

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 property is a corner lot with a unique orientation and placement of the residence, resulting in reduced usable area and causing a portion of the existing structure to fall within the required 20-foot east side setback.

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

The existing pool enclosure was already present when the current homeowners purchased the property in 1993. The encroachment is not the result of any action taken by the current owners.

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?

Many of the other properties within the development (Mandarin) have similar approved structures. The requested variance would be consistent to the development pattern 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?

The enclosure has been in its current position for 42 years. The homeowners are not looking to increase SQ FT of the structure, but to replace what has been there for many years with a structure that is built to the latest Florida building code.

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 necessary relief, as the proposed 10-foot setback is required to accommodate the existing pool and foundation. This allows for safe coverage of the pool without expanding the structure beyond its current footprint.

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 existing enclosure has been in place for approximately 42 years and is consistent with the character of the neighborhood. Replacing the structure will not be detrimental to surrounding properties and will ensure compliance with current building codes, improving safety and structural integrity.