

Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.

There is a creek separating the property from the adjacent property. On the side closest to the creek, there exists a carport where the footprint and roof is already 18" into setback requirement of 7.5ft. The Variance is to erect a wall to connect the floor + roof in that area.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

The property was purchased by the owner 1/15/21 in the current condition. At the time of purchase a title commitment was obtained guaranteeing no existing issues with the property in this regard.

3. Explain how the granting of the variance request would not confer on the applicant, or petitioner, any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.

This will not confer a special privilege that is denied in Ch. 30. All property owners have the same rights and ability to pursue similar actions and also the right to challenge the request.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

The issue was only brought to the owner's attention in the middle of the process of trying to obtain a building permit. It would be very costly to try to adjust the 7.5ft setback now. By not having this space for living area, I would have to put my mother in a nursing home. This space is for her to come live with me.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The variance is to use 18" of space in the 7.5ft setback space. This is to construct a wall to enclose a carport area. The floor + roof already exist. There is no adjustment to the existing footprint. The existing footprint is already in the 18" space of setback.

6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

The intent of the erection of the wall is to enclose an area to provide living space for residential use. This is in accordance with current R1 zoning.