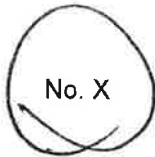


## VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number \_\_\_\_\_, and

name of contractor



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 subject property has a unique layout due to the positioning of the existing residence relative to the north property line. The available buildable area is constrained such that compliance with the required setback results in impractical spacing between structures. These conditions are specific to this property and are not common to other similarly zoned parcels.

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

The hardship is not the result of any action taken by the applicant. The location of the existing residence predates this request and creates the current constraint on placement of additional structures.

- (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:

Granting this variance will not confer any special privilege, as it simply allows reasonable use of the property consistent with other properties in the same zoning classification that can accommodate accessory structures without similar constraints.

(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:

Literal enforcement of the setback requirement would deprive the applicant of the ability to reasonably construct and use an accessory structure on the property. The resulting 6.5-inch separation between structures is not functionally viable and creates issues related to drainage, water intrusion, maintenance access, and long-term structural integrity.

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

The requested 5-foot reduction is the minimum necessary to allow safe and reasonable placement of the structure while maintaining adequate separation from the existing residence.

- (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:

Granting the variance will be consistent with the intent of the zoning regulations and will not be detrimental to the surrounding area. The structure is for personal use, will be similar in character to other accessory structures in the area, and will not negatively impact 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

Signature of planner