

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 subject property has a unique shape and rear lot configuration that limits the buildable area in comparison to neighboring lots within the same zoning district. Additionally, the topography and placement of existing structures on the lot restrict feasible expansion elsewhere on the property. These conditions are not typical across the surrounding lots in the community and make the requested addition placement necessary

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

The current limitations on the buildable space in the rear yard are a result of the original platting and lot layout established by the developer, not due to any actions taken by the applicant. The placement of the existing home and surrounding homes was predetermined, and the current zoning restrictions prevent reasonable use of the backyard for an addition without a variance.

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.

The requested variance is in line with other allowances made in similar communities where the lot configuration or community standards necessitate flexible application of zoning laws. Approval would not create any special privilege beyond what is reasonable for other homeowners facing similar constraints in this district.

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.

Literal enforcement of the rear yard setback would prevent the applicant from constructing a modest 510 square foot addition, which is a reasonable improvement that is commonly enjoyed by other homeowners in the district. Denying the variance would result in unnecessary hardship, limiting the livability and function of the home, despite Lake Sylvan Cove ARC approval and community support.

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

The proposed 17' x 30' (510 sq. ft.) addition is the smallest possible footprint that meets the family's needs while maintaining architectural consistency with the existing home. The variance requested is the minimum required to allow this reasonable use while preserving the character and integrity of the property and neighborhood.

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.

The proposed addition has been approved by the Lake Sylvan Cove Architectural Review Committee and will match the existing home in design and materials. It will not obstruct any neighbor's view or impact the character of the neighborhood. The variance request upholds the intent of the zoning code by balancing property rights with public interest and maintaining aesthetic and functional harmony in the community.