

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 addition of an attached garage is meant to protect our vehicle from storm damage to include hurricanes and a large oak tree adjacent to our property. Repairs have been made twice to my vehicle. We have borrowed our neighbor's large garage when available to park our truck but this now has ended as they currently have an RV filling this larger garage.

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

Other than purchasing our home, we have done nothing to cause this hardship on ourselves. Storms specifically and to include the large oak tree continues to threaten our vehicle in which we are simply trying to protect our property.

(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:

We feel the ^{garage} addition is not a special privilege and the requested 1.83' variance will only provide protection for our property; no different than our adjacent neighbors. We have spoken to all neighbors (within 300 yards) explaining our situation; all are in agreement this is an appropriate request.

(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:

Since our lot size is 91' east to west, we are very limited on spacing after considering the 7.5' setbacks. We are simply requesting 1.83' easterly variation which will allow us the requested protective enclosure. Our direct neighbor has a much larger garage which would provide us equivalent protection for our vehicle.

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

This variance request is the minimum required due to the engineered plans drafted; the block-structure and single garage door required the 18.4 exterior width. The request is for 1.83' variance minimum and no more.

(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 garage addition utilizing the requested variance will marry to the existing home and is a proper fit for the neighborhood. I have spoken to neighbors showing them plans, all are supportive. This variance does not impede or structurally restrict access to the canal or any throughfare.

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

Steven Cunningham

Signature of planner

Paul Boddy