

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 property located at 1744 W Cheryl Drive has unique physical constraints, including existing structure placement, limited buildable area due to setback requirements, and utility easements that restrict expansion options. As shown in the property survey, the current home footprint limits the ability to expand in a manner that fully complies with standard setbacks. Additionally, the proposed addition is intended to accommodate elderly parents with mobility limitations, requiring a functional layout with accessible living space, including wider interior clearances, a full bathroom, and proximity between living areas. These accessibility needs further restrict feasible placement of the addition, making strict compliance impractical compared to other properties 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 is not the result of any actions taken by the applicant but rather due to the existing structure placement and the current zoning requirements. The circumstances arise from the necessity to provide appropriate living accommodations for elderly family members, which is a reasonable and compassionate use of the property. The hardship is based on practical limitations of the property and family needs, not from any intentional violation or prior development decisions by the applicant.

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 this variance will not confer any special privilege to the applicant that is denied to other properties in the same zoning district. Instead, it will allow the applicant to utilize the property in a manner consistent with other residential properties by providing adequate living space for family members. Many properties accommodate extended family living arrangements, and this request simply allows similar reasonable use under unique constraints.

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 would prevent the applicant from reasonably using the property to care for elderly family members. Due to mobility limitations, the proposed addition must provide accessible, single-level living space with appropriate layout accommodations that cannot be achieved within the current setback restrictions. Without the variance, the applicant would be unable to safely and effectively house elderly parents within the home, creating an unnecessary hardship. The property's physical limitations, combined with the family's medical and mobility needs, make compliance with existing regulations impractical while still meeting basic living requirements.

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 represents the minimum necessary to accommodate the proposed 805-square-foot addition, which has been specifically designed to meet basic living and accessibility needs for elderly occupants. The layout has been intentionally planned to maximize functionality within the smallest feasible footprint while working around the property's existing constraints. No greater variance is being requested than what is required to

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 proposed addition will be consistent with the character of the surrounding neighborhood and will not negatively impact adjacent properties. The structure will remain residential in nature, maintain aesthetic compatibility, and will not create increased traffic, noise, or safety concerns. Granting this variance supports family housing needs while preserving neighborhood integrity and public welfare.