



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: _____

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:

Well setbacks are 10ft. A well was put in at 12 ft and the water had salt in it. An expensive RO system was purchased and installed to process the water including a large water storage tank. We were told it had to be covered. We also need storage for farm equipment. The neighbors wanted privacy so we combined these 3 into one structure and used section a. of the AU setbacks that states that a structure has to have a minimum side setback of 10 ft.

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

Applicant Response:

Well setbacks are 10ft. A well was put in at 12 ft and the water had salt in it. And expensive RO system was purchased and installed to process the water including a large water storage tank. We were told it had to be covered. We also needed storage for farm equipment. The neighbors wanted privacy so we combined these 3 into one structure and used section a. of the AU setbacks that states that a structure has to have a minimum side setback of 10 ft.

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:

The granting of this variance will not confer any special privilege.

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:

The literal enforcement of the provisions of this chapter would prevent us from building a home on the property.

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

Applicant Response:

The variance is the minimum that will make it possible to move forward with building a home.

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

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