

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?

Because of its location adjacent to the entrance gate, the lot is not a traditional corner lot. Unlike other corner lots, the "second front yard" seems to not exist.

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

The builder/developer predetermined lot specifications. Construction of the entrance gates and fencing along the left side of the property was completed prior to purchase and home construction.

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?

Security should not be considered a privilege. The home on the other side of the entrance gate has a 5 or 6 foot tall privacy fence.

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?

Even though my home is in a gated community, my backyard and side yards are outside of the gate. For security reasons, I would like to enclose my property as other homeowners are allowed to do.

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

For security reasons, I am asking that the fence be 5' rather than 4' tall. I am asking that the setback of the fence be 11 feet from the front of the structure so it can line up with the existing post and gate and be aesthetically pleasing to the community.

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?

I have adhered to the fencing specifications outlined in the community plan. I have been granted HOA approval.