

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 is uniquely impacted by dense wooded lots on adjacent parcels that significantly obstruct visibility of the monument sign from the roadway. Additionally, the roadway does not provide a dedicated turning lane into the property, limiting the ability of approaching motorists to identify the entrance in sufficient time to safely prepare for the turn. These visibility limitations are site-specific conditions not applicable to other similarly zoned properties.

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

The location of the wooded neighboring parcels and the absence of a designated turning lane are pre-existing site conditions outside of the applicant's control. The sign location was previously inspected and approved at the footer stage by the County. The current setback condition was not intentionally created to circumvent zoning regulations.

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 variance would not create a special privilege but would instead allow the subject property to achieve reasonable and comparable visibility similar to other properties within the zoning district. Many similarly situated properties benefit from clearer roadway visibility or dedicated turn lanes that naturally enhance sign exposure.

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 10-foot setback requirement would significantly impair the effectiveness of the monument sign due to the existing wooded buffer and limited driver reaction time. Without relief, patrons would have inadequate opportunity to safely identify and access the property, negatively impacting safety and reasonable use of the site. This creates an undue hardship unique to this parcel.

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

The variance requested is limited to a 2-foot reduction (from 10 feet to 7 feet). This represents the minimum adjustment necessary to improve visibility and allow safe ingress recognition while maintaining compliance as closely as possible with the intent of the setback requirement.

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 variance supports public safety by improving driver awareness and reaction time in the absence of a dedicated turn lane. The modification does not increase sign height, square footage, or intensity, and does not negatively impact adjacent properties. The request remains consistent with the general intent of the zoning code while addressing a practical site constraint.