



BOARD OF COUNTY COMMISSIONERS

Planning and Development

2725 Judge Fran Jamieson Way
Building A, Room 114
Viera, Florida 32940
(321) 633-2070 Phone

VARIANCE HARDSHIP WORKSHEET

Is the variance request due to a Code Enforcement action: ☒ Yes ☐ No

If yes, please indicate the case number and the name of the contractor:

Case Number: 22CE-00635

Contractor: HOLLY HENDRICKS - Code Enforcement Officer

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.

Applicant Response:

Our property has 3 culverts which are paved over for driving off the property and onto public roadways. We have been informed that only 2 are allowed per property (we purchased the house with all 3 intact). We heavily utilize both culverts connected to our main driveway in the front of our property, and will need to consider them our designated entry/exit points for motor vehicles. There is no access behind the building line on the east of the building because of our septic tank and field. Access from the west is limited due to the natural growth of the property (trees and foliage) which would require removal and developing.

2. That the special conditions and circumstances do not result from the actions of the applicant.

Applicant Response:

With the exception of the paving of cleared land and erecting the carport structure, we have not altered the property in any way so as to create special conditions or circumstances related to this request.

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:

Applicant Response:

Two properties, very near ours, both have unattached carport structures erected in front of the building line:

4595 Lee St. & 4605 Lee St.

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:

Applicant Response:

Two properties, very near ours, both have unattached carport ~~structures~~ structures erected in front of the building line:

4595 Lee St & 4605 Lee St.

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

Applicant Response:

Our request is solely for the allowance of permitting for this carport structure. The structure is solely meant to provide protection for our RV.

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

Applicant Response:

The variance will be applicable only for the permitting of a structure entirely located on our real property, not affecting access or transit ~~also~~ along roadways. It does not create any interference with other properties or their owners.

I fully 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 a Planning and Development representative. I am fully aware it is my responsibility to prove complete compliance with the aforementioned criteria.

Signature of Applicant

Signature of Planner