

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 property involved is part of a historic neighborhood and the house on the property was built in 1963.

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

This applicant purchased this property in June at which time there was an existing fence in poor repair. The front yard fence was removed and the backyard fence was replaced in the same location.

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 placement and style of the fence is the same as the other existing fences in the neighborhood.

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 fence is in keeping with the style and placement of the other fences in the neighborhood. This applicant bought this property as a first time homeowner and spent \$8000 to replace the old fence to improve the property. It would be very difficult for this applicant to afford to move the fence.

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

The requested variance puts the new fence the same distance from the sidewalk/street as the old fence. To move the fence away from the street would significantly shrink the usable area of the backyard.

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 new fence is better for the neighborhood than the old one as the old fence was falling down next to the sidewalk. The new fence is the same distance from the sidewalk/street as the other fences around other properties on DUS Street.