

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. We own a corner lot, where as most of the other homes in our neighborhood are not corner lots and are not held to the same zoning restrictions that we are with regards to their setbacks for fencing.
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner. The special conditions exist only because this property is in a corner lot and setbacks are determined by the county and not by the homeowner. Hence are not the result of the actions of the applicant.
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. We are requesting to attach to an already existing fence owned by our HOA, installed by the builder, which currently has a 3' setback, as to provide privacy and safety for our family. Extend the fence 68 linear ft. to enclose our backyard and the pool, leaving ~~to~~ approximately 110 ft. from stop sign, not impeding any visibility.
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. It would prevent us from being able to utilize our entire backyard. We would be left with very little space between pool and fence if we were to put fence according to current 15ft. setback. Where as other lots in our community are not subject to these same restrictions. We would like to provide the maximum privacy + security to our family, same as afforded to other lots.
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. We are currently installing a pool and with the current zoning setbacks we would not have enough space for pool and yard for kids and pets. The variance will enable us to utilize the backyard to the maximum, while still having plenty of side yard as to not impede with any visibility from stop sign.
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. There will still be sufficient distance between the fence and edge of the street. The fence will also have a front setback of approximately 110 ft. and fence will not cause any issues with the community. We also have included letters of support.

Revised 2019 OR ~~that~~ hinder visibility of any traffic controlling devices.