

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?

Requesting a variance to reduce the required rear yard setback from 30 feet to 16 feet for the construction of a detached accessory structure (garage with attached conditioned space). The rear endwall of the proposed, detached garage with recreation room structure will match the existing +/- 16' rear setback of the existing screened pool enclosure structure. Since there will only be approximately 7' or so separation from the existing residence due to the required side yard setback, approving this request will allow the recreation room area to be better aligned with and accessed from the current pool area and not protrude as much toward the property front blocking natural light into the current residence.

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

It is in current residence.

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 as the request is based on the unique physical conditions of the property, including the existing placement of the residence and pool enclosure, which limit the usable rear yard. The requested setback reduction is consistent with relief that may be granted to other properties experiencing similar constraints and does not provide any advantage beyond allowing reasonable use of the property. The variance simply permits the proposed structure to align with the existing development pattern on the lot and does not allow any density or intensity that is not otherwise permitted within the zoning district.

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 30-foot rear setback would significantly limit the usable rear yard area due to the existing placement of the residence and pool enclosure, which is located approximately 16 feet from the rear property line. This creates a constrained building envelope that is not typical of many similarly zoned properties with more flexible layouts. As a result, the applicant would be deprived of the ability to construct a functional detached accessory structure that is otherwise commonly enjoyed by other properties within the same zoning district. The strict application of the setback would force the structure into a location that is impractical and incompatible with the existing layout of the property. The requested variance alleviates this hardship by allowing reasonable use of the property while maintaining consistency with the established development pattern and without increasing the intensity or impact of the use.

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 16-foot rear setback represents the minimum variance necessary to allow reasonable use of the property. The proposed structure has been carefully designed and positioned to align with the existing pool enclosure, which is located approximately 16 feet from the rear property line. I have intentionally limited the request to avoid any additional encroachment beyond the established development line and have not requested a greater reduction than necessary. A lesser variance would prevent functional placement of the structure and disrupt the usability and layout of the property. The design reflects a good-faith effort to minimize the variance while still allowing a reasonable and customary residential improvement consistent with other properties in the same zoning district.

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?

Granting the variance will be in harmony with the intent of the zoning regulations by allowing reasonable garage use while maintaining compatibility with the surrounding neighborhood. The proposed structure is consistent in scale and use, aligns with the existing development pattern on the property, and does not increase density or intensity. It will not adversely impact neighboring properties or public welfare.