

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. When I bought the house back in 2014, the fence was already placed where it is right now, however, it was a wood fence. The building (house) was placed where it is because if not it will be obstructing one of the windows of the house. To be exact, the fence will be right in the middle of the window.
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner. The conditions or circumstances that currently exist are not the result of the actions of the petitioner because the fence was already placed where it is right now when the petitioner bought the house back in 2014.
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. As I mentioned before, I (the petitioner) bought the house back in 2014, however, the house was built in 1957. I have lived in that house for 9 yrs. now. The fence has always been in the same place even before I bought the house. The only thing I did was to change the wood fence to a vinyl fence, but I placed the vinyl fence exactly where the wood fence was. The old wood fence was in a really bad condition, which means it had to be at least 10 yrs. old.
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. I have lived at the property for 9 yrs. now and the fence, which had to be at least 10 yrs. old due to its bad condition, was already there. No one has ever complain about the fence been where it is. As I already mentioned, I only replaced the old wood fence for a vinyl fence, but placed the new fence in the exact same place where it has always been even before I moved to the house.
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. This variance will help me to be in compliance with the county and also will help me to not move the fence where the window of the house will be obstructed making the property look ugly for me and the neighborhood. As I mentioned earlier, if the fence is moved it will be right in the middle of the garage window.
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 variance is needed to be in compliance with the county, which is important. As of the neighborhood, which is well maintained, moving the fence will make the house ugly due to the issue with the window, and this will be a situation with the well maintained neighborhood. Also, for the years I have lived in the house, having the fence where it is, right now has never been an issue for anyone in my neighborhood, that I know of.