

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 the variance:

1. Special Conditions

Describe any 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 primary residential structure on this lot features a north facing orientation and layout that is entirely unoptimized for a high-efficiency solar array. Furthermore, pre-existing mature tree canopies along the property lines create severe, unavoidable shading zones across the main roof during peak sunlight hours. Concurrently, the property features unique space and layout constraints, lacking adequate, enclosed garage space to protect high-value personal assets, including multiple classic vehicles and essential residential lawn maintenance equipment. This forces these vehicles to be parked openly in the driveway.

The proposed site for the accessory structure represents the only clear, unobstructed pocket on the parcel capable of capturing continuous solar exposure while offering the depth needed to shelter these vehicular and utility assets. This specific location is physically unique because it sits a substantial distance behind the front line of the main house and is heavily isolated from the nearest neighboring property by a significant distance, a dense natural tree line, and a 6-foot wooden privacy fence. These compounding structural, environmental, and spatial limitations are peculiar to this specific lot and do not apply to other properties in the district, many of which already feature expansive accessory buildings that exceed the standard square footage limitations.

2. Not Self-Created

Confirm that the special conditions and circumstances do not result from the actions of the applicant.

The special conditions requiring this variance do not alter or impact the property of the owner or the neighbors in any measurable way. The closest neighboring property is located quite a distance away and is visually and physically isolated by a dense, natural tree line and an existing 6-foot wooden privacy fence. Furthermore, the proposed garage will not disrupt the streetscape or sit in front of the home; it is designed to be located a substantial distance behind the front line of the main house. The structural limitations of the existing home, the orientation of the lot, and the location of the mature tree canopy are entirely pre-existing environmental factors. These conditions were present long before the current owner acquired the property and have not been caused by any actions of the applicant.

3. No Special Privilege

Show that the granting of the variance requested will not confer on the applicant any special privilege that is denied by the Land Development Code to other lands, buildings, or structures in the same zoning district.

This request does not seek a special privilege, but rather the equal opportunity to utilize the property for standard residential enjoyment, secure storage, and energy independence. Within this immediate neighborhood, the proposed garage will simply be one of many existing accessory structures that exceed the limitation of less than half the square footage of the primary home. In fact, an existing accessory structure exceeding this ratio is directly visible from the backyard of the property requesting this variance. Because other properties within the zoning district safely utilize expansive garages and accessory structures, granting this variance simply levels the playing field. It allows this specific property to overcome its unique architectural, shading, and storage limitations without conferring any unique advantages denied to neighbors.

4. No Literal Interpretation

Demonstrate how a literal interpretation of the provisions of the Land Development Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Land Development Code, and would work an unnecessary and undue hardship on the applicant.

A literal interpretation of the zoning regulations would create an undue hardship by depriving the applicant of land-use rights commonly enjoyed by others in the immediate area. Strictly enforcing the square footage limitation would force a dual hardship: first, it would relegate a vital clean-energy solar system to an unoptimized, heavily shaded main roof, making it financially and operationally unfeasible. Second, it would prevent the applicant from constructing a garage large enough to securely store personal property, including classic vehicles and necessary estate maintenance equipment. Because multiple properties in the immediate neighborhood already feature garages that exceed this size restriction—including one visible right from the applicant's backyard a literal application of the code would uniquely penalize this property, creating an unnecessary and unequal operational hardship on its standard residential use.

5. Minimum Variance

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

The requested variance is the absolute minimum relief needed to make reasonable use of the property. Structurally, the proposed garage fits perfectly onto the lot and complies fully with every facet of the Seminole County Land Development Code—including all required setbacks, height restrictions, and lot coverage limits—with the singular exception of the accessory-to-living-area square footage ratio. The dimensions have been engineered as tightly as possible to achieve two precise mathematical and functional needs: providing just enough enclosed square

footage to safely house the classic vehicles and bulky lawn equipment, while naturally producing a roof plane large enough to accommodate the specific number of solar panels required to offset the home's electrical load. Furthermore, this specific footprint allows the applicant to move multiple vehicles currently parked openly in the driveway into an enclosed structure. By eliminating outdoor driveway parking and restricting the size strictly to what is required for secure storage and an adequate solar roof surface, the request represents the minimum variance possible.

6. Harmony and Public Welfare

Demonstrate that the granting of the variance will 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 granting of this variance is in complete harmony with the intent of the zoning regulations and the welfare of the surrounding community. Because the garage will be constructed with high-quality, architecturally pleasing materials matching the main home, it functions as a visual upgrade for the area. The public welfare and neighborhood aesthetics are directly improved by this project: it completely removes multiple vehicles from being parked openly in the driveway and brings them inside, while also placing essential lawn maintenance equipment out of sight.

The structure will not be injurious to neighbors or the streetscape in any way; it is set a substantial distance back from the front line of the house, and the nearest neighbor is located far away, heavily buffered by a dense, natural tree line and a 6-foot wooden privacy fence. Furthermore, by providing an appropriately sized roof to host a high-efficiency solar array, the project advances local and state green energy goals and reduces strain on the public power grid. Because similar large accessory structures are already common and visible in the immediate neighborhood, this garage fits seamlessly into the existing local fabric while quietly delivering aesthetic, organizational, and ecological benefits to the community.