

RESOLUTION 21PZ00025

WHEREAS, the Brevard County Board of Adjustment met in session the 23rd day of June, 2021; and

WHEREAS, **Timothy and Diane Lystlund** have applied to the Brevard County Board of Adjustment for a variance on the following described property: Tax Parcel 25, as recorded in OR Book 8669, page 2237 of the Public Records of Brevard County, Florida. **Section 20, Township 30G, Range 38.** (0.55 acres) Located on the east side of Hibiscus Avenue, approximately 240 feet south of Jonquill Lane (9555 Hibiscus Avenue, Micco); and

WHEREAS, this Board, having heard the following variance request on the subject property: Chapter 62, Article IX, Brevard County Code; Section 62-1338(4), to permit a variance of 45 feet from the 150-foot minimum lot depth required for proposed SR (Suburban Residential) zoning in a RU-1-7 (Single Family Residential) zoning classification; and

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 62-253 of Chapter 62, Article II of the Brevard County Code; and

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth at the meeting held on June 23, 2021, are sufficient to meet the criteria of Section 62-253, Chapter 62, Article II, Brevard County Code, and the above described Variance is APPROVED as depicted on the survey provided by the applicants; and

BE IT FURTHER RESOLVED, that the Planning & Development Director, or designee, is hereby directed to make a notation on the official zoning maps of Brevard County, Florida, indicating this action.

DONE, ORDERED AND ADOPTED, in Regular Session, the 23rd day of June, A.D., 2021.

Attest:

BOARD OF ADJUSTMENT OF
BREVARD COUNTY, FLORIDA

Date: June 28, 2021

Date: June 28, 2021

By: 
Tad Calkins, Director,
Planning and Development Department

By: 
Dale Rhodes, Chair

The granting of this variance does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances. 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 30 days after the order is signed, apply to a court of competent jurisdiction for appropriate relief.

RESOLUTION 21PZ00027

WHEREAS, the Brevard County Board of Adjustment met in session the 23rd day of June, 2021; and

WHEREAS, **Francis E. Mosher** has applied to the Brevard County Board of Adjustment for a variance on the following described property: Lot 20, the Moorings, according to the Plat thereof as recorded in Plat Book 20, page 67, of the Public Records of Brevard County, Florida. **Section 27, Township 26, Range 37.** (0.27 acres) Located at the end of Aruba Court on the southwest side the cul-de-sac. (476 Aruba Court, Satellite Beach); and

WHEREAS, this Board, having heard the following variance request on the subject property: Chapter 62, Article IX, Brevard County Code; Section 62-2123(a), to permit a variance of 2.1 feet from the required 5.0-foot south side setback for a screen enclosure, in an RU-1-11 (Single Family Residential) zoning classification; and

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 62-253 of Chapter 62, Article II of the Brevard County Code; and

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth at the meeting held on June 23, 2021, are sufficient to meet the criteria of Section 62-253, Chapter 62, Article II, Brevard County Code, and the above described Variance is APPROVED as depicted on the survey provided by the applicant; and

BE IT FURTHER RESOLVED, that the Planning & Development Director, or designee, is hereby directed to make a notation on the official zoning maps of Brevard County, Florida, indicating this action.

DONE, ORDERED AND ADOPTED, in Regular Session, the 23rd day of June, A.D., 2021.


Attest:

BOARD OF ADJUSTMENT OF
BREVARD COUNTY, FLORIDA

Date: June 28, 2021

Date: June 28, 2021

By: 
Tad Calkins, Director,
Planning and Development Department

By: 
Dale Rhodes, Chair

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RESOLUTION 21PZ00028

WHEREAS, the Brevard County Board of Adjustment met in session the 23rd day of June, 2021; and

WHEREAS, **Nasrallah Family Trust** have applied to the Brevard County Board of Adjustment for a variance on the following described property: Tax Parcel 750, as recorded in OR Book 8558, pages 1886-188, of the Public Records of Brevard County, Florida. **Section 03, Township 29, Range 38.** (1.29 acres) Located north of Spoonbill Lane approximately 0.25 miles west of Seiler Street (490 Spoonbill Lane, Melbourne Beach); and

WHEREAS, this Board, having heard the following variance request on the subject property: Chapter 62, Article IX, Brevard County Code; Section 62-2123(b), to permit a variance of 3.5 feet from the required 25 foot setback for a swimming pool on a major natural waterbody, in an SR (Suburban Residential) zoning classification; and

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 62-253 of Chapter 62, Article II of the Brevard County Code; and

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth at the meeting held on June 23, 2021, are sufficient to meet the criteria of Section 62-253, Chapter 62, Article II, Brevard County Code, and the above described Variance is APPROVED as depicted on the survey provided by the applicant; and

BE IT FURTHER RESOLVED, that the Planning & Development Director, or designee, is hereby directed to make a notation on the official zoning maps of Brevard County, Florida, indicating this action.

