

# 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 property consists of five lots within the same parcel: Lots 1, 12, 13, 14, and 15. Lots 1, 14, and 15 are designated wetlands which leaves only Lots 12 and 13 available for development. These wetlands occupy the majority of the parcel, leaving the buildable area to be extremely limited. The size and layout of the house cannot fit within the required 50- foot front yard setback as well as the 30-foot rear setback. The home cannot be flipped or rotated because it will not fit within the restricted buildable envelope. These environmental constraints are unique to this property.

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

The wetlands on Lots 1, 14, and 15 are natural, pre-existing environmental features that were present long before the applicant acquired the property. The applicant has not altered, expanded, or impacted these wetlands in any way. The limited buildable area and restricted placement options result entirely on the required setbacks, not from any action of 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?

The requested variance does not grant any special privilege; it simply allows the applicant the same reasonable residential use enjoyed by surrounding property owners. Other lots in the same zoning district without the wetlands constraints are able to meet the 50- foot front and 30- foot rear setbacks without difficulty. The variance only compensates for the unique environmental limitations affecting this specific parcel and does not provide any additional or unusual benefit beyond normal residential development rights.

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 enforcement of the 50- foot front setback and 30- foot rear setback would make it impossible to place a home on the only buildable area, Lots 12 and 13, because the space is constrained by wetlands on the adjacent lots. Without the variance, the parcel cannot be developed with typical single- family home, which is a reasonable and permitted use in this zoning district. This would leave the applicant with substantially fewer rights that neighboring property owners who are able to build without environmental limitations.

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

The proposed 30- foot setback and 20.7- foot rear setback represents the minimum adjustments needed for the home to fit on the only buildable portion of the parcel while avoiding all wetlands. The design has been evaluated in multiple orientations, and the house cannot be flipped or rotated on the site due to the same spatial limitations. No additional reductions are being requested. The variance is strictly the minimum needed to allow placement of a single-family residence.

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 proposed home is consistent within the surrounding single- family residential pattern and meets all other zoning regulations aside from the requested setback adjustments. The variance will not harm neighboring properties, alter the character of the neighborhood, or create any public safety concerns. In fact, the home placement preserves the wetlands on Lots 1, 14, and 15, maintaining environmental protection consistent with County goals. Granting the variance supports reasonable development while safeguarding natural features and maintaining compatibility with nearby homes.