

VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that 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?
No other structure or building in the agricultural zoning district is subject to residential building separation requirements.
2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?
No other property in the search area can meet all residential structure separation requirements.
3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?
No other buildings or structures in agricultural zoning are subject to the same residential structure separation requirement.
4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?
The unnecessary and undue hardship being imposed is the staff's refusal to accept comments to reduce setbacks submitted by all 4 affected property owners as provided for in the Code.
5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?
The variances requested are the minimums that will allow for the minimum tower height needed by the wireless carriers.
6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?
The intent of the Code is to enhance wireless service in the community with the minimal amount of aesthetic impact. The variances requested are for the minimum height needed for all licensed carriers to effectively deliver reliable service to the area.