



**Agenda
City of Cocoa
Board of Adjustment Regular Meeting**

**July 15, 2026
6:00 PM**

65 Stone Street, Cocoa, FL 32922

I. Opening Matters:

1. Pledge of Allegiance
2. Roll Call

II. Approval of Agenda and Minutes:

1. Agenda: Regular Meeting of July 15, 2026.

III. Old Business:

IV. New Business:

1. PZ26-0700004 - 800 N Fiske Fence Height Waiver

V. Other Business:

VI. Next Meeting Date: Wednesday, August 19th, 2026, at 6:00 pm at 65 Stone Street in Cocoa, FL.

VII. Adjournment:

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@cocoafl.gov.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA or PZ Board/LPA meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing. The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a certain date without re-advertising.

BOARD OF ADJUSTMENT AGENDA ITEM

Memo Date: 07/02/2026
Agenda Date: 7/15/2026
Prepared By: Breanna Earley, Assistant City Clerk
Through: Stockton Whitten, City Manager
Requested Action: Approve the July 15, 2026 Regular Board of Adjustment meeting agenda as written or with amendments.

BACKGROUND:

N/A

PRIORITY AREA CONNECTION:

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

N/A

RECOMMENDED MOTION:

Approve the July 15, 2026 Regular Board of Adjustment meeting agenda as written or with amendments.



Agenda
City of Cocoa
Board of Adjustment Agency Special Meeting

July 15th, 2026, 6:00 PM
65 Stone Street, Cocoa, FL 32922

I. Opening Matters:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call

II. Approval of Agenda and Minutes:

1. Agenda: Special Meeting of July 15th, 2026.
2. Minutes: Regular Meeting of July 1st, 2026.

III. Old Business:

IV. New Business:

PZ 26-00700004 – WAIVER – 800 N Fiske Blvd Fence Height

CONSIDERATION OF A WAIVER REQUEST, from Article XIII, section 5—Visual Screens (fences, walls, hedges) to increase the height of a fence from 6' to 8' in a residential zone. The property is identified as 800 N Fiske, Cocoa, Florida.

V. Other Business:

VI. Next Meeting Date (Regular meeting): Wednesday, August 19th, 2026, at 6:00 pm at 65 Stone Street in Cocoa, FL.

VII. Adjournment:

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@cocoafll.gov.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA or PZ Board/LPA meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing. The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

City of Cocoa meeting calendar at <https://www.cocoafl.gov/291/20338/City-Meetings>

Documents pertaining to the above may also be inspected at the Community Services Department between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8480.

Interested persons may submit their written comments or questions prior to the meeting through Email at cityclerk@cocoafl.gov or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

City of Cocoa meeting calendar at <https://www.cocoafl.gov/291/20338/City-Meetings>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.

Special Information for Quasi-Judicial Hearings:

Any person that (1) can demonstrate that they may suffer special damages different in kind and degree from that of the general public at large; and (2) wishes to present factual or expert witnesses and/or evidence at the quasi-judicial hearing is highly encouraged to immediately contact Lucilene Ribeiro, Planner, at (321) 433-8535 or, to make proper arrangements for presentation of witnesses and/or evidence. All witnesses should be identified and all evidentiary documents and exhibits that are intended to be distributed to the BOA, P&Z/LPA and City Council should be submitted to Ms. Ribeiro via email or mail at least three (3) days prior to the hearing.

BOARD OF ADJUSTMENT AGENDA ITEM

Memo Date: 07/02/2026
Agenda Date: 7/15/2026
Prepared By: Stockton Whitten, City Manager
Through: Jennifer Webster, Senior Planner
Requested Action: Consideration of a waiver request, from Article XIII, section 5— Visual Screens (fences, walls, hedges) to increase the height of a fence from 6' to 8' in a residential zone. The property is identified as 800 N Fiske, Cocoa, Florida.

BACKGROUND:

Project No.: PZ26-00700004

Applicant (Installer): Mariana Glaubius, 321 Rocket Fence, Cocoa, FL

Owner/Developer: 800 N Fiske Condo Association, Inc., Romy Smith, Representative

Subject Location: 800 N Fiske Blvd, Cocoa, FL 32922

Future Land Use Designation: Medium Density Residential
Zoning District: RU-2-15 (Multi-Family)
Existing Land Use: Crestview Villas Apartments
Council District: District 2, Councilman Lavander Hearn

Requested Action: Consideration of a waiver request from Appendix A, Zoning, Article XIII, Section 5 to waive the six (6)-foot maximum height requirement in the RU-2-15 (Multi-Family) Zoning District in order to allow an eight (8)-foot tall fence to be replaced on the north and south sides of the property.

Overview of Surrounding Area:

	Future Land Use Designation	Zoning District	Land Use
North	Medium Density Residential & Recreational	RU-2-15	Multi-family & Bracco Park
South	Low Density Residential	RU-1-7	Single Family
East	Recreational	C-W	Stormwater Management (Bracco Pond)
West	Low Density Residential	RU-1-7	Single Family

Notice Provided: Notice of the public hearing was provided by publishing in the newspaper on June 30, 2026, and mailers to property owners within 500 feet. As of the date of this report, there have been no questions or objections to the waiver request.

I. Project Information and History

The property is the 7.19 acre, 128-unit, Crestview Village Apartments built in 1964. Currently there exists a combination of an 8' chain-link fence and an 8' wooden fence on the north, east, and south sides of the property. Portions of the wooden fence are either deteriorated or missing (see Attachment 2- Photos). The complex has experienced some crime related activity due partly to the condition and instability of the fence. The applicant is requesting to replace it with a total of 1025' of stockade wood fence along the property line: approximately 402.05' on the north side, and approximately 576.41' on the south side. The 8' fence is intended to be a security measure, preventing trespassers easy access.

In 1992, the property received a variance to allow an 8' fence on the east side of the property and for a 230' segment of the property line on the north side. The justification for the variance was that the property had been subject to various burglaries, car thefts, and trespassing at that time. (See Attachment 4, p. 13, 1992 Variance Package). The 1025' length of fence requested to be replaced includes the segment that already has a variance. Therefore, the requested waiver is for 795' (1025'-230') of fence, as shown in Attachment 3 - Survey Sketch of Fence.

In 2008, the property received Planning and Zoning approval for a Minor Site Plan Amendment (PZ08-00200024) which included an 8' aluminum fence and gate across the front of the property, which has since been removed. The owner has expressed interest in having the front gates replaced at a later date. (Aside from the segments approved in 1992 and 2008, the City does not have a permit record of the remaining existing fence.)

In November of 2025 the applicant applied for a building permit to replace the 1025' of wood fence (Permit No. BC25-000531). The permit was denied due to the 6' maximum code requirement. Per Appendix A, ART XIII, Sec. 5 Visual Screens, for Multi-Family Residential, 10 or more dwelling units, the front, side and rear yard maximum heights for a fence is 6'.

After the permit was denied, staff recommended the applicant request an Administrative Waiver, which allows the City Manager to consider and administratively approve a waiver request, which in the case of fences, allows an increase in height to no more than two (2) feet. For Administrative Waivers, the applicant must show that the request is consistent with the public interest, does not adversely affect surrounding properties or the general welfare, and does not undermine the intent of the Code (Appendix A, ART XVII, Sec. 9). The applicant was unable to obtain the required approval affidavits from the abutting property owners. Thus, the decision for the

applicant to bring their request before the Board of Adjustment.

II. Waiver Analysis – Initial and Secondary Criteria

Per Appendix A, Article XVII, Section 8 (C), the Board shall only grant a waiver if it positively makes the following findings, based on competent substantial evidence:

(1) Initial finding. The Board of Adjustment shall first find that the need for the proposed waiver arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved.

Staff Finding: The applicant stated that their “client has requested to extend the height of the fence to deter crime.” However, per the required criteria, there are no physical surroundings, topographical conditions, or other physical or environmental characteristics that are unique to the property. It has no irregular or uneven elevations and has a symmetrical, rectangular shape. The conditions are not unusual to this area of Cocoa. Staff feels that the applicant does not meet the necessary initial criteria of a physical constraint or hardship.

Although staff determined the initial physical hardship criteria was not met, there were other factors analyzed in the remaining criteria.

(2) If the Board of Adjustment makes a positive finding in section 8(C)(1) above, the Board shall make a positive finding on each of the following before granting a waiver:

a. There are practical or economic difficulties in carrying out the strict letter of the regulation.

Staff Finding: Strict application of the regulation would not create practical or economic difficulties for the applicant. Conversely, an 8’ foot fence is more costly than a 6’ foot fence and would be considered an investment in the property’s security.

b. The waiver request is not based exclusively upon a desire to reduce the cost of developing the applicant's property.

Staff Finding: The property is already developed as multi-family apartments. The request to replace the fence is considered an improvement expenditure towards crime prevention and the security of the existing property.

c. The proposed waiver will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.

Staff Finding: Staff feels the proposed waiver will not increase congestion on surrounding public streets or create any additional hazards to the public. Conversely, the fence would contribute to the Crestview residents’ safety. The requested waiver is limited to vertical fencing and does not impact traffic flow, ingress/egress points, or site

circulation. As a crime deterrent the extended fence could result in a reduction of crime-related activity.

d. The Waiver will not substantially diminish property values in, nor alter the essential character of, the area surrounding the applicant's property.

Staff Finding: The waiver request is not anticipated to diminish property values in the area, nor is it anticipated to substantially alter the essential character of the surrounding property. With the fence being a replacement of an existing 8' fence, the character will remain the same.

e. The effect of the proposed Waiver is in harmony with the general intent of the Cocoa Comprehensive Plan and Code and the specific intent of the relevant subject area(s) of the Code.

Staff Finding: The proposed waiver is consistent with the general intent of the City's Comprehensive Plan and Land Development Code with regard to Neighborhood Protection and Redevelopment, and with the Land Development Code with regard to property maintenance and preventing nuisances:

COMPREHENSIVE PLAN

GOAL 1.1: Create and maintain a broad range of land use activities that maximize the City's potential as a growth center while protecting the public health, safety, welfare, and appearance through the thoughtful planned use and development of the land and public facilities.

