

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.

The properties, layout places a side yard, adjacent to a public or open area, unlike most lots in the zoning district. This makes the existing fence space insufficient for family use, safe use, and privacy.

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

The unique layout and positioning of the house or present at the time of purchase or were not created by the applicant. The existing fencing was installed due to pool construction and is currently permitted and approved.

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.

Granting this variance does not offer a special privilege. It merely allows the property owner to extend existing fencing for practical and safe use consistent with the neighboring properties. They already have much larger, enclosed yards.

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.

Enforcing the setback limits prevents the family from utilizing a safe and private side yard area for children to play and walk safely away from the pool area, which significantly limits functional outdoor space and reduces overall level of safety and privacy.

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

The proposed 30 foot fence extension is the smallest adjustment needed to make the section of the art usable for family activities and improve liability without altering the home structure or affecting roadways or neighbors

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.

Defense extension maintains neighborhood, harmony, poses, no visual or safety, concerns, and enhances the security and well-being of the residence without negatively affecting nearby properties