

## BOARD OF ADJUSTMENT MINUTES

The Brevard County Board of Adjustment met in regular session at 1:30 p.m. on Wednesday, March 25, 2020, 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, Chairman, District 3; Jack Higgins, Vice Chair, District 1; Michael Hartman, District 2; and Dale Young, District 5.

Staff members present were: Alex Esseesse, Assistant County Attorney; Paul Body, Planner II; and Michelle Adams, Administrative Secretary.

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

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.

### **Approval of February 26, 2020, Minutes**

Motion by Jack Higgins, seconded by Michael Hartman, to approve the February 26, 2020, minutes. The motion passed unanimously.

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

### **(20PZ00014) James and Mary Murray (Dan Quattrocchi)**

Variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62- 1339(5)(b), to permit a variance of 4 feet from the required 10-foot side (north) setback for an accessory structure; 2.) Section 62-1339(6)(a), to permit a variance of 832 square feet from the required 2,000 square-foot minimum living area for a single-family residence in an EU (Estate Use Residential) zoning classification on 0.57 +/- acres, located on the east side of South Tropical Trail, approximately 850 feet north of Old Settlement Road. (3720 South Tropical Trail, Merritt Island) (Tax Account 2511451) (District 2)

Dan Quattrocchi, 3056 Scott Pine Drive, Cocoa, stated that he is a broker at Quattrocchi Real Estate representing Jim and Mary Murray, who reside in Hawaii and have recently sold a property in south Merritt Island that they owned in 1979 and bought the lot next to it in 1997 and combined the parcels. He stated that they have split the parcels and sold the northern part and are keeping the southern part. He said that is the part that they are requesting to legitimize, the accessory structure and the minimum living square footage for EU.

Michael Hartman asked if the structures have been there for decades. Dan Quattrocchi replied that they looked on maps as far back as 1980, and the structures have been there since then.

No Public Comment

Motion by Michael Hartman, seconded by Jack Higgins, to approve the variances as depicted on the survey provided by the applicant. The motion passed unanimously.

**(20PZ00016) Kevin Robert and Rachel McCarthy**

Request variances of Chapter 62, Article VI, Brevard County Code, as follows: 1.) Section 62- 1339(5), to permit a variance of 8.2 feet from the required 10-foot rear setback for an accessory structure; 2.) Section 62-1339(5)(b), to permit a variance of 7.7 feet from the required 10-foot side (south) setback for an accessory structure, in an EU (Estate Use Residential) zoning classification on 0.29 acres, located on the west side of South Courtenay Parkway, approximately 340 feet north of Bridgewater Place. (2575 South Courtenay Parkway, Merritt Island) (Tax Account 2530897) (District 2) Applicant has requested this item to be tabled to the April 22, 2020 meeting.

Motion to table to next meeting by Michael Hartman, seconded by Dale Young. The motion passed unanimously.

**(20PZ00025) Judith A. Coleman and Perry J. Coleman, Trustees (Shanna Brogan)**

Request a variance of Chapter 62, Article IX, Brevard County Code, Section 62-3316(b)(4), to permit a variance of 6 feet from the required 15-foot side setback for a freestanding sign, in a BU-1 (General Retail Commercial) zoning classification, on 0.70 acres, located on the northwest corner of North Highway A1A and Washington Avenue, Indialantic (1090 North Highway A1A, Indialantic) (Tax Account 2730936) (District 5)

Perry James Coleman Jr., 2205 Pine Meadow Avenue, West Melbourne, stated that he is trying to put his sign back up after the hurricane a couple of years ago. He stated he had major damage from a tornado that came through; it hit the side of the building and took all of the brick off, which he restored. He said that they took the sign down and left the post that the sign was on and would like to put the sign back up on the existing post. The location of the property used to be a Mobile gas station, one of the pictures submitted shows where the last gas pump was which was right between the two sign posts. He said that instead of doing a repair to the sign, they have put it in as a new permit. He stated that he would like to put the sign back up on the existing posts that have been there since 1983.

Dale Young asked staff if it was a 10-foot setback. Paul Body answered no, that it is 15 feet from the side property line for a free-standing sign, and 25 feet from the intersection from the road. Dale Young said that he is familiar with the property and does not have a problem with it.

Jack Higgins asked if the posts were steel or concrete. Mr. Coleman replied that they were steel posts. Jack Higgins asked if somebody was certifying the foundations. Mr. Coleman responded that the sign company was certifying the foundations.

Public comment:

Joseph Couturier, 110 Woodsouth, Merritt Island, stated that there is no other location to put the sign so on its posts is the only option. He said the replacement sign is actually smaller than the original sign and by most rules or standards it's a small sign at 8 feet across. He stated that it is of less impact.

Mr. Coleman reiterated that he is putting a smaller sign up. He said that he wants to stay with two posts because anything on the beach with one post, when the wind blows, it twists. So, having the second post will keep the sign from twisting. He said he does everything he can during a storm; takes the panels out, but on the beach it's tough and you need the extra strength.

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

Upon consensus, the meeting adjourned at 1:46 p.m.