

## 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 subject property includes an existing screen enclosure surrounding a pool, which limits the available space for structural additions. The proposed pergola will be constructed entirely within this enclosure, utilizing the only feasible area for shade and outdoor use. The lot's configuration and the proximity of the existing enclosure to the property line create a unique constraint not commonly found on other lots in the same zoning district.*
2. How are the special conditions and circumstances that exist not the result of the actions of the applicant? *The need for the variance arises from the original placement of the home and screen enclosure, which were constructed in accordance with prior approvals. The applicant is simply seeking to enhance the usability of the existing patio space without altering the footprint of the enclosure or encroaching further toward the property line.*
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? *The variance would not grant any special privilege, as many properties in the district enjoy similar outdoor structures. The pergola is modest in size and consistent with the character of the neighborhood. It will not exceed the height or scale of other accessory structures permitted in the area.*
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 requirement would prevent the applicant from making reasonable use of the patio area for shade and outdoor enjoyment—uses that are common and expected in residential settings. This would place an undue hardship on the applicant, especially considering the structure will remain within the existing screened area and will not impact neighboring properties.*
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 is the minimum necessary to allow the pergola to be attached to the home and function as intended. It does not extend beyond the existing enclosure or create any new encroachments. The design has been carefully planned to minimize impact while achieving a reasonable use of the space.*
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 pergola will be visually screened by the existing enclosure and will not be visible from the street. It will not affect drainage, light, air, or privacy. The structure is consistent with the residential character of the area and will not be detrimental to the neighborhood or public welfare.*