

# 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? **2,000 sq ft vs. 1,940 sq ft allowed The subject property has unique physical characteristics including its lot configuration and functional layout needs, which limit the ability to place a compliant structure while maintaining required setbacks and site circulation. These conditions are not typical of other R-1A lots and create a practical limitation on building design that necessitates a slightly larger footprint.**

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?*The existing structure, layout, and limitations of the property were established prior to the current ownership. The need for modifications arises from these pre-existing conditions, including the size and configuration of the home and available buildable space. The proposed improvements, including the addition of a garage, are intended to bring the property into better alignment with typical residential standards and uses within the area. These improvements do not create the hardship but instead respond to the existing constraints of the property.*

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?

*Granting this variance would not confer any special privilege to the applicant, as the request is consistent with the character and typical use of properties within the same zoning district. The addition of a garage is a common and customary feature for residential properties in the area.*

*Due to the existing layout and constraints of the property, strict application of the zoning requirements limits the ability to incorporate features that are otherwise standard for similar homes. The variance simply allows the property to achieve a level of functionality and use that is comparable to surrounding properties.*

*This request does not provide an advantage over neighboring properties but instead ensures that the subject property can be used in a manner consistent with others 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?

*A literal interpretation of the zoning regulations would deprive the applicant of the ability to make reasonable and customary improvements to the property. Due to the existing structure, layout, and space limitations, strict compliance would prevent the addition of a garage, which is a typical and expected feature for residential properties in the area.*

*Without the variance, the property cannot be improved in a manner that is consistent with surrounding homes, limiting its functionality and overall usability. The requested variance is necessary to allow for reasonable use of the property while maintaining compatibility with the neighborhood.*

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 relief necessary to allow for the reasonable use of the property. The proposed garage has been designed and positioned to work within the existing constraints of the lot and current structure while minimizing any deviation from zoning requirements.*

*Due to the limited buildable area and layout of the property, there are no feasible alternatives that would allow for the addition of a garage in full compliance with the code. The size and placement of the proposed structure have been carefully considered to reduce the impact and remain as close to the required setbacks as possible.*

*The variance requested is not excessive but rather the smallest adjustment needed to allow a functional and customary improvement, ensuring the property can be used in a manner consistent with other residential properties in the area.*

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?

*Granting this variance would be in harmony with the general intent and purpose of the zoning regulations, as the proposed improvements maintain the residential character of the property and surrounding neighborhood. The addition of a garage is a customary and expected feature for homes in this area and is consistent with similar properties within the same zoning district.*

*The proposed garage will be designed and constructed to complement the existing home and will not negatively impact adjacent properties in terms of appearance, access, light, or drainage. The scale and placement of the structure have been carefully considered to minimize any potential impact on neighboring properties.*

*Furthermore, the variance will not be detrimental to the public welfare, as it does not increase density, traffic, or intensity of use. Instead, it allows for a reasonable improvement that enhances the functionality and value of the property while remaining consistent with the intent of the zoning regulations.*