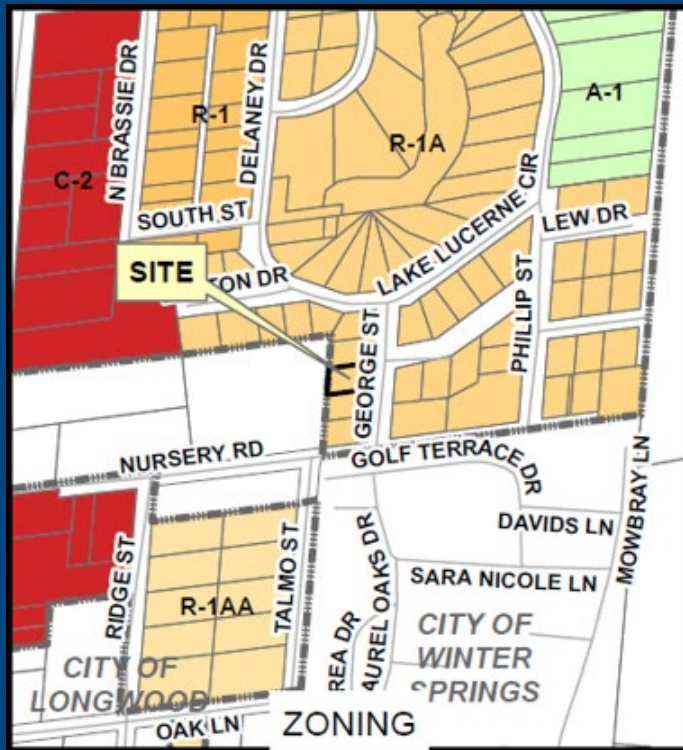


1220 GEORGE STREET BOARD OF ADJUSTMENT APPEAL

Appellant: Crystal Morse

Request: Appeal of the Board of Adjustment decision to deny the request for: (1) a rear yard setback variance from thirty (30) feet to three (3) feet; and (2) a side yard (north) setback variance from seven and one-half ($7\frac{1}{2}$) feet to four and one-half ($4\frac{1}{2}$) feet for a workshop in the R-1A (Single Family Dwelling) district, located at 1220 George Street in Winter Springs.

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Background:

- A building code violation (24-232) was issued for this structure, resulting in the necessity of these variances.
- On October 28, 2024, the Board of Adjustment denied the side and rear setback variance requests for the existing 486.22 square foot workshop.
- On November 12, 2024, Crystal Morse, Appellant, filed a Notice of Appeal of the Board of Adjustment Decision.

Variance Criteria:

The applicant has not satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance as listed below:

1. That special conditions and circumstances 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 classification; and
2. That the special conditions and circumstances do not result from the actions of the applicant; and
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning classification; and
4. That the literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant; and
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
6. That the grant of the variance will be in harmony with the general intent and purpose of Chapter 30, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

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Board of Adjustment Decision:

- The Board of Adjustment found that the applicant did not provide sufficient evidence or testimony to show that the criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance were met. As noted by the Board members in the minutes, the variance criteria justification statement submitted by the applicant, did not address the required variance criteria. When asked by the Board, the applicant did not amend the justification statement responses on the record. The Board determined that there was no evidence on the record to support approval of the variance.

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Requested Board Action:

Staff requests the Board of County Commissioners uphold the decision of the Board of Adjustment to deny the request for: (1) a rear yard setback variance from thirty (30) feet to three (3) feet; and (2) a side yard (north) setback variance from seven and one-half (7½) feet to four and one-half (4½) feet for a workshop in the R-1A (Single Family Dwelling) district, located at 1220 George Street.