

Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

The existing boathouse/boat dock structure was well-built in late 2006 (please refer to aerial dated 1/21/07). The original structure was built prior to 2004 (please refer to aerial dated 1/17/04) and was located ~1' north of the current location next to the county's drainage ditch south property line (original wood piers still exist today -please refer to attached photo). When previous owners rebuilt the boathouse/boat dock in 2006, it was placed 1' off my property line and has been in this position since this date.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

I purchased the house in September 2020 with the existing boathouse/boat dock structure in place.

3. Explain how the granting of the variance request would not confer on the applicant, or petitioner, any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.

Granting the variance would allow the existing boathouse/ boat dock structure to remain in its current location. It is adjacent (1' south) to the county's drainage ditch. The current location has not, nor will it negatively impact the drainage ditch. The actual ditch flow line is centered on the county's 50' wide lot. Research has shown that Seminole County has granted like setback variances.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

The unpermitted boathouse/ boat dock structure was never disclosed to me when I purchased the property in September 2020. If the variance is not granted, the boathouse/boat dock structure will need to be demoed and reconstructed 10' south of my north property line. The new location would place the new boathouse/boat dock structure 9' closer to my southern neighbor's boathouse (please refer to aerial dated 12/22/08).

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The current location of the boathouse/dock structure has been in existence since 2006 and prior to that, a boat dock existed. To the best of my knowledge this location has not adversely affected the county owned drainage ditch. I purchased this home to be my forever home and to provide my children (and hopefully grandchildren) the opportunity to live on/experience life on the lake in Florida, which has always been a dream of mine since moving here over 30 years ago.

6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. The abutting property to the north is a county owned 50' wide parcel with a 12'+/- wide drainage ditch centered on the parcel. The current location of the existing boathouse/ boat dock structure is not injurious to the abutting neighbors or otherwise detrimental to the public welfare. Had the boathouse/boat dock been detrimental the previous owners would have been notified. The abutting neighbor on the north side of the drainage ditch provided a written statement in support of keeping the current location of the boathouse/dock structure.