



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: N/A

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:

See attachment

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

Applicant Response:

See attachment

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:

See attachment

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:

See attachment

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

Applicant Response:

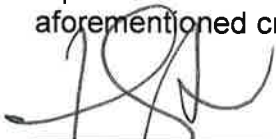
See attachment

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.

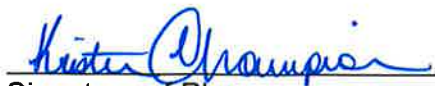
Applicant Response:

See attachment

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

1) I am writing to formally request to maintain a variance for the setback requirement for the construction of my home located at **4601 Coquina Ridge Dr Melbourne, FL 32935**. Specifically, I am requesting approval to allow the existing structure to remain at a 5-foot left and right sides setback from the property line.

The need for this variance arises due to the necessity of providing additional space on the property for a garage and expanded living areas. During the design and construction process, we determined that in order to meet the functional needs of the home, such as adequate garages space for parking and storage, as well as sufficient living area, it was crucial require 5 feet. This adjustment would allow us to maintain the intended layout while ensuring the home remains functional and livable for our family.

2) The 5 foot setback is necessary to provide space for a garage and expanded living areas, which are crucial to the livability of the home.

3) The variance request would not significantly alter the overall design or appearance of the neighborhood, and the intended use of the property would remain consistent with the goals of the zoning regulations.

4) The size and shape of the lot, as well as other property constraints, make it difficult to comply with the required setback without sacrificing the livability and functionality of the home.

5) The hardship in this case stems from the fact that without this variance, the footprint of the house would be significantly reduced, compromising our ability to incorporate necessary spaces, such as a garage and adequate living space. We have made every effort to comply with the zoning ordinance, but the unique size and shape of the lot, as well as other pre-existing conditions, make it impractical

to meet the required setback while still accommodating these essential components.

6) The requested 5-foot setback will not negatively affect neighboring properties in terms of privacy, view, or light, and is in keeping with the character of the surrounding area. (please see the petition from our neighborhoods and including the brevard former commissioner **Curt Smith**).