for a boat dock, in an RU-1-11 (Single Family Residential) zoning classification, on 0.19 acres, located on the north side of Neptune Drive approximately 268 feet east of north Banana River Drive (1630 Neptune Drive, Merritt Island) (Tax Account 2432708) (District 2)

Alicia Gaboury, 1921 Furman Court, Cocoa. She said she was representing the applicant from Integrity Marine.

Sherri Bowman, she said she was here to represent her elderly mother.

No Public Comment

Motion by Bill Huffman, seconded by Jack Higgins to table the item until the owner of Integrity Marine could be present. The motion failed 2:3, with Rhodes, Bovell and McCann voting nay.

Dale Rhodes read the six variance hardship items.

Motion by Kevin McCann, seconded by George Bovell to approve the variance as depicted on the survey submitted by the applicants. The vote passed 3:2 with Dale Rhodes and Bill Huffman voting nay.

3. (21PZ00066) Carl L. & Marjorie L. Peters (Micah Loyd)

Request a variance from Chapter 62, Article VI, Brevard County Code, Section 62-2118(d)(3) to permit a variance of 0.3 feet over the 13.3 foot projection (20% of the width of the waterway) permitted for a boat dock, in an EU (Estate Use Residential) zoning classification, on 0.37 acres, located on the south side of River Moorings Drive, approximately 408 feet west of Seminole Trail (485 River Moorings Drive, Merritt Island) (Tax Account 2319340) (District 2)

Micha Loyd, he said he was representing the applicant as their contractor.

No Public Comment.

Dale Rhodes read the six variance hardship items.

Motion by Kevin McCann, seconded by Bill Huffman, to approve the variance as depicted on the survey submitted by the applicants. The vote was unanimous.

4. (21PZ00067) Dennis A. Drozd & Angela A. Cushing

Request a variance from Chapter 62, Article VI, Brevard County Code, Section 62-1401(5)(b) to permit a variance to allow an accessory structure (pump house) to be located forward of the front building line of the principle structure, in an RRMH-1 (Rural Residential Mobile Home) zoning classification, on 1.12 acres, located on the west side of US Hwy 1, approximately 200 feet south of northern county line. (6786 US Hwy 1, Mims) (Tax Account 2003110) (District 1)

Angela A. Cushing, 6786 US Highway 1, Mims.

No Public Comment.

Dale Rhodes read the six variance hardship items.

Motion by Jack Higgins, seconded by George Bovell, to approve the variance as depicted on the survey submitted by the applicants. The vote was unanimous.

5. (21PZ00068) Dependable Moving & Warehouse Storage, LLC

Request a variance from Chapter 62, Article VI, Brevard County Code, Section 62-1371(4)(b), to permit a variance of 50.0 feet from the 75.0 foot minimum lot width required, in an RU-2-4 (Low-Density Multi-Family Residential) zoning classification, the parcel is currently zoned PIP (Planned Industrial Park), on 3.83 acres, located on the west side of North Courtenay Parkway, approximately

425 feet south of Dural Street (3265 North Courtenay Parkway, Merritt Island) (Tax Account 2411625) (District 2)

Motion by Jack Higgins, seconded by Kevin McCann, to table the request to the December 15, 2021 Board of Adjustment meeting. The vote was unanimous.

6. (21PZ00069) Stephen R. & Paula B. Darby

Request a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2100.5(1)(d) to permit a variance of 78.0 square feet over the 1,405.5 square feet (50% of the living area of the principal structure) allowed for an accessory structure, in a GU (General Use) zoning classification, on 1.15 acres, located on the southeast corner of Atlanta Street and Alan Shepard Avenue (4685 Alan Shepard Avenue, Cocoa) (Tax Account 2400910) (District 1)

Stephen Darby, 4685 Alan Shepard Avenue, Cocoa.

Paula B. Darby, 4685 Alan Shepard Avenue, Cocoa.

Board Chair Dale Rhodes left the meeting.

Motion by Bill Huffman, seconded by George Bovell to allow Jack Higgins, Vice Chair to act as Chair for the remaining of the meeting. The vote was unanimous.

Public Comment

Mark Shropshire said he is in favor of the shed being allowed to stay. He said all of the neighbors approve of it and would be sad to see it torn down.

George Bovell read the six variance hardship items.

Motion by Bill Huffman, seconded by George Bovell to approve the variance as depicted on the survey submitted by the applicants. The vote was unanimous.

7. (21PZ00070) Professional Generator Services, LLC

Requests variances of Chapter 62, Article VI, Brevard County Code, 1) Section 62-2109(c) to permit a variance of 2.0 feet over the 4.0 foot height requirement for a fence located in the front setback; 2) Section 62-2109(c) to permit a variance of 2.0 feet over the 4.0 foot height requirement for a fence located in the side street setback; 3) Section 62-2109(c) to permit a variance of 2.5 feet over the 3.5 foot height requirement for a fence located in the sight triangle of an intersection; 4) Section 62-2109(c) to permit a variance of 2.0 feet over the 4.0 foot height requirement for a fence located on a double frontage lot within the setback, in a BU-2 (Retail, Warehousing & Wholesale Commercial) zoning classification, on 0.31 acres, located on the northwest corner of Hwy US 1 and Jefferson Street (2412 Hwy US 1, Mims) (Tax Account 2103764) (District 1)

Benjamin Maxwell, 3952 Ridgewood Drive, Titusville.

No Public Comment.

George Bovell read the six variance hardship items.

Motion by Kevin McCann, seconded by George Bovell to approve the variances as depicted on the survey submitted by the applicants. The vote was unanimous.

8. (21PZ00071) Michael A. & Sheila R. Bullock

Request variances of Chapter 62, Article VI, Brevard County Code, 1) Section 62-1406(7)(c)(2) to permit a variance of 1.3 feet from the required 5.0 foot side setback, 2) Section 62-1406(7)(c)(3) to permit a variance of 6.3 feet from the required 10.0 foot rear setback, in an RVP (Recreational Vehicle Park) zoning classification, on 0.04 acres, located on the south side of Plantation Drive approximately 600 feet southeast of Greenwig Trail. (172 Plantation Drive, Titusville) (Tax Account 2301083) (District 1)

Michael Bullock

No Public Comment

George Bovell read the six variance hardship items.

Motion by Kevin McCann, seconded by George Bovell to approve the variances as depicted on the survey submitted by the applicants. The vote was unanimous.

Upon consensus, the meeting adjourned at 3:31 p.m.