



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 [X] 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:

one I am asking for two variances. One for the setback to encroach 10.9' into the setback. I have an existing terrace off the kitchen which I can only use half the day. In the morning it is too bright. There is also a history of Skin Cancer, Melanoma in my family, and I spend alot of time in this area of the house. I would like to put a roof over the terrace and 4 columns and remove the low wall while adding steps around the terrace. The Porch will be open without walls. It is a beautiful view of the river that can't be replicated on other sides of the house.

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

Applicant Response:

I had breast cancer 4 years ago, I'm on tamoxifen and I cannot be in the sun. the medicine makes me burn easily.

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:

Zoning single family, NO special privilege requested. Request is<sup>a</sup> health based necessity in order to enjoy the outdoors of my property.

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:

I would like to have 100% use of my porch and provide shelter from rain. I cannot be in the sun. I use this area of the house mainly.

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

Applicant Response:

If the variance was granted it would allow me to enjoy the porch more. Add to the architecture of the house, and create a more aesthetically pleasing environment.

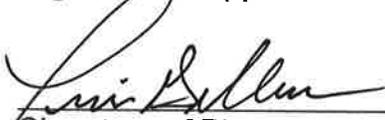
6. That the granting of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Applicant Response:

The general purpose is to improve the functions of the building and create an aesthetically pleasing addition to the structure, adding to the neighborhood.

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