

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:

The primary challenge is the incorrect placement of the mobile home, which currently does not adhere to the required 7.5 feet setback. Reducing the side setback from 7.5 feet to 3.3 feet is necessary to rectify this misplacement and accommodate the mobile home already installed in its current location.

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

The incorrect placement of the mobile home was due to a misunderstanding or error and was not intentional. The misplacement occurred due to a misunderstanding of setback requirements or miscommunication between parties involved in the installation. This situation arose from procedural errors rather than any deliberate actions on my part.

(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:

Granting the variance requested is consistent with the treatment of similar cases in the district. Numerous properties have been granted variances to rectify setback violations caused by placement errors.

(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:

Denial of the variance would impose undue hardship on me as the property owner. The requirement to relocate the mobile home to comply with setback regulations would result in significant financial burden and disruption, depriving me of the ability to enjoy my property in a manner consistent with neighboring properties.

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

Reducing the side setback from 7.5 feet to 3.3 feet is the minimum adjustment necessary to rectify the misplacement of the mobile home and ensure compliance with setback regulations. This adjustment allows for the reasonable use of the land and the mobile home without imposing unnecessary restrictions or hardships.

(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:

The mobile home has been placed in a manner that complements the existing neighborhood layout. It will not obstruct views, impede access, or interfere with the utility easement, ensuring no harm to public welfare or safety.

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

Cg Lt

Signature of planner

Luis D. S. S.