



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: 24CE - 01778

Contractor: Owner/Builder

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:

MY DAD WHEN WE SOLD OUR FIRST PROPERTY I HAD A CONTRACT ON THE COMMERCIAL PROPERTY WE WERE LEAVING ONLY FOR 27 YEARS THAT WE HAD 4 MONTHS TO MOVE OFF OF. PUT THE BUILDING UP WITHOUT A PERMIT & IT'S 300 SQ FT LARGER THAN WE WERE ALLOWED SOMEONE ON NORTH MERRETT ISLAND COMPLAINED TO CODE ENFORCEMENT SO NOW I AM TRYING TO CORRECT THE PROBLEM THAT MY DAD CAUSED NOT KNOWING HE NEEDED A PERMIT, DURING THIS TIME MY 93 YEAR OLD DAD FELL OFF A LADDER MOVING OFF THE PROPERTY WE SOLD AND ENDED UP PASSING AWAY FROM THE FALL

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

Applicant Response:

MY 93 YEAR OLD HAD THE BUILDING PUT UP OVER THE SQUARE FOOTAGE ALLOWED SO NO IT WAS NOT A RESULT OF MY ACTIONS

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:

I DON'T BELIEVE THAT IT WOULD BE ANY SPECIAL PRIVILEGE TO ME ONE PROPERTY NEAR BY HAS 2 OF THE SAME SIZE BUILDINGS ON HIS PROPERTY & IS OVER THE SQ FOOTAGE ALLOWED FOR THE BUILDINGS

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:

I NOW HAVE THE BUILDING FULL OF MY STORED PERSONAL PROPERTY THAT WAS ACCUMULATED OVER 27 ~~YEARS~~ ^{YEARS} & HAVE ~~BEEN~~ ABOUT \$35,000 INVESTED IN THE BUILDING NOT TO MENTION THOUSANDS OF DOLLARS IN CONTENTS THAT I HAVE NO PLACE TO PUT WITHOUT THE BUILDING SO IT WOULD BE A GREAT LOSS OF MONEY & PROPERTY THAT I CAN'T AFFORD TO LOSE

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

Applicant Response:

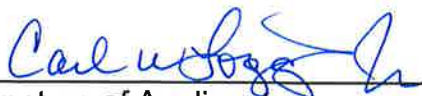
I BELIEVE THAT TO BE TRUE JUST NEED TO BE IN COMPLIANCE


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:

I DON'T BELIEVE THAT THE BUILDING WILL BE A PROBLEM TO ANYONE IN THE AREA THE WHOLE AREA AROUND ME HAVE ONE OR MORE BUILDINGS ON THEIR PROPERTY

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

 7-24-25
Signature of Planner