DONE, ORDERED AND ADOPTED, in Regular Session, the 23rd day of June, A.D., 2021.

Attest:

BOARD OF ADJUSTMENT OF
BREVARD COUNTY, FLORIDA

Date: June 28, 2021

Date: June 28, 2021

By: [Signature]

By: [Signature]

Tad Calkins, Director,
Planning and Development Department

Dale Rhodes, Chair

The granting of this variance does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances. 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 30 days after the order is signed, apply to a court of competent jurisdiction for appropriate relief.

RESOLUTION 21PZ00029

WHEREAS, the Brevard County Board of Adjustment met in session the 23rd day of June, 2021; and

WHEREAS, **Johnette L. Kramer** has applied to the Brevard County Board of Adjustment for a variance on the following described property: Tax Parcel 518, as recorded in OR Book 4594, pages 2780-2781 of the Public Records of Brevard County, Florida. **Section 26, Township 26, Range 37.** (0.17 acres) Located on the northeast corner of South Patrick Drive and Titan Drive, approximately 1.7 miles south of the intersection of Pineda Causeway and South Patrick Drive (365 Titan Drive, Satellite Beach); and

WHEREAS, this Board, having heard the following variance request on the subject property: Chapter 62, Article IX, Brevard County Code; 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, in an RU-2-10 (Medium Density Multiple Family Residential) zoning classification; and

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 62-253 of Chapter 62, Article II of the Brevard County Code; and

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth at the meeting held on June 23, 2021, are sufficient to meet the criteria of Section 62-253, Chapter 62, Article II, Brevard County Code, and the above described Variance is APPROVED as depicted on the survey provided by the applicant; and

BE IT FURTHER RESOLVED, that the Planning & Development Director, or designee, is hereby directed to make a notation on the official zoning maps of Brevard County, Florida, indicating this action.

DONE, ORDERED AND ADOPTED, in Regular Session, the 23rd day of June, A.D., 2021.

Attest:

BOARD OF ADJUSTMENT OF
BREVARD COUNTY, FLORIDA

Date: June 28, 2021

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By: 
Tad Calkins, Director,
Planning and Development Department

By: 
Dale Rhodes, Chair

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RESOLUTION 21PZ00031

WHEREAS, the Brevard County Board of Adjustment met in session the 23rd day of June, 2021; and

WHEREAS, **Joshua E. Motta and Virginia L. Rymer** have applied to the Brevard County Board of Adjustment for a variance on the following described property: Lot 11, Block 12, Canaveral Groves Subdivision, as recorded in Survey Book 2, Page 55. **Section 33, Township 23, Range 35.** (2.23 acres) Located on the west side of Fishtail Palm Avenue, approximately, 1.1 miles southwest of the intersection of Port St. John Pkwy. and I-95 (5340 Fishtail Palm Avenue, Cocoa); and

WHEREAS, this Board, having heard the following variance request on the subject property: Chapter 62, Article IX, Brevard County Code; Section 62-1334(4), to permit a variance of 0.27 acres from the 2.5-acre minimum lot size required, in an AU (Agricultural Residential) zoning classification; and

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 62-253 of Chapter 62, Article II of the Brevard County Code; and

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth at the meeting held on June 23, 2021, are sufficient to meet the criteria of Section 62-253, Chapter 62, Article II, Brevard County Code, and the above described Variance is APPROVED as depicted on the survey provided by the applicant; and

BE IT FURTHER RESOLVED, that the Planning & Development Director, or designee, is hereby directed to make a notation on the official zoning maps of Brevard County, Florida, indicating this action.

DONE, ORDERED AND ADOPTED, in Regular Session, the 23rd day of June, A.D., 2021.

Attest:

BOARD OF ADJUSTMENT OF
BREVARD COUNTY, FLORIDA

Date: June 28, 2021

Date: June 28, 2021

By: 

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Tad Calkins, Director,
Planning and Development Department

Dale Rhodes, Chair

The granting of this variance does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances. 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 30 days after the order is signed, apply to a court of competent jurisdiction for appropriate relief.

