

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 property at 1200 Enderby Court, Chuluota, Florida, is zoned A-1 (Agriculture) in Seminole County, which typically requires a 50-foot rear setback for accessory structures like the proposed 40x65 steel building. However, unique conditions on this 1+ acre lot include the presence of a 100-year-old oak tree that would need to be removed to relocate the building to comply with the 50-foot setback, as well as an existing chicken coop obstructing alternative placement. The lot's irregular, wedge-shaped configuration, combined with fixed features such as the well, septic drain field, and existing house (as shown on the site plan), further limits viable building locations. These element, the mature protected tree, established coop, and site-specific layout are peculiar to this parcel and not generally applicable to other A-1 zoned properties, which may lack such historical natural features or pre-existing obstructions.

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

The 100-year-old oak tree predates the applicant's ownership and use of the property, representing a natural feature that has existed for over a century and is protected under local tree preservation ordinances. Similarly, the chicken coop is an existing structure on the site, not constructed or placed by the applicant to create the current constraints. The lot's shape, well, septic system, and drain field are inherent to the property as platted in Lot 125 of Chula Vista Section 2, and were not altered by the applicant to necessitate the variance. These conditions stem from the property's historical development and natural characteristics, rather than any deliberate actions by the applicant to circumvent zoning 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?

Granting this variance would not provide a special privilege, as it addresses site-specific hardships that could similarly apply to other A-1 properties facing comparable natural or pre-existing constraints, such as mature trees or fixed infrastructure. Seminole County's Land Development Code allows variances under Section 30.3.3.2(b) precisely for such unique circumstances, ensuring equitable application across the district. Other properties in A-1 zoning without these peculiarities must adhere to the standard 50-foot setback, but if similar conditions exist, owners could seek equivalent relief. This variance maintains parity by tailoring relief to documented hardships, without granting undue advantages.

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?

Strict enforcement of the 50-foot setback would prevent the applicant from constructing the steel building in a feasible location, depriving them of the reasonable use of their property for accessory storage or agricultural purposes uses commonly enjoyed by other A-1 zoned properties, which often include barns, sheds, or similar structures. Relocating the building to comply would require removing the 100-year-old oak tree, incurring significant environmental, financial, and permitting burdens, or

demolishing the chicken coop, disrupting existing agricultural activities. This creates an undue hardship, as the property's unique layout (including the well, septic, and irregular boundaries) leaves no alternative sites that meet the standard without these sacrifices, effectively rendering portions of the lot unusable in a manner not imposed on comparable properties.

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

Reducing the setback from 50 feet to 30 feet represents the minimum adjustment necessary to accommodate the proposed steel building while avoiding the 100-year-old oak tree and chicken coop. Any lesser reduction would still require tree removal or coop relocation, and a greater one is unnecessary given the site constraints. The 30-foot setback aligns with allowances for street-side setbacks in A-1 zoning, and ensures the building remains functional on the 2,600 square foot concrete foundation without encroaching on essential features like the septic drain field or well. This minimal variance enables reasonable agricultural/residential accessory use without excess relief.

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 harmonizes with A-1 zoning's intent to support agricultural and rural residential uses by allowing a modest steel building that enhances property utility without promoting overdevelopment. Preserving the 100-year-old oak tree aligns with county goals for environmental protection and tree canopy maintenance, benefiting the neighborhood's aesthetic and ecological value. The reduced 30-foot setback poses no injury to adjacent properties, as the lot's rural setting and buffers (including the South Oviedo Drain) minimize visual or functional impacts. It avoids potential environmental harm from tree removal, supports public welfare by encouraging sustainable land use, and complies with flood zone X standards, ensuring no detriment to drainage or safety.