

VARIANCE HARDSHIP WORKSHEET

Applicant: Maritza Reilly
 Property: 436 Peace Lane,
 Melbourne Beach, FL
 32951

Is the request due to a Code Enforcement action?

☐ Yes. If Yes, indicate case number _____, and
 name of contractor _____

☒ 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:

The mobile home lot is a non-conforming lot and the minimum 500 sq.ft home does not fit without encroaching on set-backs. The Owner requests a variance to install a mobile home 469 sq.ft that will fit in the lot and also comply with the set-back requirements.

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

The limitations presented by the size of the lot are not a result of Owner actions or undocumented work.

(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:

Similar variance requests have been granted to adjacent/neighbor properties for similar reasons.

(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:

The Owner will be deprived of the right to enjoy their property if they are not allowed to install a mobile home that will fit in their lot. The variance will allow the Owner to enjoy the same rights as as granted to others.

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

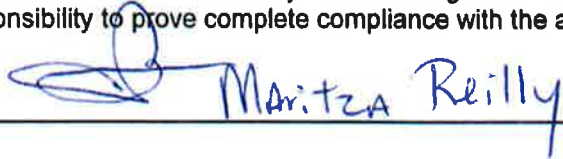
The proposed mobile home is the largest mobile home that will fit in the lot. It is the minimum variance that will make possible the reasonable use of the land.

(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:

The mobile home is a HUD certified home conforming to the zoning and community requirements. Granting this variance will allow for the protection of the Owner's right to enjoyment of property and will provide a more aesthetic value to the subject and neighboring properties.

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

 Maritza Reilly

Signature of planner

 Melissa Willbault