

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 the other lands, structures, or buildings in the same zoning district?

The property is a **0.20-acre residential lot** with an existing single-family home of approximately **2,287 square feet**, which occupies a significant portion of the buildable area. The home was constructed and positioned prior to the current request, leaving a **limited buildable area in the rear yard once required setbacks are applied**.

Due to the **depth and configuration of the lot and the existing placement of the residence**, maintaining the full **25-foot rear setback** would significantly restrict the ability to place a modest accessory structure on the property. The proposed **12.7 foot by 26-foot** is intended to be located along the rear portion of the lot, to the left side of the main residence, in an area that is currently the only practical location that does not interfere with existing structures, drainage patterns, or access around the house.

2. How are the special conditions not the result of the actions of the applicant?

The special conditions affecting this property are **not the result of any action by the applicant**, but rather are due to the **existing configuration of the lot and the placement of the primary residence**, which were established prior to this request. The single-family home currently on the property occupies a substantial portion of the buildable area and was constructed in accordance with applicable regulations at the time of development.

As a result, the remaining rear yard area available for accessory structures is limited when applying the current **25-foot rear setback requirement**. The applicant did not create these conditions, as the **lot size, lot configuration, and existing house placement were pre-existing characteristics of the property**.

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?

Granting the requested variance would not confer any special privilege to the applicant that is denied to other lands, buildings, or structures within the same zoning district. The

request is for a **modest accessory structure measuring 12.7 feet by 26 feet**, which is a common residential improvement typically permitted within residential properties when setback requirements can be met.

The variance is requested solely to allow a **reasonable placement of the structure within the limited buildable area of the rear yard**, due to the existing placement of the primary residence and the configuration of the lot. The proposed structure will remain **consistent in scale and use with other accessory structures commonly found in the surrounding residential neighborhood**.

Approval of this variance would simply allow the applicant to make **reasonable residential use of the property under the specific physical constraints of the lot**, and would not create a privilege unavailable to other properties. Other property owners experiencing similar site constraints could seek similar relief through the same variance process established under **Chapter 30 of the Seminole County Land Development Code**.

Therefore, granting the variance would provide **limited relief necessary due to the unique conditions of the property**, rather than granting a special privilege.

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?

A literal interpretation of the zoning regulations requiring a **25-foot rear setback** would significantly limit the usable rear yard area of the property and prevent the placement of reasonable accessories structures. The property does not have a garage, and the proposed **12.7 ft × 26 ft shed** is intended to store construction tools and equipment used for work.

Without the variance, the applicant would be deprived of the ability to have a typical accessory storage structure that many properties in the same zoning district can reasonably accommodate. Due to the **existing placement of the home and the limited buildable area on the 0.20-acre lot**, complying with the full setback would create an unnecessary hardship.

The requested **8-foot setback** is the minimum relief necessary to allow reasonable use of the property while maintaining separation from neighboring properties in Seminole County.

*The applicant is requesting a variance to reduce the required **25-foot rear setback to 8 feet** in order to place a **12.7 ft × 26 ft accessory shed** on a **0.20-acre residential lot** in Seminole County. The property does not have a garage, and the existing **2,287-square-foot home** occupies a large portion of the buildable area, leaving limited space in the rear yard once required setbacks are applied. The shed is needed to store construction tools and equipment used for work and is proposed to be located at the rear of the property in a location that minimizes impact on neighboring properties. Due to the **existing placement of the home and the limited depth of the lot**, strict application of the setback requirement creates an unnecessary hardship and prevents reasonable accessory use of the property. The requested variance represents the **minimum relief necessary** to allow functional use of the property while remaining compatible with the surrounding residential neighborhood in Winter Springs.

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

The requested variance to reduce the **rear setback from 25 feet to 8 feet** represents the minimum relief necessary to allow placement of the proposed **12.7 ft × 26 ft accessory shed** while maintaining reasonable separation from the rear property line. Due to the **existing placement of the home and the limited buildable area on the 0.20-acre lot**, a smaller reduction would not provide sufficient space for the structure. The requested setback still maintains adequate distance from neighboring properties and allows reasonable residential use consistent with properties in the same zoning district in Seminole County.

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?

Granting the requested variance would be consistent with the general intent and purpose of the zoning regulations because the proposed **12.7 ft × 26 ft accessory shed** is typical residential structures used for storage and will remain compatible with the character of the surrounding neighborhood. The structures will be located in the rear portion of the property and will not interfere with neighboring properties, traffic, drainage, or public safety. The requested **8-foot rear setback** will still maintain reasonable separation from the property line while allowing practical use of the property. Therefore, approval of the variance will not be injurious to the neighborhood nor detrimental to the public welfare and will remain consistent with the residential development pattern within Seminole County and Winter Springs.