

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 rear yard of my property has limited usable space due to its shape and layout, which makes it difficult to install a swimming pool while maintaining the required setbacks. The lot does not have the depth that many others in the neighborhood enjoy, creating a unique constraint not applicable to all properties in the zoning district.

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

These circumstances existed at the time of purchase and were not created or altered by me. The current lot configuration and available open space are fixed limitations that have constrained the placement options for improvements such as a pool.

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?

This request is consistent with other variances granted to at least one neighboring property — and possibly more — for similar pool installations. Granting this variance would not give me special privileges, it rather allow me the same reasonable residential use and enjoyment that has been permitted for nearby properties under similar circumstances.

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 setback regulations would deprive my family of the opportunity to install a standard-sized swimming pool — a common and expected amenity for homes in our neighborhood and climate. This would impose an unnecessary hardship given that other residents have been allowed similar variances, and the lot's limitations were not created by us. Importantly, the pool would provide significant mental health benefits for my daughter, who has ADHD and OCD.

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

We are only requesting the minimum setback reduction necessary to allow for a safe and functional pool layout. Every effort has been made to minimize the encroachment while still achieving a usable design that supports both recreational and therapeutic purposes.

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 pool will be professionally installed in accordance with all building, safety, and drainage codes, and will not impact the privacy, safety, or property value of adjacent homes. It will be in harmony with the neighborhood, where similar improvements already exist. Granting the variance supports both the spirit of the zoning code and the well-being of a child with medical needs, while causing no harm to the public interest.