

# 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?  
My Seminole County building and zoning permit requires Variance as the proposed building "Projects beyond the front of the established building line." I have selected this location because the house is situated sideways on the property The front of the home faces North East. This accessory building location conforms to the norms of other homes in my neighborhood. My Seminole Woods HOA requires a 50' vegetation buffer on the front property line and a vegetation buffer on the sides for all properties in our community. This building location was approved by my Seminole Woods HOA Architectural Review Committee. They have conducted an on-site Field Review and found this request to conform to the covenants and norms of the community. I am requesting a Variance from the requirement of a 100' setback to 70' from my front property line (an additional 20 feet from the HOA Minimum of 50 feet accordance with HOA Vegetation Buffers. My Community also includes a 35' utility easement as indicated by the survey. This puts my proposed building location setback back to over 100' from the road which meets the intent of the zoning guideline.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

This property includes two septic tanks with drain fields as indicated on the survey (1 on the Northwest side and 1 on the South East Side). Placing the building behind the established building line would make it inaccessible to my vehicles. These septic systems and drain fields do not allow me heavy vehicle access to the back of my property. Additionally, If I were to put the building behind my home, I would need to clear additional indigenous trees near the pond.

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 request would put my building within the norms of my community as it conforms to the existing HOA Covenants and grants more than the HOA required 50' of vegetation buffer. Other homes in the community have accessory building setback variances greater than what I have requested placing those buildings closer to the road than what I have requested (50').

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?

As mentioned earlier in my Variance application, my home is positioned sideways on this property (Front Door faces North East and the side of home faces the road). This makes the placement of this accessory building behind the established building line impossible due to the placement of two septic and drain field systems as indicated on the survey (1 on the North West side and 1 on the South East Side).

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

As mentioned above, locations behind my home are not plausible due to the Septic Placement blocking vehicle access. Additionally much of my rear property is covered by conservation and water. I have looked at locations in the rear of my property, but along with these aforementioned issues, significant amounts of indigenous trees would need to be removed near the conservation area to make room for the accessory building. Other locations forward of the established building line have been considered. It was determined by my General Contractor that holding a 100' front setback would position this accessory building too close to my established building creating a rain-water draining issue and would make access point to my existing garage too narrow.

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?

This building location was approved by my Seminole Woods HOA Architectural Review Committee. They have conducted an on-site Field Review and found this request to conform to the covenants and norms of the community. I am requesting a Variance from the requirement of a 100' setback to 70' from my front property line (an additional 20 feet from the HOA Minimum of 50 feet) in accordance with HOA Vegetation Buffers. My Community also includes a 35' utility easement as indicated by the survey. This puts my proposed building location setback back to over 100' from the road which meets the intent of the zoning guideline. There is precedent for this request in my neighborhood. Several of my neighbors have been approved for a similar variance - some that only provide a 50' setback.