

VARIANCE HARDSHIP WORKSHEET

Is the request due to a Code Enforcement action?

Yes. If Yes, indicate case number 26BZ02392, and

name of contractor DONALD MAW

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:

CURRENT OWNER OF PROPERTY RESTORES ANTIQUE CARS
FOR A HOBBY, THE BIG GARAGE WAS THE MAJOR FACTOR FOR
BUYING PROPERTY, NO OTHER PROPERTY HAS A GARAGE OF
THIS SIZE.

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

THE PROPERTY WAS PURCHASED BY THE CURRENT OWNER.
BUILDING WAS PRESENT ON 2010 MAPS OF REAL ESTATE
HAS NOT BEEN ADDED ONTO.

(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:

THE SURROUNDING PROPERTIES HAVE STRUCTURES
AT LEAST THE SIZE OR BIGGER, CURRENT OWNER RESTORES
ANTIQUUE CARS FOR A HOBBY IS THE REASON FOR BUYING
THE PROPERTY.

(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:

TO NOT BE ABLE TO USE THE GARAGE WILL RESULT IN THE
OWNER TO TEAR DOWN STRUCTURE. THE COST FOR REDUCING
SIZE OF GARAGE IS ESTIMATED TO BE \$25,000. THEN THE
GARAGE WILL BE TOO SMALL FOR WORKING SPACE.

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

TO BE ABLE TO USE ALL OF THE BUILDING
SPACE CURRENTLY THERE WILL ALLOW MORE STEPS TO BE
COMPLETED WITHOUT HAVING TO START OVER OR RESETUP
CHASSIS JIGS FOR REINSTALLING SHEET METAL & BODIES.

(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 ALOT OF NOISE GENERATED
FROM INSIDE BUILDING WITH 1 PERSON DOING THE WORK
WELDING & FRAME JIGS WILL BE ABLE TO SIT INSIDE
BUILDING INSTEAD OF OUTSIDE

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 Donald Mann

Signature of planner Paul Body