

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?
 - Shallow rear yard after setbacks limits buildable area.
 - Without relief, pergola cannot reasonably fit.
2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?
 - Lot dimensions and house placement determined at platting.
 - Hardship not created by 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?
 - Other homes in area have covered patios and pergolas.
 - Request allows same reasonable use, not extra privilege.
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?
 - Strict 20' rear setback would prohibit any pergola.
 - Denies reasonable outdoor living use enjoyed by others
5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?
 - Reduction to 5' setback is least relief needed.
 - Pergola: attached to home, 45' long, 15' deep, under 10' tall.
 - Sized to minimize impact on adjoining properties.
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?
 - Open-air, high-end design consistent with residential character.
 - HOA approval already obtained.
 - No adverse effect on neighbors, property values, or public welfare.