Objective 1.1.4: Redevelopment. The City shall encourage redevelopment of areas that are exhibiting evidence of decline (i.e., disproportionate number of vacant, dilapidated and/or substandard structures) [...] through maintaining land development regulations that contain standards and procedures to encourage redevelopment where desirable.

Objective 1.1.5: Neighborhood Protection. The City shall ensure that additional growth and development will be respectful of established neighborhoods that define much of the City's character.

Objective 1.2.2: Image and Identity. The City shall maintain and update its vision for the City's urban form as needed.

LAND DEVELOPMENT CODE

Chapter 6 BUILDINGS, CONSTRUCTION AND PROPERTY REGULATIONS,
ART III PROPERTY MAINTENANCE STANDARDS, Division 3 - Nuisances (b)(4)
& (14)

It shall constitute a nuisance for any person, to whom this article is applicable, to permit one (1) or more of the following conditions to exist on real property within

the city:

(4) Maintenance of any structure or grounds, visible from any property, in a defective, deteriorated, or unrepaired condition which is either:

a. Unsightly and interferes with the reasonable enjoyment of property by neighbors;

b. Detrimentally affects property values in the surrounding neighborhood; or

c. Which is otherwise dangerous to the health, comfort, safety, convenience or general welfare.

(14) Any other condition or use that constitutes a nuisance to the public which is continually or repeatedly maintained, the abatement of which would be in the best interest of the health, safety, and welfare of city residents.

III. Waiver Analysis – Fences and Walls

In addition to the initial and standard criteria above, when the waiver is related to a fence or wall, the board shall also consider the following.

(1) Safety and visual impact concerning the subject property, adjacent properties, streets, alleyways and water bodies.

Staff Response: No adjacent properties, streets, alleyways or water bodies will be blocked in as a result of the fence replacement. The replacement intends to improve safety.

(2) Visual impact on adjacent properties, streets, alleyways and water bodies.

Staff Response: The proposed fence is replacing an existing, deteriorated wood fence on the north and south sides of the property. The east side has an existing 8' chain-link fence that does not obstruct the view to Bracco Pond on the east.

(3) Design in relation to other structures on the same lot, adjacent properties, and the neighborhood.

Staff Response: The fence will be an 8' stockade wood fence, the style of which is typical to other properties in the neighborhood.

(4) Impact on ingress and egress if applicable.

Staff Response: With the replacement fence being on the north and south sides of the property, the entrance off of Fiske Blvd on the west side will not be blocked.

(5) Screening, buffering or separation of any nuisance or hazardous features.

Staff Response: The intent of the fence is not to visually screen or buffer any

hazardous features, but to improve the safety, health and welfare of the residents.

CONCLUSION

Although staff acknowledges the fact that the waiver request for the 8' fence is intended to address the concerns of crime-related activity in the community, the applicant did not demonstrate that the property has unique physical surroundings, topographical conditions, or other physical or environmental characteristics, as required by Appendix A, Article XVII, Section 8(C). Because staff found that the initial threshold criteria for granting a waiver has not been met, staff cannot recommend approval of the requested waiver. However, the applicant is permitted to replace 230' of 8' fencing, as defined in the 1992 Variance.

PRIORITY AREA CONNECTION:

Economic and Community Development

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

June 1992: Property received a variance for an (8) foot fence for the east side of the property and 230' westward of the northeast fence corner.

RECOMMENDED MOTION:

Staff recommends that the Board **DENY** this waiver request from Article XIII, Section 5—Visual Screens (fences, walls, hedges) to increase the height of a fence from 6' to 8' in a residential zone for the property located at 800 N Fiske, Cocoa, Florida.



Board of Adjustment
Waiver Application

City Manager's Office
Planning and Zoning
65 Stone Street
Cocoa, Florida 32922

Phone: (321) 433-8535
Fax: (321) 433-8543
E-mail: cocoaplanning@cocoafl.gov
Web: <http://www.cocoafl.org>

This form is divided into steps, which will help you prepare your application, provide supplemental items, and prepare for the Board of Adjustment hearing. A pre-application meeting with Staff is **recommended**.

For Office Use Only - Date Received

Stamp Only When Application is Fully Complete

Please TYPE or PRINT this application neatly.

1. Request: TO INCREASE THE FENCE HEIGHT FROM 6' TO 8' IN A RESIDENTIAL ZONE

2. Applicable City Code Section(s): WAIVER FROM ARTICLE 13 SEC 5 -VISUAL SCREENS

3. Applicant Information: * NOTE: Applicant is the main contact, who must attend the meeting!

Company (if applicable): 321 Rocket Fence

Name: Mariana Glaubius

Mailing Address: 5320 Fan Palm Ave

City: Cocoa State: FL Zip Code: 32927

Phone #: 321-298-4876

Fax #:

Mobile #: E-mail:

4. Property Owner Information:

* Check here if same as Applicant → ☐

* If more than one owner, attach additional sheet with names and addresses.

Company (if applicable): 800 North Fiske Condominium Association INC

Name: Romy Smith

Mailing Address: 5505 N. Atlantic Ave Suite 207

City: Cocoa Beach State: FL Zip Code: 32931

Phone #: 321-784-8011

Fax #:

Mobile #: E-mail:

5. Property Information:

Street Address and Location: 800 N FISKE BLVD COCOA FL 32922

Parcel ID: 24-36-29-BY-[] [] * [] [] . [] - [] [] 14 . [] []
[] [] [] [] [] [] []

Tax Account Numbers:

Land Area: _____ square feet or 0.06 acres

Future Land Use (to be completed by City): _____

Zoning District (to be completed by City): _____

Existing Use(s) on Property: CONDOMINIUM

Proposed Use(s) on Property: CONDOMINIUM

6. Waiver Petition:

Before any Waiver may be approved, the Board of Adjustment must make a positive finding for each of the criteria listed below. Applicants must provide the following information for the Board's review and consideration:

In order to obtain a waiver, the Board of Adjustment must make a positive finding for the Initial Criteria listed below (as described in Appendix A, Article XVII, Section 8 (C)(1) of the City of Cocoa Code). The Board of Adjustment shall make the required initial finding based on the granting of the waiver for the applicant's property alone, unless, however, the condition is common to numerous sites so that requests for similar waivers are likely to be received, then the Board shall make the required findings based on the cumulative conditions of the area.

Initial Criteria: Demonstrate that the need for the proposed waiver arises out of physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved.

Client has requested to extend the height of the fence to 8' to deter crime.

If the Board of Adjustment makes a positive initial finding for the above initial criteria, the Board of Adjustment must make a positive finding for each of the following criteria before granting a waiver (as described in Appendix A, Article XVII, Section 8 (C)(2) of the City of Cocoa Code):

Secondary Criteria:

- a. Explain whether there are practical or economic difficulties in carrying out the strict letter of the regulation.

A 6' fence can be seen over and climbed easily by adding an additional 2' in height will aid in securing personal property, give the residents less exposure and more peace of mind.

b. *Explain whether the waiver is based exclusively upon the desire to reduce the cost of developing the property in question.*

N/A

c. *Explain whether the proposed waiver will increase congestion on surrounding public streets, the danger of fire or any other hazard to the public.*

The proposed waiver will not increase congestion on surrounding public streets, the danger of fire or any other hazard to the public.

d. *Explain whether the waiver will substantially diminish property values in or alter the essential character of, the area surrounding the applicant's property.*

The waiver will not diminish property values in or alter the essential character of, the area surrounding the applicant's property.

e. *Explain whether the proposed waiver will be in harmony with the general intent of the Cocoa Comprehensive Plan and Code and the specific intent of the relevant subject areas of the Code.*

The proposed waiver will be in harmony with the general intent of the Cocoa Comprehensive Plan and Code and the specific intent of the relevant subject areas of the Code, with the exception of height.

f. *Explain whether the proposed waiver will result in any additional and significant threats to public safety, additional public expense, the creation of nuisances, fraud or victimization of the public, or conflicts with the Comprehensive Plan and other local ordinances.*

The proposed waiver will not result in any additional and significant threats to public safety, additional public expense, the creation of nuisances, fraud or victimization of the public, or conflicts with the Comprehensive Plan and other local ordinances.

FENCES AND WALLS ONLY: * Check here if not applicable → ☐

In addition to the standard criteria to be considered by the board of adjustment in reviewing an application for waiver, when the waiver application is related to a fence or wall, the board shall also consider the following:

(1) *Safety concerning the subject property, adjacent properties, streets, alleyways and water bodies.*

No adjacent properties, streets, alleyways and water bodies will be blocked in.

(2) *Visual impact on adjacent properties, streets, alleyways, and water bodies.*

The west side of the lot has a body of water and walk path that will not be blocked.

(3) *Design in relation to other structures on the same lot, adjacent properties and the neighborhood.*

The fence will be 8' tall stockade style wood 879' along the north and 576' on the south side.

(4) *Impact on ingress and egress, if applicable.*

The entrance will remain open unblocked on the east end, the 8' fence will be on the north and south property line.

(5) *Screening, buffering or separation of any nuisance or hazardous feature.*

N/A

(6) *Compatibility with adjacent properties.*

The fence would add sound buffering and safety for the single family homes that back up to the condo's parking area.

