

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 carport and supporting posts are original to the structure and have been located approximately 8.7ft from the side property line since initial construction. The lot width and legacy duplex footprint place the carport within today's 10ft side yard for principal living space. The enclosure remains within the existing footprint, no wall move.

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

- The hardship results from the original placement decades ago, not from current owner actions. The need for relief is triggered solely because enclosing changes the space to principal living area, which applies the 10ft setback to an existing nonconforming lot.

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?

- Approval at the existing carport line provides no special privilege. Similar legacy carport exist countywide; where owners demonstrate long-standing nonconformities and enclose without increasing encroachment comparable relief has been considered.

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 would require relocating the structural line by ~1.3ft, which is infeasible given existing foundation, roof and beam layout and is disproportionate to any public benefit.

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

- The request seeks only 1.3ft of relief on one side and does not increase the existing encroachment. The new wall align with or be slightly inside the current carport support line. No other dimensions variances are requested.

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 enclosure will meet current building life-safety and energy codes. A 1-hour rated wall with no openings will be provided on the nonconforming side, along with gutters and positive on site drainage, sight lines, traffic and utilities are unaffected.