

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:

Just like other houses  
in my neighborhood who are zoned RU 2-10, it is  
impossible for my house to meet both the front & back set  
back requirements due to the narrow lots.

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

The house was built in the 1950s & i have had no impact  
on the setbacks.

(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:

~~My house~~ My house has many similar characteristics  
to other properties on the street such as lot size, length of  
the front setback, & length of the back setback. I am  
requesting to no longer be the exception to the neighborhood standard.

(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:

Currently,  
we cannot exercise the use of our property the way every other house on our street has the option to. This has significantly reduced our abilities & opportunities to rent the house.

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

Granting the variance will help us maintain the authenticity & character found through out the neighborhood without disrupting the community.

(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:

Granting the request variance will be the first step in realigning the property with the other properties on the street, as it is the only property in the surrounding area zoned differently.

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



Signature of planner