RESOLUTION 21PZ00034

WHEREAS, the Brevard County Board of Adjustment met in session the 21st day of July, 2021; and

WHEREAS, **Joseph Anthony Calderone** has applied to the Brevard County Board of Adjustment for a variance on the following described property: Tax Parcel 517, as recorded OR Book 9056, Pages 710-711 of the Public Records of Brevard County, Florida. **Section 23, Township 36, Range 14.** (0.14 acres) Located on the northeast corner of Whaley Road and Mangrove Drive (6810 Whaley Road, Merritt Island); and

WHEREAS, this Board, having heard the following variance request on the subject property: Chapter 62, Article IX, Brevard County Code; Section 62-1402(4), to permit a variance of 28 feet to the 100-foot depth required in a TR-1-A (Single Mobile Home) zoning, the property is currently in a TR-3 (Mobile Home Park) zoning classification; and

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 62-253 of Chapter 62, Article II of the Brevard County Code; and

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth at the meeting held on July 21, 2021, are sufficient to meet the criteria of Section 62-253, Chapter 62, Article II, Brevard County Code, and the above described Variance is APPROVED as depicted on the survey provided by the applicant; and

BE IT FURTHER RESOLVED, that the Planning & Development Director, or designee, is hereby directed to make a notation on the official zoning maps of Brevard County, Florida, indicating this action.

DONE, ORDERED AND ADOPTED, in Regular Session, the 21st day of July, A.D., 2021.

Attest:

BOARD OF ADJUSTMENT OF
BREVARD COUNTY, FLORIDA

Date: July 26, 2021

Date: July 26, 2021

By: [Signature]

By: [Signature]

Tad Calkins, Director,
Planning and Development Department

Dale Rhodes, Chair

The granting of this variance does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances. 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 30 days after the order is signed, apply to a court of competent jurisdiction for appropriate relief.

RESOLUTION 21PZ00036

WHEREAS, the Brevard County Board of Adjustment met in session the 21st day of July, 2021; and

WHEREAS, **Richard C. Hitz, Jr.** has applied to the Brevard County Board of Adjustment for variances on the following described property: Lot 8, Indian River Isles Third Addition, according to the map or plat thereof, recorded in Plat Book 31, Pages 14-15, of the Public Records of Brevard County, Florida. Section 12, Township 26, Range 36. (0.50 acres) Located on the north side of Halyard Court, approximately 770 feet north of Helmsman Place (6204 Halyard Court, Rockledge); and

WHEREAS, this Board, having heard the following variance requests on the subject property: Chapter 62, Article VI, Brevard County Code; 1) Section 62-2118(d)(3), to permit a variance of 4.4 feet over the 11.6 foot projection (20% of the width of the waterway) permitted for a boat dock, 2) Section 62-2118(d)(5), to permit a variance of 40 square feet over the 600 square foot total coverage permitted for a boat dock with a covered roof, in a RA-2-10 (Single Family Attached Residential) zoning classification; and

WHEREAS, this Board after hearing all testimony and facts presented in this matter; and

WHEREAS, this Board, after considering the criteria established by Section 62-253 of Chapter 62, Article II of the Brevard County Code; and

NOW THEREFORE, BE IT RESOLVED, that the Brevard County Board of Adjustment does hereby find that the facts as set forth at the meeting held on July 21, 2021, are sufficient to meet the criteria of Section 62-253, Chapter 62, Article II, Brevard County Code, and the above described Variances are APPROVED or DENIED as follows: Variance Number 1 was DENIED; Variance Number 2 was APPROVED as depicted on the survey provided by the applicant; and

BE IT FURTHER RESOLVED, that the Planning & Development Director, or designee, is hereby directed to make a notation on the official zoning maps of Brevard County, Florida, indicating this action.

DONE, ORDERED AND ADOPTED, in Regular Session, the 21st day of July, A.D., 2021.

Attest:

BOARD OF ADJUSTMENT OF
BREVARD COUNTY, FLORIDA

Date: July 26, 2021

Date: July 26, 2021

By: 
Tad Calkins, Director,
Planning and Development Department

By: 
Dale Rhodes, Chair

The granting of this variance does not guarantee physical development of the property. At the time of development, said development must be in accordance with the criteria of the Brevard County Comprehensive Plan and other applicable laws and ordinances. 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 30 days after the order is signed, apply to a court of competent jurisdiction for appropriate relief.