

## VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

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

name of contractor \_\_\_\_\_

☒ No.

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:

This variance request only pertains to  
723 Sara Jane Lane Merritt Island FL and  
the setback discrepancy with the attached  
carport.

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

The residence had an attached carport when  
the home was purchased in 2021. The homeowner  
was unaware of any variance issue. The neighbor  
is fine with the carport and has no complaints.

(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:

We are requesting no other variances  
only to keep the existing carport in  
fact

(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:

The home had the attached carport prior to Stacy Dehn purchasing in 2021. The neighbors are in agreement that no inconvenience exist in keeping the structure.

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

Yes we need to please be granted variance with the set back issue so that we may continue in obtaining a building permit for an addition with no set back issues

(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:

This variance will simply satisfy a set back discrepancy for the attached carport that has been constructed since prior to the purchase of the residence

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

X SDeh

Signature of planner

Jackson, Desiree

Digitally signed by Jackson, Desiree  
Date: 2025.07.09 17:00:48 -04'00'