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.

   This lot in the Bella Vista subdivison is wider (80 ft vs. 75 ft) than the typical lot.
   It currently has a surveyed and approved paver driveway that extends along the side of the home that is already 5-feet from the eastern property line.
   It was installed by the builder (Meritage Homes) when the home was originally constructed.

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

   This lot was originally platted and constructed upon by the builder (Meritage Homes) within all Seminole County guidelines.

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 Bella Vista HOA Architectural Review Committee has reviewed this request and has found that this lot is unique in layout and width, and a special privilege for a 1-foot side yard variance to construct an attached garage would not confer a special privilege.

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.

   We are seeking this variance in order to construct a third-car garage. Many homes in the Bella Vista community already have 3-car garages and at least 10 have attached third-car side garage styles similar to what we are seeking (see attached photos). This variance would allow us to enjoy the ability to garage and protect an additional car from the elements as many in the community already do today. Without this variance, we would struggle to construct a garage that would comfortably accommodate entering/exiting a car.

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

   While we would like to have a wider garage and request a 2-4 foot variance, we are respectful of the current set back guidelines and boundaries. We are only requesting the minimum variance to construct a garage capable of accommodating a compact to mid-size vehicle. We will only require the 1-foot variance for a length of approximately 25 feet. This length is only about 1/5th of the length of the eastern property line.

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.

   Granting this variance will be in harmony with the general purpose of the zoning regulations that currently allow for a 6-foot side variance between homes. Since our eastern neighbor's home is 7.5 feet from the property line, granting this 1-foot variance still allows for 12.5 feet between homes (and only for about 25 feet) which is greater than the minimum of 12 feet (6+6). Additionally, this addition will remove the side-driveway and allow this home to conform to the 3-car garage layouts seen throughout Bella Vista.