

Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that exist which 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 Seminole County Storm Drain headwall outfall deposits sand, silt & organic material into the existing Boat Port causing the area of the Boat Port near the outfall to be too shallow for Boat or Boat Lift use.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

- a. *The Existing Dock & Boat Port were built by a previous owner many years ago.*
- b. *The Seminole County Storm Drain outfall and headwall are owned and maintained by the county.*

3. Explain how the granting of the variance request would not confer on the applicant, or petitioner, any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.

- a. *All lake front property owners have use of the shore and lake for Boating & Recreational activities with out obstruction or interference from a public utility.*
- b. *No special privilege would be granted because the owner's particular circumstances regarding the boat port render it unusable in its current condition, which is the result of a county drainage pipe that deposits materials into the boat port. Said port being built prior to the current owners acquisition of the property*

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

- a. *The 10 ft side property set back will limit the property owners ability to extend the Boat Port, without an extension on the dock the boat port is unusable .*
- b. *It wold represent a hardship and infringe on a right commonly enjoyed by other properties to rebuild the existing Boat Port if the variance is not granted. These hardships would take the form of exorbitant costs and an unusable boat port.*

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

- a. *The Proposed Addition to the Boat Port would allow the Boat and Boat Lift to operate, providing Boating & Recreational activities which are commonly enjoyed by many patrons of the lake.*

6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

- a. *There will be no unjust incongruity between the proposed addition to the boat dock and the current regulations, the extension of the dock is solely to render the existing structure usable and will have no negative effects on any uninvolved parties.*
- b. *This addition will be in line with the intended zoning regulation because it will allow the current structure to operate in the way it is supposed to rather than be rendered unusable by the drainage outflow*