

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?

The backyard has been specifically designed as a recreational area for children and adults (including the elderly), featuring the installation of a screen room (parabola structure) to provide protection from Florida's environmental conditions, such as high temperatures and frequent rain. To make the space more usable and safer for children to play, the addition of an insulated roof is essential. Due to the shape and size of the lot, the backyard is quite small, as it is not a perfect rectangle and has varying depths. After accounting for the county-required 10-foot easement, the depth of the backyard starts at 16 feet adjacent to the lanai. Additionally, approximately 5 to 6 feet of space is occupied by the air conditioning unit at the back of the home, leaving a usable width of only 34 feet. To accommodate a playset for my small children, which typically requires a space of approximately 14 feet by 18 feet, I need to optimize the remaining area. To achieve this, I propose extending the insulated roof to 16 feet beyond the lanai. This plan respects the side (5 feet) and back (10 feet) easements, while also allowing for adequate walking space behind the playset for safe movement. This layout ensures the best use of the available space for family recreation, balancing the need for shaded areas and open play zones. Please refer to the additional sketches for further reference.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?
The special conditions and circumstances are due to (1) the small size of the backyard, (2) the 10' easement that I need to keep at the back and (3) lastly the natural environment of Florida (high temperature, frequent rains, etc.) are not caused by 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?
Granting the variance would not provide any unique advantage to the applicant. It is a reasonable request to allow for a safer and more functional recreational space for children, like enclosed patios or other outdoor structures commonly found in the 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 strict interpretation of the zoning regulations would prevent the installation of the insulated roof, which is essential to protect children and provide them with the recreation and playset space needed. Denial would limit the backyard's functionality and create unnecessary hardship, as the area would remain underutilized.
5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?
The variance request is limited solely to the addition of an insulated roof, which is the minimum modification required to ensure the space is usable for its intended purpose as a safe play area for children.
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?
The insulated roof will not alter the character of the neighborhood or affect surrounding properties. Instead, it will enhance the functionality of the backyard while maintaining aesthetic harmony with other structures in the area. The modification will promote safety and wellness, especially for children, without causing any harm to the public welfare. Consent & Approval from the neighbors have been secured and attached is their permission.