

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?

While the lot itself is regular in shape, the required 30-foot rear setback significantly limits the usable area available for customary residential improvements. After application of the required setback, only a small portion of the rear yard remains available for development, making it impractical to construct a functional screen enclosure. Several neighboring properties within the same community have existing accessory structures and outdoor living improvements located within similarly configured rear yards.

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

The existing lot configuration and the location of the residence were established prior to this application and are not the result of actions taken by the current owner. The need for the variance is created by existing site conditions and not by any action of 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 the variance would not confer any special privilege. The request is intended solely to permit construction of a customary residential screen enclosure, which is a common accessory structure throughout residential neighborhoods in Seminole County.

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 required 30-foot rear setback would leave insufficient buildable area behind the residence to accommodate a functional screen enclosure. This would prevent the owner from making a customary residential improvement commonly enjoyed by other homeowners and would create an unnecessary hardship due to the limited usable backyard area.

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

The proposed 18-foot rear setback represents the minimum reduction necessary to accommodate the screen enclosure while maintaining the maximum practical separation from the rear property line. The enclosure has been designed to minimize the encroachment and preserve as much setback area as reasonably possible.

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 screen enclosure is compatible with the residential character of the neighborhood and will not adversely affect adjacent properties, public safety, traffic circulation, drainage patterns, or the general welfare. The improvement will remain an accessory residential structure consistent with the intent of the Seminole County Land Development Code.