

City of Melbourne, Florida
Minutes — Zoning Board of Adjustment

City Hall Council Chamber
900 E. Strawbridge Avenue
Melbourne, FL 32901

May 18, 2026, 6:30 p.m.

A. Opening

1. Pledge of Allegiance.
2. Roll Call.

Present: Peter Kostrzewa, Chairman
Charles Jackson, Member
Ravi Shah, Member
Thomas Herbert, Member
Dave Bregard, Member
Natalia Brauner, Member
Diane Maynard, Alternate Member
Jared Moyles, Alternate Member

Absent: Linda Cass, Member (Excused)

Also Present: Cheryl Dean, AICP, Planning Manager
Richard Broome, Deputy City Attorney
Samantha Buck, Recording Secretary

3. Approval of Minutes – March 30, 2026, Meeting.

Moved Jackson/Bregard to approve the minutes from the March 30, 2026 meeting, as presented.

Motion carried unanimously.

4. Declaration of Conflict.

There were no conflicts of interest declared for this item.

Before moving forward onto the first item of new business, Mr. Kostrzewa opened the floor for public comment.

There was no public comment from the audience.

5. Requests for Dismissals, Postponements, or Withdrawals

City of Melbourne, Florida
Minutes – Zoning Board of Adjustment
May 18, 2026

There were no requests for dismissals, postponements, or withdrawals for this meeting. Mr. Kostrzewa confirmed that there were eight Board members present, and that the applicant requires approval from five Board members in order to be granted a variance.

Deputy City Attorney Broome swore in City staff.

B. New Business

6. VAR2026-0002 – Glenn Adams, Bryan Street (Tax Account: 3019248)

In a R-1AA zoning district, the following variance is requested:

A variance of 15-foot from the required 25-foot side corner lot setback to allow a house within 10 feet of the Devonshire Street right-of-way.

Part III, Appendix B, Article V, Section 2, Table 2A requires a 25-foot side corner lot setback.

Ms. Dean summarized the request as detailed in the staff memorandum dated May 8, 2026 and the findings outlined in that memorandum.

The subject property is one part of a larger parcel of land that was split by the applicant into three residential lots through a lot line adjustment and a one-time lot split in 2014. The unimproved Devonshire Street right-of-way provides emergency access to the Pennwood Drive/Bignonia Street area to the east and is also the location of City water and sewer infrastructure. It will also provide access to a planned regional lift station in the future. Florida Power and Light (FPL) and Florida Gas also have utility infrastructure within this right-of-way. A previous application submitted by the applicant for an abandon and vacate on this right-of-way was not supported by the Engineering Department in light of this and the applicant subsequently withdrew his request.

During the review of the variance request, Staff was unable find any special circumstances to support this request and as the property is a vacant lot, any new construction can be built to meet the required setbacks. Additionally, the applicant has the option to construct a multistory home on the property up to three floors or 36-feet. Houses to the north do not have frontage on two streets and although not injurious to the neighborhood, reducing the setbacks would ultimately bring the property closer to the power lines.

As stated in the staff memo, based upon findings for the variance request, staff has determined that based on the failure to meet the six factors for granting a variance (as set forth in City Code) for vacant residential property located on the northeast corner of Devonshire Street and Bryan Street intersection, the Community Development Department recommends denial of variance VAR2025-0004.

Mr. Kostrzewa asked if the Board had any questions for Ms. Dean.

A discussion ensued on the Devonshire Street right-of-way, who conveyed the property, and if the street will ever be completed.

City of Melbourne, Florida
Minutes – Zoning Board of Adjustment
May 18, 2026

Ms. Dean said that the street contains various utilities and connects to a cul-de-sac on a neighboring development. The right of way at Devonshire was left unimproved as part of an adjacent development to the south due to concerns at that time about traffic entering Bignonia Street. City Council stipulated that this street remain unimproved to avoid cars accessing the adjacent residential neighborhood.

Mr. Shah asked Ms. Dean if staff had received any feedback from neighbors and she identified that there was none.

As there were no further questions for Ms. Dean, Deputy City Attorney Broome swore in the applicant, Glenn Adams.

Mr. Adams explained that following his purchase of the lot, in 2014, it was split into three lots and homes were built on two of the lots. The third remained vacant as it was undersized. An additional 15 ft. was discovered when the property was later re-surveyed which made it feasible to build on this smaller lot. When researching plans to build on the lot in 2025, Lifestyle Homes suggested to Mr. Adams that the City might consider the property a corner lot due to the location of the power line and the fact that this right-of-way will never be completed.

