

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 a uniquely configured corner lot with an atypical orientation that results in two front setbacks and two side setbacks, eliminating the rear yard area commonly found on surrounding residential properties. This configuration creates development limitations that are not generally applicable to other residential lots within the same zoning district.

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

The lot configuration and setback requirements were established prior to the current homeowner's purchase of the property in 2025. Additionally, the existing pool deck was originally constructed in 1999 and predates the applicant's ownership.

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 requested variance would not confer a special privilege upon the applicant. Similar pool enclosures have been approved and constructed on properties throughout the Sanlando Springs community. The variance would simply allow the applicant to enjoy a residential amenity that is common within the neighborhood.

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 application of the zoning regulations would create an unnecessary hardship by preventing the reasonable enclosure of the existing pool area due to the property's unique setback configuration. Unlike most residential lots in the neighborhood, the subject property does not have a traditional rear yard setback area where such structures are commonly located. As a result, the property owner is deprived of development opportunities and property rights commonly enjoyed by neighboring properties with standard lot configurations.

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 amount of relief necessary to allow for the reasonable use of the property. The proposed enclosure has been designed to remain as close as practicable to the existing pool deck footprint. The existing pool deck extends farther into the setback area than the proposed enclosure, demonstrating that the request is limited to only the area necessary to provide adequate clearance and safe access around the pool.

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 would be consistent with the intent and purpose of the zoning regulations and would not be detrimental to the public welfare. The proposed pool enclosure is compatible with surrounding development, and similar to numerous existing approved enclosures within the Sanlando Springs neighborhood. The structure will not adversely affect neighboring properties.