

Board of Adjustment Agenda

Wednesday, December 21, 2022, at 1:30 p.m.

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

Approval of November 16, 2022 Minutes

1. **(22V00002) Brian Keith Shropshire** (Aaron Lyons) requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2109(a), to permit a variance of 2 ft. over the maximum 6-ft. allowed for a fence; 2.) Section 62-2109(c), to permit a variance of 2 ft. over the maximum 4-ft. height allowed for a fence within the front setback, in an RU-1-7 (Single-Family Residential) zoning classification. The property is 0.23 acres, located on the south side of Brandon St., approx. 475 ft. west of Todd Ave. (5635 Brandon St., Cocoa) (Tax Account 2304639) (District 1)

BOA ACTION: Partridge/McCann - Approved as depicted on the survey provided by the applicant. The vote failed unanimously; therefore, the variances are DENIED.

2. **(22V00036) David Mojica** (Matthew Slate) requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-2100.5(1)(d), to permit a variance of 1,350 sq. ft. over the 600 sq. ft. allowed for an accessory structure; 2.) Section 62-2100.5(1)(b), to permit a variance of 743.3 sq. ft. over the 1,519.1 sq. ft. allowed for all accessory structures, in an RU-1-9 (Single-Family Residential) zoning classification. The property is 0.85 acres, located on the west side of Michigan St., approx. 367 ft. south of Miami Ave. (2180 Michigan St., Melbourne) (Tax Account 2801089) (District 5)

BOA ACTION: McCann/Huffman - Approved as depicted on the survey provided by the applicant. The vote failed unanimously; therefore, the variances are DENIED.

3. **(22V00039) Ronald Benjamin and Victoria Driggers** request a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2118(d)(3), to permit a variance of 4 ft. over the maximum 14-ft. projection (20% the width of the waterway) for a boat dock, in an RU-1-11 (Single-Family Residential) zoning classification. The property is 0.23 acres, located on the south side of Sea Shell Dr., approx. 815 ft. east of N. Banana River Dr. (1705 Sea Shell Dr., Merritt Island) (Tax Account 2432737) (District 2)

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

4. **(22V00041) Daniel Nastyn** (Jerry Knerr) requests a variance of Chapter 62, Article VI, Brevard County Code, Section 62-2123(a), to permit a variance to allow a swimming pool to be located forward of the front building line of the principal structure, in a SEU (Suburban Estate Use Residential) zoning classification. The property is 1.01 acres, located on the west side of S. Carpenter Rd., approx. 0.19 mile south of Pinetop Blvd. (1220 S. Carpenter Rd., Titusville) (Tax Account 2202666) (District 1)

BOA ACTION: Partridge/Rhodes - Approved as depicted on the survey provided by the applicant. The vote was unanimous.

5. **(22V00042) Espejo Investment Group, LLC** requests variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62-1342(4), to permit a variance of 4 ft. from the 50-ft. required lot width for the RU-1-7 (Single-Family Residential) zoning classification, currently zoned AU (Agricultural Residential); 2.) Section 62-1342(5)(a), to permit a variance of 0.5 ft. from the required 5-ft. side (south) setback for a principal structure. The property is 0.25 acres, located on the east side of Goldenrod St. approx. 125 ft. south of Victoria St. (932 Goldenrod St., Merritt Island) (Tax Account 2501515) (District 2)

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

6. **(22V00043) Jerlene K. Watson** (Matt Williams) requests a variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(4), to permit a variance of 8 ft. from the 15-ft. front perimeter setback for a sign, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 0.28 acres, located on the south side of E. Merritt Island Causeway, approx. 425 ft. east of Plumosa St. (475 E. Merritt Island Cswy., Merritt Island) (Tax Account 2427796) (District 2)

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

7. **(22V00044) Mike Erdman Motors, Inc.** (Matt Williams) requests a variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(b)(4), to permit a variance of 8 ft. from the 15-ft. front perimeter setback for a sign, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 0.21 acres, located on the south side of E. Merritt Island Causeway, approx. 510 ft. east of Plumosa St. (515 E. Merritt Island Cswy., Merritt Island) (Tax Account 2442709) (District 2)

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

8. **(22V00045) Mike Erdman Motors, Inc.** (Matt Williams) requests a variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(4), to permit a variance of 8 ft. from the 15-ft. front perimeter setback for a sign, in a BU-2 (Retail, Warehousing, and Wholesale Commercial) zoning classification. The property is 2.07 acres, located on the south side of E. Merritt Island Causeway, approx. 570 ft. east of Plumosa St. (525 E. Merritt Island Cswy., Merritt Island) (Tax Account 2428260) (District 2)

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

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.