He summarized his request and outlined the unique property conditions that he faces, and the practical difficulty of building on this lot. If Devonshire Street will never be completed there is no aesthetic reason why the home cannot be constructed within 10-feet of the Devonshire right-of-way.

Mr. Adams stated “It is a unique property with a 58 foot buildable frontage and (he) wants to construct a one-level property with a large front porch. Constructing a taller home would not fit well into the neighborhood and will overlook Babcock Street and the commercial property nearby. In addition to the lot not being big enough to build the home that he needs. Mr. Adams has incurred considerable expenses maintaining the lot since 2014. He wants to create a home that can serve him; the community and that will bring in a good tax revenue for the City. There is no safety concern, and he cannot see any reason why the variance should not be approved.

Mr. Adams then showed a presentation that he had prepared for the Board. His presentation provided background information on the lot since it was purchased in 2014; photographs of the street; a copy of the survey for the property; information on the unique property conditions, practical difficulty on building on this lot and information to support that he believes this hardship was not self-created. He also provided information on one comparable property in the neighborhood and his perceived assessment on homeowner impact, community impact and safety and access to the property.

Mr. Kostrzewa asked if the Board had any questions for Mr. Adams.

Mr. Shah asked Mr. Adams if he was aware of the requirements when he purchased the lot, and Mr. Adams replied that in 2014, he was only looking to build two homes. The third lot was smaller and it was not until he discovered the additional 15 feet that it created a

City of Melbourne, Florida
Minutes – Zoning Board of Adjustment
May 18, 2026

buildable lot. He feels that it does not make sense to build a smaller home that is less amenable and will generate less tax dollars.

Mr. Moyles asked what the detriment would be if the variance is approved, especially as it is an unimproved right-of-way which will never be completed.

Ms. Dean replied that staff must base their recommendation on the criteria in City Code. Mr. Adams is able to construct a home on the property that will meet the minimum requirements outlined in Code and in order for a variance to be granted, the applicant must meet all six criteria. In this instance, Mr. Adams created the hardship when he split the property.

Mr. Kostrzewa noted that there is approximately 6,000 square feet of buildable space buildable without a variance.

Mr. Adams answered that without the variance, his only option would be to construct a two-story home. A 10 foot side setback would make the home more buildable and it would be better if the house was orientated to Devonshire Street.

There were no further questions from the Board for the applicant, so Mr. Kostrzewa opened the floor for public comment.

As there was no public comment, Mr. Kostrzewa brought the item back to the Board for further discussion and a motion.

Mr. Kostrzewa asked the Board if they had any disclosures on this item; there were none.

Ms. Brauner asked Ms. Dean why Devonshire Street is classified as a street if it will never be constructed.

Ms. Dean explained that the right-of-way more than just a street; it has utility connections, power and there may be additional and future utilities to the south which the City will need to access. The purpose of not paving the street is to eliminate thru traffic to the adjacent residential neighborhood.

Mr. Kostrzewa asked if any correspondence had been received on this item.

There was none.

Moved Shah/Maynard to deny application VAR2026-0002, based on the request failing to meet the six criteria/factors for granting a variance set out in City Code.

As there were no further comments, a roll call vote was taken as follows:

Aye: Jackson, Herbert, Shah, Brauner, Bregard, Maynard & Kostrzewa

Nay: Bregard & Brauner

Motion carried.

City of Melbourne, Florida
Minutes – Zoning Board of Adjustment
May 18, 2026

C. Future/Additional Business

8. Presentation of Service Pin.

Ms. Dean presented Mr. Shah with his 10-year service pin and thanked him for his service on the Board.

9. Election of Chairman and Vice-Chairman

The Board discussed nominations for the positions of Chairman and Vice-Chairman. After some discussion, the following motions were made.

Chairman:

Mr. Jackson nominated Mr. Kostrzewa as chairman.

Moved Jackson/Herbert to nominate Peter Kostrzewa for the position of Chairman.

Motion carried unanimously.

Vice Chairman:

Moved Jackson/Maynard to nominate Thomas Herbert for the position of Vice-Chairman.

Motion carried unanimously.

D. Adjournment

As there was no further business to discuss, the meeting was closed at 7.37 pm.



Samantha Buck, Recording Secretary – March 30, 2026

Approved by Zoning Board of Adjustment: July 27, 2023

Approved with noted corrections to roll call vote on Item #6