



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 25CE-00188

Contractor: Self

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:

The Accessory building was built across property line by mistake. Neighboring owner involved is ok with the issue.

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

Applicant Response:

The family & myself Leroy Berry Jr. need a waiver to the property owner to make changes to the land that existing local zoning ordinances would typically restrict

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 the variances will not harm public welfare or go against the intent of the zoning ordinance. Building in question will be moved to agree with the set backs and to be conform with standard building codes

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:

We wouldn't be able to do things or use their property in ways that other property owners with the same zoning classification are allowed to

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

Applicant Response:

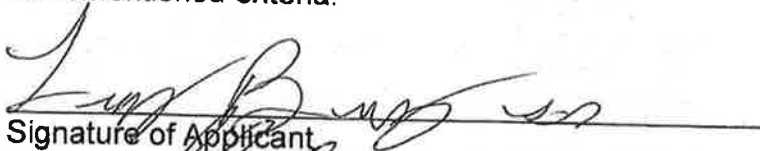
With a uniquely shaped lot built a accessory building using uncommon lot lines and setbacks, and is willing to move the building to a location on the lot that is in agreement to the setback rules

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:

By granting the variance we won't lose out on all the materials that we invested so far. Building will be moved and comply with all setback rules.

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