



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: \_\_\_\_\_

Contractor: \_\_\_\_\_

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 special condition that this land uniquely has is that the property itself was treated as two separate properties by its previous owners. This was, in large part, due to the fact that the original property was much larger and has been gradually sold as smaller chunks over the years, leaving two pieces. As such, our house is located on the front property and our proposed enclosure would be on the back property. This structure would allow us to have access to the back property entrance on McIver Ln and the front property entrance on Rockledge Dr.

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

Applicant Response:

As mentioned, the original property separations occurred long before we were owners of the land and therefore not within our control. Our title company worked with the previous owner to clean up the title so she was able to sell both pieces to us.

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:

The building of this structure will allow no special privileges, only the opportunity to provide safe, secure housing for our belongings and access to both openings of our property.

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:

This building size is required to house our RV and boat in a safe structure and allow us safe access to McIver Ln. Our only other option would be to separate these two properties and build a primary structure including this garage, but would increase the financial commitment substantially while decreasing the aesthetic appeal of the structure for the area.

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

Applicant Response:

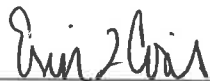
The square footage requested is the minimum amount needed to safely and securely accommodate our RV, boat and family members cars. Our plans show those these dimensions as the smallest measurements our belongings will fit.

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:

Our building design was taken into careful consideration to remain aesthetically pleasing for the area and in line with properties of the area, with the belief that it's existence will help to secure and improve property value for the area.

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