

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? This property had an existing fence 25 feet from the road. It was broken down in multiple places by fallen trees and limbs. It appears that almost all other homes in the neighborhood have fences that are 25 feet or less from the road. A 50 offset would require the removal of a significant number of trees.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant? The front area of this home was overgrown and the fence in disrepair when we purchased the property in early 2024.

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?

There are other homes nearby that have similar fences that are similar distances from the road.

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?

Nearby homes have similar fencing.

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

The height requirement and offset rule were the two issues raised in the permit rejection.

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 requested fence will be attractive and consistent with others in the area. The requested setback distance would allow full access to the right of way bordering the road.