

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: Please see attached.

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.
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.
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.
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.
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
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.

Responses to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for granting of a variance:

1. Special Conditions and Circumstances (Not Applicable to Other Lands/Structures in Same Zoning District)

- The subject lot is uniquely pie-shaped, reducing the buildable area at the rear of the property.
 - None of the builder's standard home designs with a lanai can fit within the rear lot boundaries without encroaching into the rear setback.
 - All the builder's models are designed with a lanai; even the smallest model with a lanai requires a rear setback variance.
 - These dimensional constraints are specific to this lot and are not typical of other lots in the subdivision except for Lot 12, which will also require an administrative rear yard setback variance.
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2. Not the Result of Applicant's Actions

- The lot is platted as part of an approved subdivision, so it is unable to easily be modified.
 - Lot dimensions and geometry were established during the subdivision design process.
 - The builder's home plans were designed to meet market preferences and community standards; the lot's limitations are a result of its unique geometry.
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3. No Special Privilege

- Granting the variance would allow the lot to be developed in the same manner as surrounding properties.
 - Other homes in the subdivision have lanais as part of their standard design.
 - The variance enables this lot to support a comparable home, maintaining consistency and compatibility with neighboring residences.
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4. Hardship Without Variance

- Strict application of the 30-foot rear setback would prevent construction of any of the builder's standard models.
 - The applicant would be deprived of the ability to construct a home consistent in style, size, and functionality with others in the neighborhood.
 - This would create undue hardship and prevent the reasonable use of the lot in line with the subdivision's intended design.
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5. Minimum Variance Necessary

- The requested reduction from **30 feet to 24.18 feet** is the smallest adjustment needed to fit the builder's smallest model with a lanai.
 - No greater setback reduction is being requested.
 - All other zoning and development standards will be met.
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6. Harmony with Zoning Regulations / Not Injurious to Neighborhood

- The home will be consistent in appearance, character, and scale with others in the neighborhood.
- Lanais are a common feature in the community.
- The reduced setback will not adversely impact adjacent properties or the public welfare.