7. Please submit the following items in order complete the application:

- a. ☐ **Notarized application.**
 - b. ☐ **List of owners within 500 feet.** A "radius map package" from Brevard County containing a certified mailing list with mailing labels and a map of all property owners of record who reside within a 500-foot radius of the subject property is required for public notice. It is the applicant's responsibility to request these materials with the Brevard County GIS Department that are available free of charge. Inquiries need to be emailed to servicedesk@brevardfl.gov and forwarded to the City of Cocoa **Planning and Zoning Department when available.**
 - c. ☐ **Application Fee.** The fee is \$ _____. Please make checks payable to the 'City of Cocoa' and submit payment **ONLY** to the Community Services Department. Public mail notice and legal advertising fees must also be paid a few weeks after application submittal.
 - d. ☐ **Proof of Ownership.** A copy of the most recent recorded warranty deed or record of ownership printed from the Brevard County Property Appraiser website is required.
 - e. ☐ **Property Owner Authorization.** If the applicant is not the property owner, then the property owner will need to provide authorization by signing below (See #10 below).
 - f. ☐ **Corporate Documents.** If the applicant/owner is representing a company, articles of incorporation which show the applicant/owner is authorized to represent the company is required. A data record printout from the Florida Department of State, Division of Corporations website may also be provided (<http://www.sunbiz.org/corpweb/inquiry/search.html>).
 - g. ☐ **Certified Boundary Survey and/or Site Plan.** Contact Planning & Zoning Division staff to determine if both a boundary survey and a site plan are required. Site plans should be drawn to scale and show the size and shape of the property, location of existing and proposed structures, streets, access points, fences, parking and landscaping areas.
 - h. ☐ **Additional Information (optional).** Submit any information that may be helpful in understanding the request. This may include photos, sketches, or elevations.
8. **Application filing deadline.** The application filing deadline is the first day of each month at 5:00 pm for public hearings that are held in the following month. Example: Application deadline is Oct. 1st for the November BOA meeting.
9. **Application filing procedure.** This application, together with all required exhibits and attachments, shall be completed and filed with the Planning and Zoning Division prior to the established filing deadline for the public hearing before the Board of Adjustment.

Public hearing process information – please read this!

- **Public hearing date and location.** All regularly scheduled hearings are held on the third Wednesday of each month at 6:00 pm in the Cocoa City Council Chambers located at 65 Stone Street, Cocoa, Florida unless otherwise notified.
- **Presence required at the public hearings.** The applicant or his/her representative must be present to answer any questions concerning the application. If there are extenuating circumstances why the applicant or his/her representative cannot attend, he or she must notify the City in writing prior to the public hearing.
- **Preparing for public hearing.** It is the applicant's responsibility to research and know all laws that may be applicable and may affect the outcome of any decision on the application request. The City assumes no responsibility or liability relating to the applicant's failure to research and know all applicable laws including, but not limited to state, federal, and city laws, codes, land development regulations, and the comprehensive plan. The City recommends all applicants to consider consulting an attorney regarding their applications.
- **Format of public hearing.** The public hearing before the Board of Adjustment is quasi-judicial in nature. State and local law strictly prohibits applicants and/or interested parties from participating in ex-parte communications with Board members in person, by phone, e-mail, or in writing before the application is considered at a public hearing. Applicants are encouraged to review and copy the quasi-judicial rules and procedures used by the Board of Adjustment before the public hearing date. A copy may be obtained from the City.
- **Exhibits at public hearing.** If photographs, documents, maps or other materials are provided to the Board as evidence at the public hearing, the applicant must leave those instruments with the Recording Secretary. By law those instruments automatically become part of the public records and cannot be returned to the applicant.
- **Witnesses at public hearing.** For the purposes of making a decision on the application, the Board shall only consider testimony of qualified witnesses. A witness is determined by the Board and is generally based on:
 - a. The witness has personal knowledge of the fact in which the witness will testify; and/or
 - b. In the case of testimony consisting of opinions or inferences, the testimony is qualified as the following:
 - 1. *Layman witness.* Testimony of a witness other than an expert witness is qualified only if:
 - The witness can readily, and with equal accuracy and adequacy, communicate what he or she perceived to the Board without testifying in the form of opinions or inferences.
 - The opinions and inferences do not require any special knowledge, skill experience or training.
 - 2. *Expert witness.* Testimony of an expert witness is qualified only if:
 - The subject matter is proper for expert testimony because scientific, technical, or other specialized skill will help the Board understand the evidence being presented, or helps establish a fact in issue.
 - The witness is adequately qualified to express an opinion on the matter.
- **Board action.** If the Board of Adjustment finds that the facts presented in the matter justify approval, it may approve the request, or a portion thereof, and it may specify any conditions deemed necessary to preserve the intent of the City of Cocoa Code. If the Board of Adjustment finds that the facts presented do not justify approval, it must deny the request and will specify the reasons for denial. A decision is usually made at the same meeting that the hearing is held.
- **Appeals.** Appeals of a decision by the Board of Adjustment may be made to the City Council by filing an application with the Community Services Department within fifteen (15) days of the Board's decision. Any party aggrieved by the final decision of the City Council shall have the right to file an appropriate action in a court of competent jurisdiction.

10. Property Owner Authorization.

* Check here if same as Applicant → ☐

I am the fee simple owner (or legal representative) of the property at: 800 N. Fiske Condominiums
and I hereby authorize the applicant to submit this Board of Adjustment Application regarding my property described above.

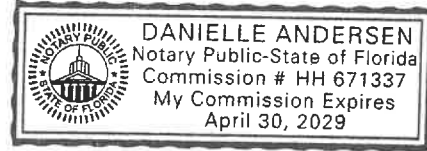
ROLY SMITH
(PRINT OWNER NAME)

[Signature]
(OWNER SIGNATURE)

☒ Personally Known OR ☐ Produced Identification

Type of I.D. Produced _____

[Signature]
(NOTARY PUBLIC SIGNATURE)



(Print, Type, or Stamp Commissioned Name of Notary Public)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 1st day of July, 20 26

11. Applicant Signature.

(PRINT APPLICANT NAME)

(APPLICANT SIGNATURE)

☐ Personally Known OR ☐ Produced Identification

Type of I.D. Produced _____

(NOTARY PUBLIC SIGNATURE)

(Print, Type, or Stamp Commissioned Name of Notary Public)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this _____ day of _____, 20 _____

FOR OFFICE USE ONLY

Fee of \$ _____ in cash ☐ or check ☐ (No. _____) payable to the "City of Cocoa".

Receipt Number: _____

Date: _____

Signature from Planning & Zoning Division:

10. Property Owner Authorization.

* Check here if same as Applicant → ☐

I am the fee simple owner (or legal representative) of the property at: 800 N. Fiske Condominiums
and I hereby authorize the applicant to submit this Board of Adjustment Application regarding my property described above.

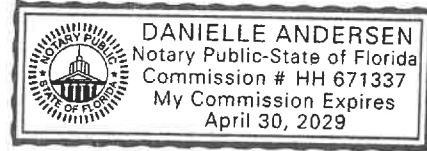
ROLY SMITH
(PRINT OWNER NAME)

[Signature]
(OWNER SIGNATURE)

☒ Personally Known OR ☐ Produced Identification

Type of I.D. Produced _____

[Signature]
(NOTARY PUBLIC SIGNATURE)



(Print, Type, or Stamp Commissioned Name of Notary Public)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 1st day of July, 20 26

11. Applicant Signature.

(PRINT APPLICANT NAME)

(APPLICANT SIGNATURE)

☐ Personally Known OR ☐ Produced Identification

Type of I.D. Produced _____

(NOTARY PUBLIC SIGNATURE)

(Print, Type, or Stamp Commissioned Name of Notary Public)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this _____ day of _____, 20 _____

FOR OFFICE USE ONLY

Fee of \$ _____ in cash ☐ or check ☐ (No. _____) payable to the "City of Cocoa".

Receipt Number: _____

Date: _____

Signature from Planning & Zoning Division:

10. Property Owner Authorization.

* Check here if same as Applicant → ☐

I am the fee simple owner (or legal representative) of the property at: _____
and I hereby authorize the applicant to submit this Board of Adjustment Application regarding my property described above.

(PRINT OWNER NAME)

(OWNER SIGNATURE)

☐ Personally Known OR ☐ Produced Identification

Type of I.D. Produced _____

(NOTARY PUBLIC SIGNATURE)

(Print, Type, or Stamp Commissioned Name of Notary Public)

STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this _____ day of _____, 20 _____

11. Applicant Signature.

Mariana Glaubius

(PRINT APPLICANT NAME)



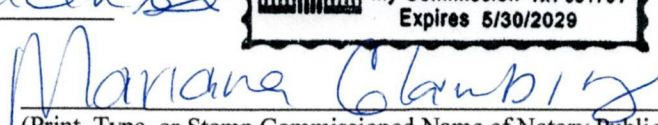
(APPLICANT SIGNATURE)

☐ Personally Known OR ☒ Produced Identification

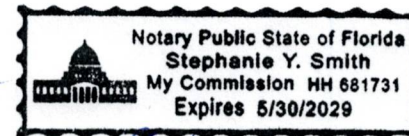
Type of I.D. Produced Drivers License



(NOTARY PUBLIC SIGNATURE)



(Print, Type, or Stamp Commissioned Name of Notary Public)



STATE OF FLORIDA, COUNTY OF BREVARD

Sworn and subscribed to before me this 21st day of May, 20 20

FOR OFFICE USE ONLY

Fee of \$ _____ in cash ☐ or check ☐ (No. _____) payable to the "City of Cocoa".

Receipt Number: _____

Date: _____

Signature from Planning & Zoning Division:



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Not For Profit Corporation

800 NORTH FISKE CONDOMINIUM ASSOCIATION, INC.

Filing Information

Document Number 756257
FEI/EIN Number 59-2075902
Date Filed 02/10/1981
State FL
Status ACTIVE

Principal Address

800 NORTH FISKE CONDOMINIUM ASSN INC
800 N FISKE BLVD
COCOA, FL 32922

Changed: 03/01/1982

Mailing Address

5505 N. ATLANTIC AVE.
SUITE 207
COCOA BEACH, FL 32931

Changed: 04/24/2012

Registered Agent Name & Address

KEYS PROPERTY MANAGEMENT
5505 N. ATLANTIC AVE.
SUITE 207
COCOA BEACH, FL 32931

Name Changed: 04/24/2012

Address Changed: 04/24/2012

Officer/Director Detail

Name & Address

Title President

Yang, Kristy
5505 N. ATLANTIC AVE.
SUITE 207



COCOA BEACH, FL 32931

Title VP

Bouza, David
5505 N. ATLANTIC AVE.
SUITE 207
COCOA BEACH, FL 32931

Title Treasurer

Jennifer, Supplee
5505 N. ATLANTIC AVE.
SUITE 207
COCOA BEACH, FL 32931

Title Secretary

Smith, Romy
5505 N. ATLANTIC AVE.
SUITE 207
COCOA BEACH, FL 32931

Title Director

Kelbaugh, Michael
5505 N. ATLANTIC AVE.
SUITE 207
COCOA BEACH, FL 32931

Title Property Manager

Alexander, Richard
5505 N. Atlantic Ave
Suite 207
Cocoa Beach, FL 32931

Annual Reports

Report Year	Filed Date
2024	03/21/2024
2025	02/05/2025
2026	04/01/2026

Document Images

04/01/2026 -- ANNUAL REPORT	View image in PDF format
02/05/2025 -- ANNUAL REPORT	View image in PDF format
03/21/2024 -- ANNUAL REPORT	View image in PDF format
02/07/2023 -- ANNUAL REPORT	View image in PDF format
01/24/2022 -- ANNUAL REPORT	View image in PDF format
02/25/2021 -- ANNUAL REPORT	View image in PDF format



