

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.

The existing home was positioned on this parcel non-conforming to the governing side yard setback limits and has been this way since original construction. Other than the irregular shape of the parcel, there are no special conditions that are not applicable to other lands or structures in the same zoning district.

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

The irregular lot shape was a direct result of the original neighborhood plot development. The existing home was constructed non-conforming to the governing setback limits and is approximately 5.87' from the side property line whereas the governing side yard setback is 7.5'.

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.

The variance request is to allow development of the existing structure to become new under-air living space without additional footprint change. Due to the irregular shaped lot, and the existing structure footprint, we request the special privilege to this unique property be granted.

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 existing home was constructed non-conforming to the governing side yard setback limits with the concrete walls of a patio. This request will allow the development of the existing area to become new under-air living space without additional encroachment on the side yard.

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

This request will allow the development of the existing area to become new under-air living space without additional encroachment on the side yard.

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 variance request is to allow development of the existing structure to become new under-air living space without additional footprint change.