

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?
I am replacing a pre-existing fence. We originally permitted for stone columns and open metal fence. During construction, it was determined that I needed to combine my two lots to be legal in allowing a ~~continuous~~ continuous fence. That process stopped the project for several months. In that time, the original fence permit somehow got dropped. The column permit did not. It was inspected and approved. The fence was up as well. I thought I had been approved for both columns and fence, and was surprised to get a permit violation. My understanding is that the requirements have changed in this time now requiring a variance.
2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?
I'm replacing a pre-existing fence. The rules changed during the above timeline.
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?
I have constructed a fence that is shorter than that of my neighbor directly across the street.
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?
I have a smaller fence than my neighbor across the street. I am replacing an existing fence, and my permit for the fence was in place when the fence was constructed. The fence ~~was~~ permit was not continued over when the lots were made to be combined.
5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?
The columns between the fence ~~was~~ were submitted, constructed, and approved, and fence construction had begun and the fence permit was in place, meeting the requirements at the time.
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?
This fence beautifies the property. We will have stone faced columns, wrought iron looking fence, and a podocarpus "living fence" in front of the metal fence between the columns.