AERIAL MAP

N/A - CONDO COMMON AREA

RocketFence_2446240



1:4,800 or 1 inch = 400 feet

PHOTO YEAR: 2026

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 5/20/2026

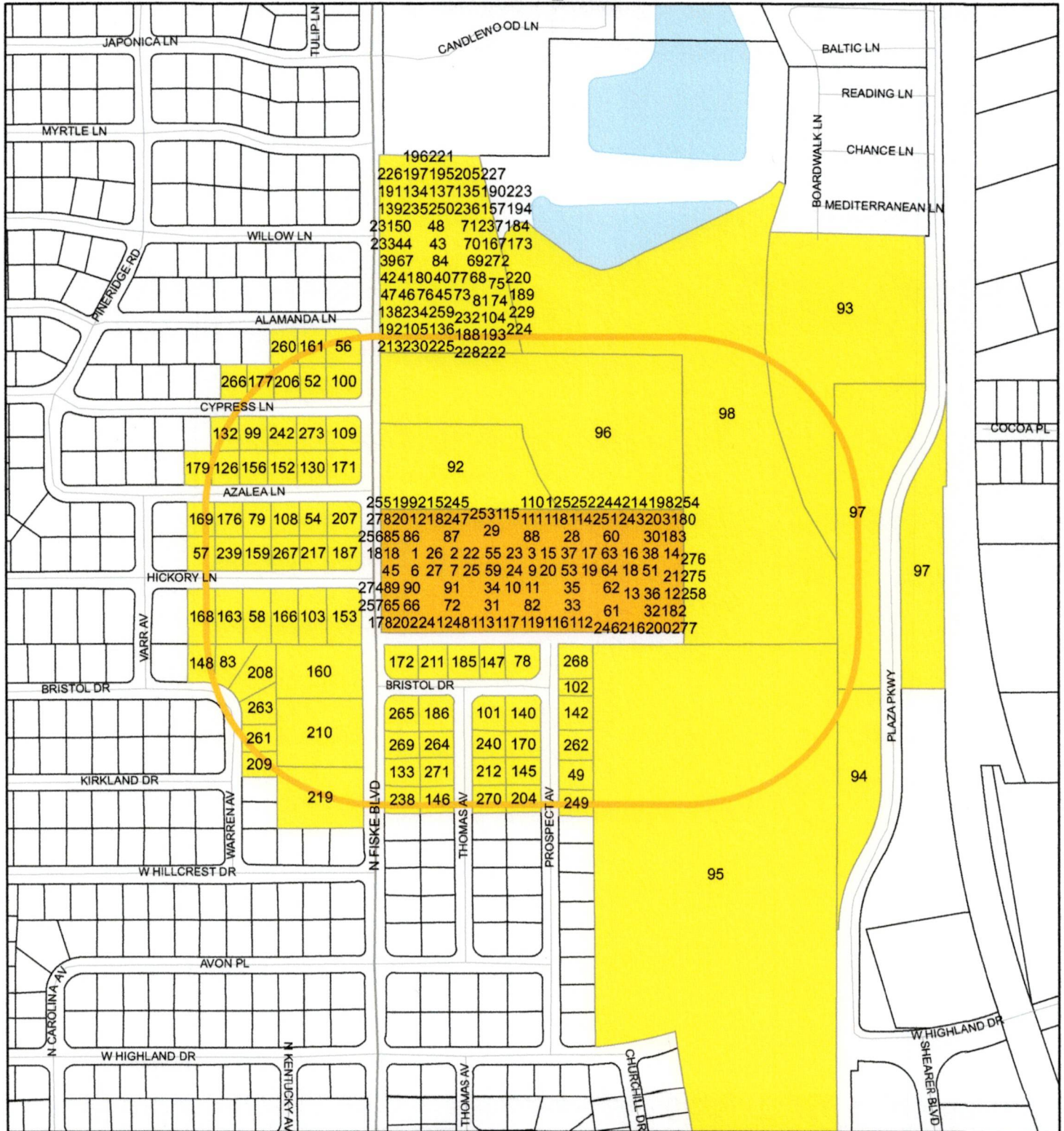
 Subject Property

 Parcels

RADIUS MAP

N/A - CONDO COMMON AREA

RocketFence_2446240



1:4,800 or 1 inch = 400 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 5/20/2026

- Buffer
- Subject Property
- Notify Property
- Parcels



**COURTESY NOTICE OF PUBLIC HEARING
TO PROPERTY OWNERS WITHIN 500 FEET OF THE SUBJECT SITE**

321 Rocket Fence, on behalf of the 800 North Fiske Condominium Association INC, is petitioning the **Board of Adjustment** for the following item:

800 N Fiske Fence Height Waiver

Consideration of a waiver request, from Article XIII, section 5—Visual Screens (fences, walls, hedges) to increase the height of a fence from 6' to 8' in a residential zone. The property is identified as 800 N Fiske, Cocoa, Florida.

The Board of Adjustment will hold a public hearing on this request at 6:00 pm on **Wednesday, July 15, 2026**, in the City of Cocoa Council Chambers located at 65 Stone Street, Cocoa, Florida. All interested parties are invited to attend and will be heard if desired.

General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk of the City of Cocoa, listed below, at least 48 hours prior to the meeting: Monica Arsenault, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8488 or via email at marsenault@cocoafl.gov.

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, P&Z Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made, and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law.

The BOA or PZ Board/LPA meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing. The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information:

Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting:

- City of Cocoa meeting calendar at <https://www.cocoafl.gov/291/20338/City-Meetings>

Documents pertaining to the above may also be inspected at the Community Services Department between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8400.

Interested persons may submit their written comments or questions prior to the meeting through Email at cityclerk@cocoafl.gov or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record.

Viewing In Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

- City of Cocoa meeting calendar at <https://www.cocoafl.gov/291/20338/City-Meetings>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.



Existing
Fence
Photos
Page 1



Existing
Fence
Photos
Page 2



Existing
Fence
Photos
Page 3









10-06-2025INVOICE NO. 25-244-09

SURVEY ORDERED BY: 321 ROCKET FENCE / MARIANA GLAUBIUS
321-598-4876
MARIANA@321ROCKETFENCE.COM

CLIENT: TRISTATE SOUTH INC

TYPE OF LAND SURVEY: BOUNDARY SURVEY FOR FENCE

TITLE COMPANY:

PROPERTY DESCRIPTION LOT 14
CRESTVIEW ACRES
800 N FISKE BOULEVARD
COCOA, FL. ZIP 32922

AMOUNT PAID: \$1875.00

THERE WILL BE A 4% ADDITIONAL FEE FOR CREDIT CARD PAYMENT.
PLEASE INCLUDE INVOICE NUMBER FOR PROPER CREDIT WHEN REMITTING PAYMENT.

PARCEL 1:

BEING A PART OF LOT 14, CRESTVIEW ACRES SUBDIVISION, AS RECORDED IN PLAT BOOK 9, PAGE 37, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AND PART OF THE EAST 1/2 OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 30 WEST, BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID LOT 14 WITH THE EASTERLY RIGHT OF WAY LINE OF FISKE BOULEVARD, NOW ESTABLISHED: THENCE RUN S 89°50'00" E A DISTANCE OF 680.0 FEET; THENCE RUN S 89°50'00" E A DISTANCE OF 14.4 FEET; THENCE RUN S 89°50'00" E A DISTANCE OF 227.20 FEET TO THE EAST LINE OF SAID LOT 14; THENCE RUN N 19°24'30" W ALONG SAID LOT 14 A DISTANCE OF 26.81 FEET; THENCE RUN N 19°24'30" W ALONG SAID LOT 14 A DISTANCE OF 14.4 FEET TO THE EAST LINE OF FISKE BOULEVARD; THENCE RUN N 00°01'30" W ALONG SAID EASTERLY RIGHT OF WAY LINE OF FISKE BOULEVARD A DISTANCE OF 365.0 FEET TO THE POINT

PARCEL 2:

ALL RIGHT, TITLE, INTEREST AND USE IN, TO AND OF THAT CERTAIN HEREINAFTER DESCRIBED EASEMENT OVER AND ACROSS THE SOUTH 2-5 FEET OF SAID LOT 14, CRESTVIEW ACRES SUBDIVISION, ACCORDING TO THE PLAT OF SAID SUBDIVISION, RECORDED IN PLAT BOOK 9, PAGE 37, PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, AS SET FORTH IN RESOLUTION 13,086, PUBLIC RECORDS 580, PAGE 168, OF THE SAID PUBLIC RECORDS AND ALL RIGHT, TITLE, INTEREST AND USE IN, TO AND OF THAT CERTAIN NON-EXCLUSIVE EASEMENT, OVER AND ACROSS THE SOUTH 25 FEET OF THAT PART OF SECTION 29, TOWNSHIP 24 SOUTH, RANGE 36 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED IN PARCEL 1, HEREINAFORE AS SET FORTH IN AFORESAID RESOLUTION.

