



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: Catropa Homes LLC

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 west (102.61') portion of lot 20 narrows to 30.25' wide at the west property line with a radial curve at the south property line making this area of lot 20 practically unbuildable without exceeding past the front of the current dwelling and encroaching the current south 25' building set back to construct our proposed accessory structure.

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

Applicant Response:

The current building setbacks effect the west portion of lot 20 making this large area unbuildable.

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 proposed accessory structure would encroach 12.9' at the SW building corner, 7.6' at the SE building corner due to the south 25' building setback and set foward approximately five feet, however this structure at its proposed location will be at a minimun 25' from edge of pavement road way at the structure closest point and not encroaching into any utility easement.

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:

The current lot setbacks cause the hardship to utilize any improvement to this large section of the lot prohibiting the increase of lot value with an accessory structure.

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 accessory structure will only effect the southern 25' setback and as the proposed footprint be set foward five feet past the existing dwelling but, will not effect the other lot setbacks shown on the proposed plot plan.

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.

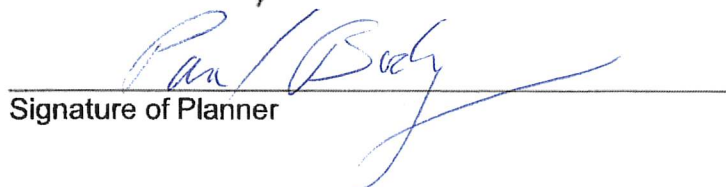
Applicant Response:

The proposed location will not effect line of site of ingress or egress of the existing driveway location and does not create any effect to vehicle operation of Nikomas way.

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