



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: _____

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:

Construction of a large garage is desired, 40'x 60'. A variance would not be required if the garage could be attached as described in 62-2100.5 (1) h. The dwelling's configuration, location and surroundings preclude an attached configuration. The septic system is behind the dwelling. There also multiple mature trees and a power pole around the dwelling. These obstacles existed when the owner purchased the property. 2400 sq ft is the minimum required for the owner's storage needs (cars, boat, RV, etc.).

Owner requests variance (1) to 62-2100.5 (1b), 62-2100.5 (1d) and ~~62-2100.5 (1e)~~ to allow a 40' x 60' outbuilding structure, slightly larger than the square footage of the dwelling.

Owner also requests variance to Section 62-1340 (5) for the location of the existing chicken

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

Applicant Response:

The dwelling, septic system, power pole and trees were in place long before the owners.

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 septic system is behind the dwelling. There also multiple mature trees and a power pole around the dwelling. These obstacles existed when the owner purchased the property.

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:

A variance would not be required if the garage could be attached as described in 62-2100.5 (1) h. The dwelling's configuration, location and surroundings preclude an attached configuration.

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

Applicant Response:

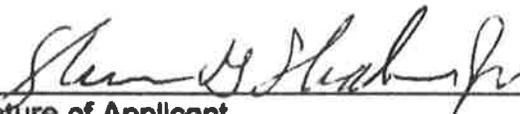
2400 sq ft is the minimum required for the owner's storage needs. It represents 2400 of 85377.6 sq ft (2.3 acres) of these combined lots. This represents only 2.4% of the land. Including the dwelling, less than 5% of the property will be developed.

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.

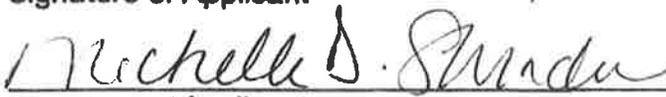
Applicant Response:

This property will be a residence with an outbuilding, less than 5% developed. Absolutely within the intent of the chapter, being fully residential in nature. There will be no additional traffic, exceptional noise and no out-of-the-normal appearance for the O110-single family residence neighborhood where it is located. Most neighbors have outbuildings. This may be larger than most, but most of the neighbors have only one acre or less.

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 Applicant



Signature of Planner

1/31/25