UTILITY LIST:

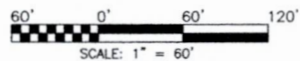
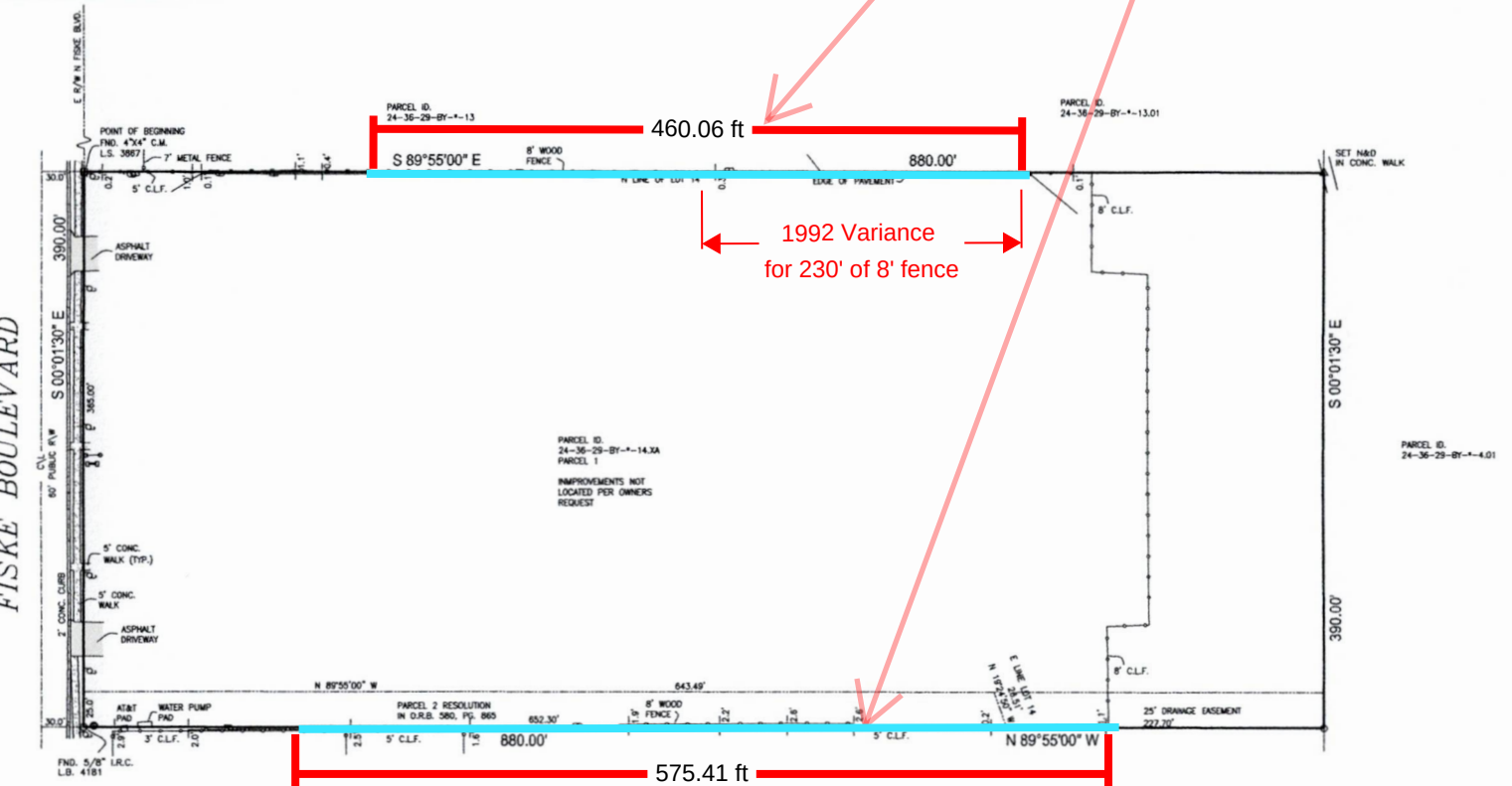
-  WOOD UTILITY POLE
 SANITARY SEWER MANHOLE
 WATER METER
 BACKFLOW PREVENTION VALVE

SURVEYORS' NOTES:

3. This property is located in Flood Zone(X), The Structure is in Flood Zone(X) K Map No. 1200020204201, Power Line, 405, Suffolk Ks Community No. 1200202, Effective Date, January 29, 2021.
4. The bearings shown are based on an Assumed North Meridian, Being N 07° 01' 30" W along the East R/W line of Fraze Boulevard.
5. This is Real Property being situated in Section 29, Township 24S, Range 36E.
6. The Surveyor has not abstracted the property. Only plotted or furnished easements or encumbrances that may affect the property are shown.
7. This map of survey is for the sole use of the normal parties as certified and is not to be considered as a warranty of title or any other entry or individuals other than the certified entry.
8. Underground improvements are not located unless requested.
9. Elevations shown herein based on NAD83/86, Originating S.M. Brown County P.I.D.
10. Elevations shown as $\frac{00.00'}{(00.00')}$ are existing spot elevations. Elevations shown as $\frac{00.00'}{(00.00')}$ are proposed elevations.

LEGEND & ABBREVIATIONS:

- [illegible]



JOB NO. 25-244-09	
DRAWN	NS
CHECKED	EN
DATE 10-06-2025	
SCALE 1" = 60'	
SHEET NO. 1 OF 1	

[illegible]

MAP OF BOUNDARY SURVEY

PREPARED FOR: TRISOUTH SOUTH INC.

SITE ADDRESS:
800 N. FISKE BOULEVARD, UNIT COMMON, COCOA FL. 32922

PREPARED BY:

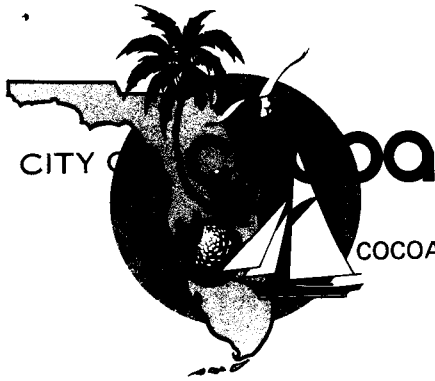
Eric Nielsen Land Surveying, Inc.
L.S. 6916

12 STONE STREET, COCOA, FL. 32922
PHONE: (321) 631-5654
email: nielsensurveying@bellsouth.net

Eric Nielsen

Digitally signed by Eric Nielsen
Date: 2025.10.08 13:35:48 -04'00'

Certified By: Eric Nielsen Date: 2025.10.08 13:35:48 -04'00'
Signature: _____
I, Eric Nielsen Professional Surveyor & Mapper, No. 5386, L.B. 6946, State of Florida
certify this map of survey meets the standards set per Florida Administrative Code
5J-17.051 pursuant to Chapter 472.027 per Florida Statutes.



P.O. BOX 1750
COCOA, FLORIDA 32923-1750

CITY OF COCOA
NOTICE OF PUBLIC HEARING
VARIANCE REQUEST

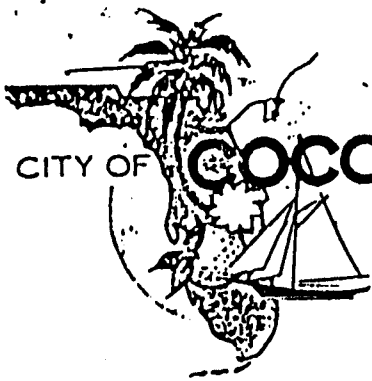
PLEASE BE ADVISED THAT MR. ERNEST MORRIS REPRESENTING THE 800 NORTH FISKE CONDOMINIUM ASSOCIATION, INC., ALSO KNOWN AS CRESTVIEW VILLAS, IS REQUESTING A VARIANCE PURSUANT TO THE MULTIPLE FAMILY DWELLING (RU-2-15) DISTRICT REGULATIONS (ARTICLE XI, APPENDIX "A", SECTION 5 AND ARTICLE XIII, SECTION 5(B)) IN ORDER TO PERMIT AN EIGHT (8) FOOT REAR AND SIDE YARD FENCE AT THE NORTH END OF FISKE CONDOMINIUM APARTMENTS. THE PROPERTY IS LOCATED AT 800 NORTH FISKE BLVD. AND DESCRIBED AS PARCELS 1 AND 2 OF THE CRESTVIEW ACRES SUBDIVISION, T24S, R35E, SECTION 29, OF THE PUBLIC RECORDS OF BREVARD COUNTY.

THE BOARD OF ADJUSTMENT WILL HOLD A PUBLIC HEARING ON THIS REQUEST AT 7:00 P.M., WEDNESDAY, JUNE 17, 1992, IN THE CITY COUNCIL MEETING ROOM, LOCATED AT 300 BRUNSON BOULEVARD, COCOA, FLORIDA. INTERESTED PERSONS MAY ATTEND AND BE HEARD.

QUESTIONS CONCERNING THIS NOTICE CAN BE DIRECTED TO THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT AT 639-7568, LOCATED AT 603 BREVARD AVENUE, COCOA.

BRIAN GILBERT
CITY PLANNER

DATE



CITY OF **COCOA** FLORIDA

P.O. BOX 1750
COCOA, FLORIDA 32922

DESIGNATION OF AGENT FORM

This form designates ARNIE MORRIS
DAN DAVIES as my duly
authorized agent to act in my behalf in the matter of:

- ☐ (A) Comprehensive Land Use Plan Amendment Request.
- ☐ (B) Rezoning Request.
- ☐ (C) Special Exception Request.
- ☒ (D) Variance Request.

I, _____, own Parcel(s): 1 or
Lot(s): 14, Block(s): _____
Subdivision: Crestview Acres Section: 29
Township: 24, Range: 36

I have also supplied a warranty deed on the subject property with
this form, as requested by the Community Improvement Department.

Sworn to and subscribed before me this 4th
day of June, 1992

Witness my hand and official seal.

Debra M. Jones Notary Public

E. Lang Houston, Jr.
SIGNATURE - DATE

Fl. D. Lic. # 235-232-39-331-0

NOTARY - DATE
Notary Public, State of Florida
My Commission Expires April 30, 1995
Florida Thru Tray Fain - Insurance Inc.

COMPLETE AND RETURN IN DUPLICATE.

MEMORANDUM

TO: BUILDING DEPARTMENT

FROM: BRIAN GILBERT, 
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 22, 1992

REFERENCE: RESULTS OF BOARD OF ADJUSTMENT REGULAR MEETING OF
JUNE 17, 1992

Attached please find copies of correspondence mailed to the Petitioners of the June 17, 1992 Board of Adjustment meeting concerning the decisions of the Board on their respective requests.

