

VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number NA, and

name of contractor NA

☒ No.

Prerequisites to granting of variance:

A variance may be granted when it will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship. The term "undue hardship" has a specific legal definition in this context and essentially means that without the requested variance, the applicant will have no reasonable use of the subject property under existing development regulations. Personal medical reasons shall not be considered as grounds for establishing undue hardship sufficient to qualify an applicant for a variance. Economic reasons may be considered only in instances where a landowner cannot yield a reasonable use and/or reasonable return under the existing land development regulations. You have the right to consult a private attorney for assistance.

In order to authorize any variance from the terms of this chapter, the Board of Adjustment shall find all of the following factors to exist:

(1) That special conditions and circumstances exist which are not applicable to other lands, structures or buildings in the applicable zoning classification:

This is A corner lot that is adjacent to a Key lot. My home is placed too far back on my lot. There is no room on side or back of lot for Pool.

I am also in need of a variance for my carport, which has been part of this property for over 25 years at least, according to my neighbors, who have lived here across street for that long.

(2) That the special conditions and circumstances do not result from the actions of the applicant:

All Current structures were here when I bought property and the lot configuration has not changed since it was platted.

(3) That granting the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this chapter to other lands, buildings or structures in the identical zoning classification: The ability to have a pool on a lot zoned RU-113 is

a privilege that is commonly enjoyed by all residents in the RU-113 zoning areas, therefore granting this variance would not grant me any special privilege, over any other lots w/ the same zoning.

(over)

(4) That literal enforcement of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the identical zoning classification under the provisions of this chapter and will constitute unnecessary and undue hardship on the applicant:

Denying my variance would deprive me of enjoyment of a pool on my own property causing unnecessary + undue hardship to me and my family.

(5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure:

I have chosen a reasonably sized pool, no different in size in comparison to others around me in which they enjoy. I believe this is a reasonable request.

(6) That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such use variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

This is the Best Area in which to put my pool for exercise + enjoyment on my property with out interfering with others or other properties. It is in Harmony with the General character of our neighborhood and will have a privacy fence around it.

I understand that all of the above conditions apply to the consideration of a variance and that each of these conditions have been discussed with me by the below-signed zoning representative. I am fully aware that it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of applicant

L. Chu

Signature of planner

Janina Rames