

## 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?

*attached page*

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?
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?
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?
5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?
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?

1. The subject property is a legally created parcel of record that predates current subdivision regulations and dimensional standards, as confirmed by Seminole County's Lot Research Report. The parcel contains approximately 13,650 square feet and has an approximate width at the building line of 105 feet, while the A-5 zoning district requires a minimum lot size of 5 acres and a minimum width of 150 feet. The parcel is identified by the County as a legal parcel of record eligible for residential permits to be issued, subject to applicable approvals. The parcel's limited size, width, and septic constraints are inherent characteristics of the land itself and are not typical of conforming parcels in the zoning district.
2. The special conditions were not created by the applicant. The parcel was legally created prior to July 28, 1970, and predates current subdivision and zoning regulations. The applicant did not create the parcel's size, configuration, or width. The dimensional limitations and septic-related constraints are historic conditions of the parcel and existed prior to the applicant's ownership.
3. Granting the requested variances would not confer a special privilege. The applicant is not requesting a use that is prohibited, nor seeking to increase density beyond one single-family residence on a legal parcel of record. The request is limited to allowing a reasonable residential use consistent with surrounding properties. The variances would simply allow this historic parcel to be used in a manner similar to other residential parcels, rather than granting any unique or preferential use.
4. Literal enforcement of the current A-5 dimensional standards, combined with the minimum lot size requirements for septic systems, would deprive the applicant of any reasonable use of this legally recognized parcel of record. The Lot Research Report indicates that the parcel is eligible for residential permits to be issued, subject to applicable approvals; however, the parcel's historic size and width prevent compliance with current zoning and septic requirements without dimensional relief. Without the requested variances, the parcel would effectively be rendered unusable for its intended residential purpose despite its legal status. This creates an unnecessary and undue hardship that is directly tied to the parcel's pre-existing characteristics and not to any action of the applicant.
5. The requested variances represent the minimum necessary to make possible the reasonable use of the property. The applicant seeks only the relief required to allow one single-family residence on the parcel and will design the home to comply with applicable setbacks, environmental constraints, and Health Department requirements. No additional relief is requested beyond what is necessary to address the parcel's existing dimensional limitations and to allow a modest residential structure.
6. Granting the requested variances will be in harmony with the general intent and purpose of the Land Development Code and will not be injurious to the surrounding neighborhood or public welfare. The proposed use is one single-family residence, which is consistent with the rural residential character of the area. The applicant will comply with all applicable environmental, septic, well, and building requirements and will site the structure in a manner that minimizes impacts to adjacent properties. The request does not increase density beyond one residence on this parcel and will not adversely impact traffic, drainage, or neighborhood character.