MEMORANDUM NO. 921062 M



P.O. BOX 1750
COCOA, FLORIDA 32923-1750

June 22, 1992

Mr. Ernie Morris
800 North Fiske Condominium Association
41 Little John Lane
Rockledge, FL 32950

Re: Request for a Variance

Dear Mr. Morris:

At their June 17, 1992 meeting, The Board of Adjustment for the City of Cocoa approved your request for a variance allowing you to erect an eight (8) foot fence at the rear and east side yard of a property located at 800 North Fiske Boulevard. The specific boundaries of this fence shall be as follows:

The approval is for an eight (8) foot fence that goes from the existing fence of the neighbors around to the east property line and to the north property line and two hundred thirty (230) feet back to the west.

If you have any questions, or if we can be of further assistance, please do not hesitate to contact our office.

Sincerely,

BRIAN GILBERT
CITY PLANNER

BG:mn

cc: Protective Inspections
File

BOARD OF ADJUSTMENT
MINUTES FOR THE
JUNE 17, 1992
MEETING

The Board of Adjustment Meeting, June 17, 1992, at 7:00 p.m., held in the City Council Meeting Room, 300 Brunson Boulevard, Cocoa.

PRESENT:	John McBrearty:	Chairman
	Bruce Gilmore:	Board Member
	Charles LaRoche:	Board Member
	Bruce Tate, Sr.:	Board Member
	Glover Robinson:	Board Member
	George Henderson:	Planning and Zoning Liaison

OTHERS		
PRESENT:	Brian Gilbert:	City Planner

I. CALL TO ORDER/ROLL CALL

Chairman McBrearty called the meeting to order at 7:00 p.m. and stated that all members were present.

II. APPROVAL OF MINUTES

The minutes of May 20, 1992 were approved with one minor change.

The motion to accept the minutes was made by Mr. Tate and seconded by Mr. Henderson. The motion passed unanimously.

III. NEW BUSINESS

AGENDA ITEM - III. A:

LEGAL DESCRIPTION

1615 Cocoa Bay Boulevard
Cocoa, FL 32922

Lot 7, Block 2, Cocoa Bay Subdivision, Township 24 South,
Range 36 East, Section 24.

PETITIONER

Mr. Robert Brozman, Representative
Mobile Land Development Corporation

REQUESTED ACTION

A variance petition pursuant to the Planned Unit Development (PUD) District Regulations (Article XI, Section 17(F)(4)(d)), in order to permit the construction of a screened porch that extends 2.6 feet into the required side setback and is approximately 17 feet from the street.

BACKGROUND INFORMATION

The request is to allow the enclosure to extend toward the cul-de-sac. This is a corner lot on a small cul-de-sac. Under the PUD regulations, a twenty-five (25) foot setback is required from all rights-of-way. That would be different from any other residential district in the City Code which would require a front setback and then a reduced setback on the other frontage, if it's a corner lot. However, in a PUD it is simply a twenty-five (25) foot requirement from all sides. According to the records, on April 2, 1984, a variance was granted to the Cocoa Bay Subdivision, Phase II, to allow a reduced setback of twenty (20) feet for all front yards. Under the City definition of yard requirements in the City Code, this particular lot has two front yards; one fronting Cocoa Bay Boulevard and one fronting the cul-de-sac.

STAFF RECOMMENDATION

After consideration of the variance criteria the Staff recommends approval of the request based upon the following:

1. That special circumstances exist due to the setback requirements for PUD corner lots that severely restrict an appropriate location of a principle structure and basic home improvements such as a porch;
2. The reduced setback would allow a customary improvement typical in the development and would not make the lot incompatible with surrounding properties; and
3. That the circumstances created by the lot dimensions, its location on the cul-de-sac, and setback requirements are not self-imposed.

Mr. Tate inquired as to the notification of all parties concerned and was assured that all subject property owners had been notified and no feedback had been received.

Mr. Brozman then addressed the Board. Mr. Brozman submitted a survey and an aerial picture to the Board indicating how the subject property currently appears.

Mr. Brozman explained the concrete pad was laid due to a

misunderstanding of the Code. Mr. Brozman further explained that due to the penalization of the setback on Cocoa Boulevard there is a limit to the structures that can be put on that lot.

Mr. Tate made a motion to approve the variance petition. Mr. Robinson seconded the motion. Motion passed unanimously.

III. NEW BUSINESS

AGENDA ITEM - III. B:

LEGAL DESCRIPTION

11 Ridgeway Avenue
Cocoa, FL 32922

Lots 49, 49.1, 49.2, Dixon's Addition to Cocoa, Township 24 South, Range 36 East, Section 33.

PETITIONER

Marcia Ganoe, Representative
Service Center of Cocoa

REQUESTED ACTION

A variance petition pursuant to the Core Commercial (CC) District Regulations (Article XI, Section 18(F)(5)) in order to permit a concrete parking pad to extend to the property line and encroach into the right-of-way.

BACKGROUND INFORMATION

Staff presented a sketch outlining the location of the Cocoa Service Center in relation to the property line. Referencing the upper left hand corner of said sketch, Mr. Gilbert pointed out the right-of-way explaining that the concrete was poured along St. John's street in the City's right-of-way. A stormwater permit has been issued by the St. John's Water Management District in order to mitigate that extra concrete and the City Engineer has approved that. This improvement was a component of an overall site plan for the project to mitigate some other problems with the site.

STAFF RECOMMENDATION

After consideration of the variance criteria, Staff believes that the request is justified at this location and will not adversely impact surrounding properties. Staff recommends that a variance be granted to retain the parking space, which would be in the right-of-way, according to the following

agreement, which will be subject to final City Council approval:

1. That the City will grant an easement for temporary parking within the right-of-way subject to City requirements for maintenance work or other public use;
2. The City will retain possession of the St. John's Street right-of-way and at no time will the applicant restrict the City from free access; and
3. A sign will be erected, at the owner's expense, to identify the temporary parking area.

Mr. Gilbert explained that the position of the City Engineering Department was stormwater mitigation and some sort of approval for a temporary parking space would be sufficient.

Mr Gilbert submitted the results of a discussion with the City Attorney; that the City might be liable if an approval was granted for a parking space in the right-of-way. As a result of that discussion, Mr. Gilbert indicated that were the Board to grant the request, and approve the parking space as it extends to the property line, the next step would be to move forward and have a parking easement drawn up for review by the City's legal staff, said easement being subject to the approval of the City Council.

Mr. Gilmore requested clarification on what modifications could be made to the variance request as stated in the petition.

Mr. Gilbert responded that based upon his study of the survey, his interpretation of the regulations and his research on past variances that granted a parking area in a right-of-way, he concluded that the Board was not at liberty to grant a variance permitting a parking space in the City right-of-way. However, the Board would have the authority to grant permission or approve a variance for a parking space abutting one's own property line. In order to have access to a parking space on the right-of-way, the applicant would have no recourse but to request a parking easement.

Chairman McBrearty asked Mr. Gilbert if this was part of a site plan that had already been submitted to and approved by the Planning and Zoning Board.

Mr. Gilbert stated that this was not an approved site plan but rather an element of the site plan that had not yet received approval.

Mr. LaRoche inquired as to the status of the drainage problem at the subject location.

Mr. Gilbert responded that the St. John's permit had been issued.

Mr. Henderson asked Ms. Ganoe what would be done to the area west of the junction of the twenty (20) foot alley?

Ms. Ganoe indicated the surrounding area was going to be landscaped.

Mr. Gilmore addressing Mr. Henderson's question stated he had visited the subject location and spoken to a gentleman who indicated that the area to which Mr. Henderson was referring would be graded to road level, improved with some landscaping and made as a comprehensive part of their proposed water retention process.

Mr. Robinson indicated his concern with the utility poles extending over the proposed parking area.

Mr. Gilbert assured the Board that the City would retain possession and if for any reason, access was required, there would be no problem in acquiring it.

Mr. Henderson questioned Ms. Ganoe about the use of a trailer and the frequency with which the trailer would be moved.

Ms. Ganoe responded that the trailer would be emptied about once a month and returned to the same location.

Mr. LaRoche moved that the variance be granted. Mr. Henderson seconded the motion.

Mr. Henderson asked for clarification that the motion was on the Staff recommendation to approve the variance for the concrete to the right-of-way.

Motion passed unanimously.

Chairman McBrearty further clarified the motion as follows:

The Board has approved the Staff recommendation so that the variance is approved for the paving to the right-of-way and the easement still needs to be pursued with the City for the parking.

In support of his recommendation, Mr. Gilbert referenced a decision made by the Board of Adjustment for the Public Housing Authority for back-out parking into the right-of-way. After the fact, the City Attorney indicated that said decision

could have presented a problem.

III. NEW BUSINESS

AGENDA ITEM - III. C:

LEGAL DESCRIPTION

800 North Fiske Boulevard
Cocoa, FL 32922

Lots 1 and 2, Crestview Acres Subdivision, Township 24 South,
Range 36 East, Section 29.

PETITIONER

Mr. Ernie Morris, Representative
North Fiske Condominium Association, Inc.

REQUESTED ACTION

A variance petition pursuant to the Multiple Family Dwelling (RU-2-15) District Regulations (Article XI, Appendix "A", Section 5 and Article XIII, Section 5(B)) in order to permit an eight (8) foot fence at the rear and east side yard of the property.

BACKGROUND INFORMATION

The subject property is an existing condominium development which is adjacent to an apartment complex to the north, single family residences to the south along Bristol Avenue, and undeveloped property to the east. The residents at 800 North Fiske have reported various burglaries and trespassers gaining easy entry from the surrounding wooded areas. The proposed fence is intended to serve as a security measure, preventing trespassers easy access.

The maximum height for a fence on any residential property is six feet according to the City Code.

The original application was for a fence but the members of the Homeowner's Association have indicated it would be a chain link fence. The Staff recommendation will be only on the eight (8) foot fence as it is.

STAFF RECOMMENDATION

After consideration of the variance criteria, Staff recommends approval of the variance due to the following:

1. An eight (8) foot fence would provide enhanced

security for the residents.

