



Board of Adjustments Public Hearing

Thursday, October 12, 2023 at 6:00 pm

1. Call to Order

2. ROLL CALL

3. CONSENT AGENDA

a. Approval of Minutes

Exhibit: Agenda Report Number 3a

4. VARIANCE HEARING

a. **Case Number 01-09-2023. Applicant requests a variance to the Town of Malabar Land Development Code, Article III, Table 1-3.3(A) Size & Dimension Regulations to setbacks, lot size & dimension in RR-65 Zoning to construct a Single-Family Residence**

Applicants: Mrs. Diana E. Cho (Property Owner)/Oscar Hotusing/Jesus Quintero (Contractor)

Location: Vacant Parcel ID: 29-37-01-00-835. 2480 LaCourt Lane.

Exhibit: Agenda Report Number 4a

b. **Case Number 02-09-2023. Applicant requests a variance to the Town of Malabar Land Development Code, Article III, Table 1-3.3(A) Size & Dimension Regulations for the parcel width in RS-21 to construct two Single-Family Residences**

Applicant: Mr. Charles Mack Rowland (Representative) Mr. Christopher J. Nelms (Property Owner)

Location: Residential Property ID: 29-38-8-**-258; AKA 2790 Rocky Point Road.

Exhibit: Agenda Report Number 4b

5. NEW BUSINESS/STAFF REPORTS/MEMBERS REPORTS

6. ADJOURNMENT

7. NOTICE OF RIGHT OF APPEAL OF BOARD OF ADJUSTMENT DECISIONS

In accordance with the Town of Malabar Land Development Code Article XII, any person aggrieved may appeal a decision of the Board of Adjustment in Circuit Court of Brevard County. An appeal must be filed within 30 days after the filing of such decision with the Town Clerk, but not thereafter. Provisions for review of Board of Adjustment decisions must be in a manner provided by the laws of the State of Florida. "Person aggrieved" shall be in accordance with the Town of Malabar Land Development Code.

Any person desiring to appeal any decision made by the Board of Adjustment with respect to any matter considered at such meeting or hearing, will need a record of the proceedings, and for such purposes, must insure that a verbatim record and transcript of the proceeding is made in a form acceptable for official court proceedings, which record includes the testimony and evidence upon which the appeal is to be based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her own expense, as the Town does not provide one.

