



BOARD OF COUNTY COMMISSIONERS

23V00003
DiLella

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: _____

Contractor: _____

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:

3 homeowners share a circular canal area. Other existing boat lifts, muck levels, land erosion and required setbacks don't allow enough room to securely dock a boat without blocking eastern neighbor from launching and docking their boat on their elevator lift.

2. Allow for existing accessory concrete structure (shed) located within the setback. Structure was existing at the time of the purchase of the property by the current homeowner, and it is believed to have been constructed approx. 60 years ago.

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

Applicant Response:

1. Tony recently purchased the house not knowing that the eastern neighbor needed to use part of my space to launch and dock their boat on their elevator lift. This is possibly due to incremental muck levels.

2. Allow existing structure that has been in place for approx. 60 years and is within setback. The structure was in place at time of the purchase of the home by the current homeowner.

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:

1. Tony would like to park a boat behind his house like many who purchase property on the water. He also doesn't want to obstruct the neighbors ability to launch and dock their boat, which an approve-able dock that is parallel to the seawall would do.

2. Allow existing structure that has been in place for approx. 60 yrs. The structure was in place at time of purchase of home by current homeowner.

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:

1. Literal enforcement would either block the neighbor from launching and docking their boat on their elevator style lift, or not give Tony enough room for a dock/boatlift.

2. Allow existing structure to remain in place as it has been there for approx 60 years

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

Applicant Response:


1. Yes, requesting just the minimum needed for his boat and to allow neighbors to have full use of their lift.
2. Yes This structure is the minimum variance

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.

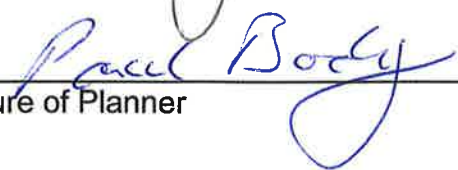
Applicant Response:

1. Granting this will help keep the neighborhood in harmony. Homeowner intends to build his dock so all adjacent homeowners would have maximum use of the waterways.
2. Yes Keeping this structure in place will not disrupt the harmony in the neighborhood. The homeowner has shared this plan on keeping structure with no disputes.

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