

VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

☒ Yes. If Yes, indicate case number 24CE-01739, and
name of contractor owner-contractor Marc Todd Dobson

☐ 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:

The diamond shape of the property, the line of the main house, the position of other accessory
is what I presume dictated the placement of this RV Port on a concrete pad.

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

The RV Port was built by the previous owner. The concrete pad it is on was built by another previous owner.

(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:

Properties in Brevard, and especially nearby Canaveral Groves, often receive variances for structures like
detached garages and sheds, especially when they largely meet code and setback requirements.

Given this, and the common need for RV parking in this zoning, I believe this variance is justified.

(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 building would have to be torn down and or moved at a cost of \$15,000 to \$20,000 or more.

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

Only 10 to 15% of the building is not within the required 15' setback.

RV parking is common.

(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:

There will not be an increase in traffic, no added noise, zero safety hazards, no strain on public resources, and will keep the aesthetic appeal of the neighborhood.

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