2. The eight (8) foot fence will help buffer the development from single family properties and other multi-family units; and
3. The fence will not extend to the street and the height is not incompatible with similarly zoned developments.

Mr. McBrearty inquired as to the notification of surrounding property owners and what, if any, response had been received.

Mr. Gilbert indicated that he had received feedback from a few property owners; one being from a single lot owner to the South who favored the request because he wanted a fence separating his property from the condominiums. The second response was from the manager of the apartment complex to the north; an unfounded concern being that the fence would extend along the complex property line. The apartment manager also expressed his concern that the fence would be of chain link material, where he would have preferred a wall or some other material more aesthetically acceptable. Mr. Gilbert informed the apartment manager that such a requirement was not part of the City Code.

Mr. Gilmore pointed out a discrepancy between the notice of public hearing and the report submitted by Staff.

Mr. Gilbert clarified that the wording in the notice of public hearing was the correct language.

Mr. Morris addressed the Board stating that the proposed modification to the condominium property had been reviewed by the City Inspector as well as the Police Department and had been approved in regard to emergency access.

Discussion ensued following a bit of confusion as to what issue was being addressed in the variance request; that of an eight (8) foot fence only or an eight (8) foot and six (6) foot fence. Eventually, it was understood that the only issue before the Board was for an eight (8) foot fence.

Mr. Tate asked Mr. Morris what kind of security problems were being encountered by the condominium owners.

Mr. Morris cited several incidents and the difficulty in apprehending the perpetrators without restricting the ingress and egress to the property; a problem that could be somewhat alleviated by the proposed fencing.

Mr. Gilmore, basing his comments on his personal experience as

a former manager of the complex, offered verification of the security problems encountered by the residents and the difficulty of policing a complex of that size with virtually no ingress or egress restriction.

Mr. Gilmore moved that the variance be granted. Mr. Robinson seconded the motion.

Mr. Henderson, referencing a list of property owners within a three hundred (300) foot radius of the subject property, questioned Mr. Gilmore's status as one of the owners of said property.

Mr. Gilmore stated that he no longer owned the referenced property, said property currently under the ownership of EKS Incorporated.

A vote was taken on the motion. The motion passed unanimously.

For purposes of clarification, Mr. Gilbert requested a restatement of the boundaries of the eight (8) foot fence approved by the Board.

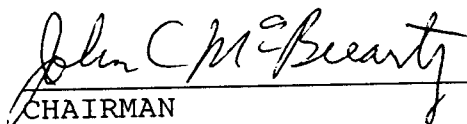
Chairman McBrearty: The approval is for an eight (8) foot fence that goes from the existing fence of the neighbors around to the east property line and to the north property line and two hundred thirty (230) feet back to the west.

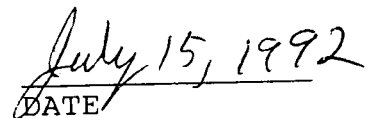
The Board discussed the possibility of ordering Code Books for the Members. Mr. Gilbert asked the Board if they would prefer to wait for the Land Development Regulations.

Chairman McBrearty, acknowledging that if there is a revision in the works, the Board could wait for the revision, however, he felt it would be worthwhile for the Board Members to have a Code Book.

A motion to adjourn was made by Mr. Tate and seconded by Mr. Gilmore. The motion passed unanimously.

The meeting adjourned at 7:51 p.m.


CHAIRMAN


DATE

VACANT LAND

6' HIGH PT PIN
AROUND DUMPSTER

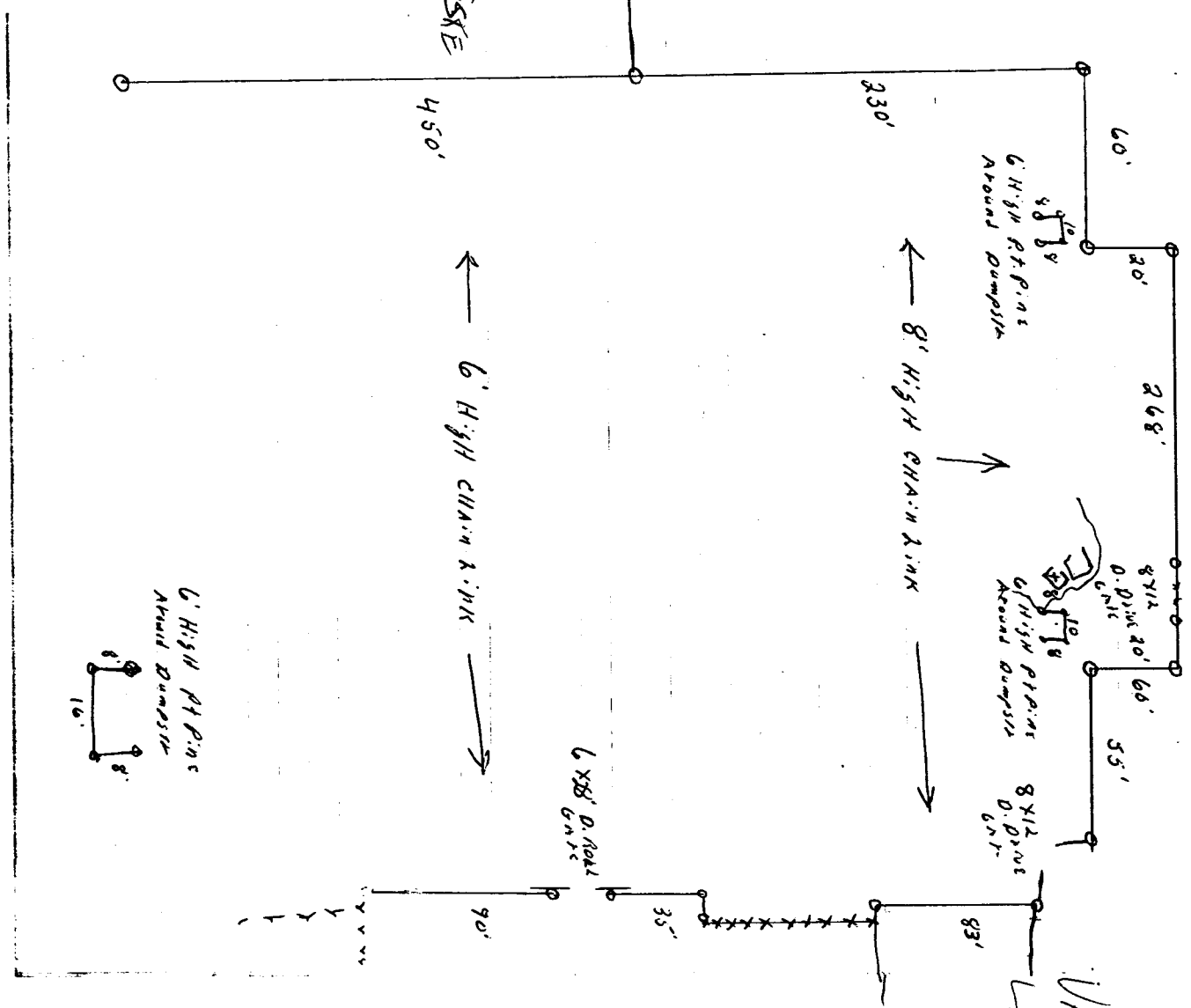
6' HIGH PT PIN
AROUND DUMPSTER

VACANT LAND

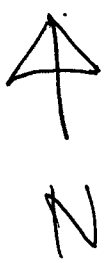
VACANT LAND

1010 N. FISKE

BRISTOL DRIVE



FISKE BLVD.



PETITIONPETITIONER: 800 North Fiske Condominium Association, Inc. PHONE #: 632-4542

DBA Crestview Villas

HOME ADDRESS: 800 N. Fiske Boulevard, Cocoa, FL 32922SUBJECT PROPERTY: LOT(s) 14 BLOCK(s) _____SUBDIVISION: Crestview AcresSTREET ADDRESS OF SUBJECT PROPERTY: 800 N. Fiske Bl., Cocoa, FLSTATUS OF PROPERTY: OWNER OCCUPIED X VACANT _____ OTHER XPRESENT ZONING CLASSIFICATION: RUT15

The undersigned, as owner or agent of the above subject property, HEREDY
PETITIONS FOR:

a. VARIANCE X

b. SPECIAL EXCEPTION _____

c. APPEAL OF ADMINISTRATIVE DECISION _____

To permit the following: An eight (8) foot fence on the back of the
property (east side)

Reasons for request: Security: to alleviate cars stolen and burglarized; trespassers.

Additional items/information to be submitted with application:

- (1) Application fee: \$100.00 for 1st item, \$25.00 for each additional
- (2) List of names and addresses of all property owners within a 300' radius of the subject parcel
- (3) Site Plan (if applicable)
- (4) Copy of warranty deed
- (5) Designation of agent form (if applicable)

SIGNATURE OF PROPERTY OWNER
acting in his own behalf in
regard to this petition.

Signature: _____

Address: _____

City/State: _____

Phone: _____

SIGNATURE OF AGENT, DESIGNATED
BY OWNER to act in his behalf
in regard to this petition (to
be executed when designated as
agent).

