



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:

Compared to other major retailers and or smaller retailers within the same zoning classification the Target has a few key factors that set is apart from others such as; size of structure, abutting a major highway and main arterial for Viera.

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

Applicant Response:

Requested variance is not a self imposed condition or action per the applicant, yet a request to better serve the community.

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:

Granting of said variance shall not grant any special privileges but instead escalate safety and traffic flow coordination internally to the site.

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:

Literal enforcement of the provisions of this chapter would deprive the applicant of use of signage to direct traffic flow and pedestrian flow on site to keep a consistent and organized growth for retail sales.

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 requested variance is the minimum variance for this site. To compare, similar size sister stores normally maintain 900-1100 sf in signage.

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:

Said variance will be in harmony with the general intent and purpose of this chapter. Requested layout and square footage was proposed with the intent to clean up the face of the building from the original signage that was actually larger than the current proposed more descriptive and directive signage.

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

**Jackson,
Desiree** Digitally signed by
Jackson, Desiree
Date: 2026.05.27
14:34:08 -04'00'

Signature of Planner