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:

Previous owners (no records found in Historical Records) built a separate garage too close to neighbors property line north of us. This caused a issue - is holding us back from getting a home generator on the resident home.

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

(before we purchased in 2025)
This building was built so long ago that Historical Records cannot find any documentation on it. This building has an active meter (electric) on it. There should be permits/records if a meter was installed but there are none.

(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:

No special privilege will come to me if a variance is granted.

(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:

Yes, we will not be able to get a permit to install home generator if variance is not granted. We live in a prominent power outage area + generator will add peace of mind and security to my household.

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

Yes, the minimum variance will make possible reasonable use of the land, building or structure.

(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:

Yes, granting of the variance for the setback will be in harmony with the general intent & purpose of this chapter. Such use variance will not be injurous to the area involved or otherwise detrimental to public welfare.

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 _____