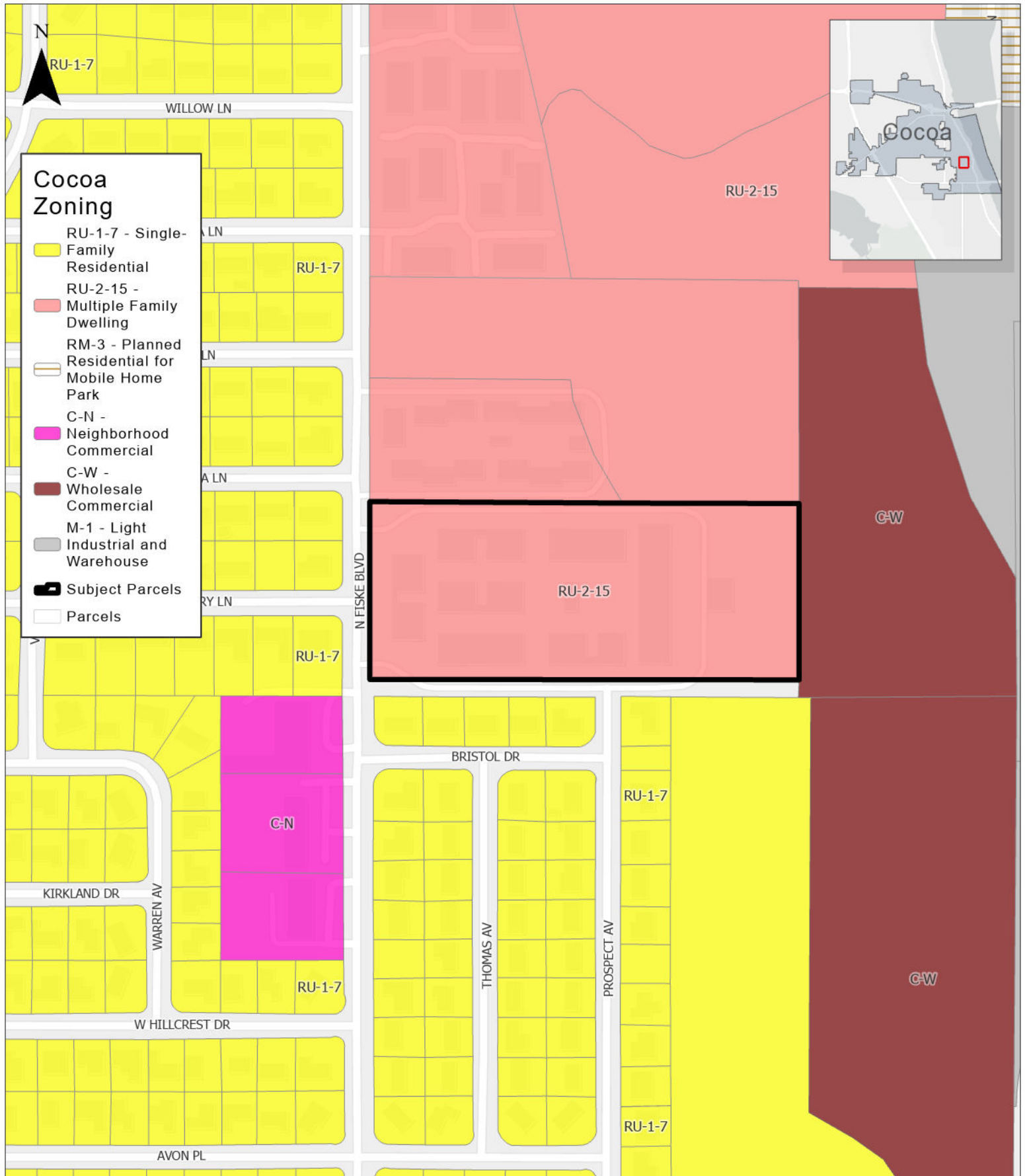
Signature: _____

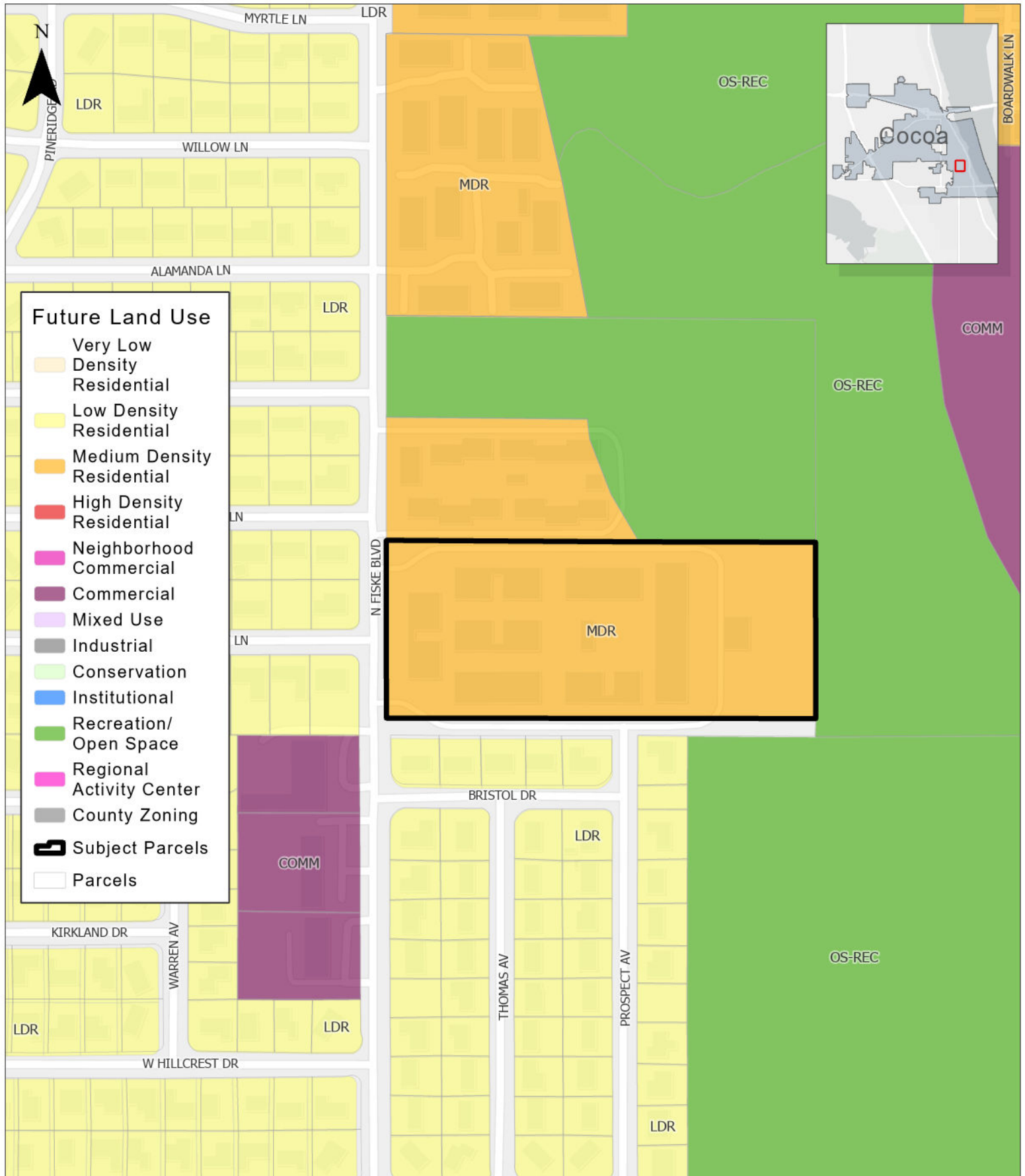
Address: _____

City/State: _____

Phone: _____







800 N FISKE FUTURE LAND USE

July 15, 2026



Path: P:\Documents\ArcGIS\Projects\MyProject\MyProject.aprx

0 200 400 Feet

USA TODAY CO.



PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Jennifer Webster,
Attn: Accounting Division
City Of Cocoa (Te)
65 Stone St
Cocoa FL 32922-7982

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the Florida Today, a daily newspaper published in Brevard County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices, was published on the publicly accessible website of Brevard County, Florida, or in a newspaper by print in the issues of, on:

BRE Brevard Florida Today 06/30/2026
BRE floridatoday.com 06/30/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 06/30/2026

Legal Clerk

Notary, State of WI, County of Brown

5.15.27

My commission expires

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NANCY HEYRMAN
Notary Public
State of Wisconsin

Ad#12439603 06/30/2026
CITY OF COCOA
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN THAT
THE BOARD OF ADJUSTMENT
PROPOSES TO CONSIDER THE
FOLLOWING:

800 N. FLORIDA AVENUE, SUITE 100
CONSIDERATION OF A WAIVER
REQUEST, from Article XII, section
3-Visual Screens (fences, walls,
hedges) to increase the height of a
fence from 6' to 8' in a residential
zone. The property is identified as
800 N. Florida, Cocoa, Florida.
Board of Adjustment
PUBLIC HEARING WILL BE HELD
ON

July 15, 2026
AT 6:00 P.M. OR SOON
THEREAFTER IN THE
COCOA CITY HALL COUNCIL
CHAMBERS LOCATED AT
65 STONE STREET, COCOA, FL
General Notice Information:

This is a public meeting. Interested parties are hereby advised that they may appear at said meeting and be heard. The facility wherein this public meeting will be held is accessible to the physically handicapped. In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk or the City of Cocoa, listed below, at least 48 hours prior to the meeting. Monica Aronowitz, City Clerk, 65 Stone Street, Cocoa, by telephone at (321) 433-8480 or via email at maronowitz@cocoafl.gov.

Pursuant to Section 218.0105, Florida Statutes, the City hereby advises the public that if a person decides to appeal any decision made by the BOA, PZ Board/LPA or City Council with respect to any matter considered at its meeting or hearing, that person will need a record of the proceedings and for such purpose, affected persons may need to assure that a verbatim record of the proceedings is made and such record shall include the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals otherwise not allowed by law. The BOA or PZ Board/LPA meeting may include the attendance of one (1) or more members of the Cocoa City Council who may or may not participate in the Board discussions held at this public hearing. The BOA, PZ Board/LPA and City Council reserve the right to continue or postpone hearings to a date certain without re-advertising.

Public Participation Information: Members of the public may view the meeting agenda, ordinances, project applications, supporting documents, and staff reports on the City's website at the following link prior to attending or commenting.

* City of Cocoa meeting calendar at <https://www.cocoafl.gov/231/2026/City-Meetings>

Documents pertaining to the above may also be inspected at the Community Services Department between 8:00 a.m. and 5:00 p.m., Monday through Friday, or by phoning (321) 433-8400.

Interested persons may submit their written comments or questions prior to the meeting through Email at cityclerk@cocoafl.gov or via E-comments through the online agenda at the link above. Any electronic comments submitted will be made part of the meeting record. Viewing in Real Time. Interested persons are encouraged to view and listen to the hearings live by accessing the meetings at the following internet address:

* City of Cocoa meeting calendar at <https://www.cocoafl.gov/231/2026/City-Meetings>

However, the City is not responsible for technical difficulties that may occur while attempting to view or listen to the meeting on the internet.