

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?

The subject property has only 40 feet of lake frontage, which is significantly narrower than most waterfront lots in the same zoning district. This limited width creates unique constraints when placing a boat ramp, dock, and recreational area, especially when adhering to standard side setback requirements. Unlike wider lots that can accommodate these features with ample room on either side, our lot requires more efficient use of the available shoreline to achieve similar functionality.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

The limited lake frontage is an existing condition of the parcel and was not created by the applicant. The lot was originally platted with only 40 feet of shoreline, and no changes have been made by the applicant to reduce its width or otherwise alter the natural conditions that impact placement of shoreline improvements.

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?

Granting this variance would not confer a special privilege, but rather allow reasonable and functional use of the waterfront similar to what is enjoyed by other properties with greater shoreline frontage in the same zoning district. The request simply accommodates the unique width constraints of this lot to allow for standard recreational shoreline features—such as a boat ramp, dock, and beach area—without exceeding what is typical for neighboring properties with wider frontage.

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?

Literal enforcement of the 10-foot side setback would require the boat ramp to be placed near the center of the property, which would significantly limit the ability to include other standard shoreline features, such as a small beach or dock, due to the lot's narrow 40-foot frontage. This would deprive the applicant of reasonable use and enjoyment of the lake access that is commonly available to other properties in the same zoning district with wider shorelines. The hardship is not financial, but functional—without the variance, the limited space would prevent practical and equitable use of the waterfront compared to neighboring properties.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

The requested variance to reduce the side setback to 0 feet is the minimum necessary to allow for functional placement of a 12-foot-wide boat ramp on a 40-foot-wide lot. Positioning the ramp at the property line preserves the remaining shoreline for a small beach and dock, making full but reasonable use of the limited frontage. The design includes a reinforced retaining wall along the shared property line to prevent erosion or runoff, ensuring no negative impact to the neighboring lot.

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 variance aligns with the intent of zoning by allowing reasonable shoreline use without impacting neighbors. A reinforced retaining wall will protect the adjacent property, and no grading or construction will cross the property line. The request preserves neighborhood character and poses no harm to public welfare.