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.

   Unlike other parcels found within the county my particular lot is found on the corner of two respectively low trafficked roads, has a 4' wide side walk, 11' wide grass easement and 2' wide gutter between my east facing property line and the road. Where other parcels are much closer to the road the 3 features mentioned previously contribute to a majority of the view of traffic. Thus the acreage found between my home and east property line are special as it does not aid significantly in the view of traffic.

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

   The special condition explained above is a result of city planning and features that as the home owner I do not have authority or capability to make any adjustments to.

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.

   The granting of the setback variance I have requested would not result in any special privilege denied by Chapter 30 of the Land Development Code since it would not adversely affect the public interest, or have an adverse effect on traffic. It is also not detrimental to the character of the neighborhood and in fact would allow my fence and property to align more with other properties found within the neighborhood.

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.

   By continuing to following the current zoning setback regulations I will continue to be deprived of enjoying the safety and privacy of a large majority of my property and have the unnecessary stress that comes with trying to enjoy my current side lot. As my lot has two street frontages a large portion of my acreage is restricted by current setback regulations that do not impact my neighbors who have one street frontages and are able to fully enjoy the safety and privacy of a large backyard on their properties.

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

   By requesting to position my fence closer to my east property line I would now be able to reasonably use my land as a safe backyard. Currently, my dog is restricted in where he can safely run and when my nieces and nephew come to visit there is only a small area they can run and play or set up toys without us having to constantly worry if a car is coming by or if someone walking by could hurt or try and take them. Approving this variance would make the possibility of using my property extremely less stressful and provide a safe space for my dog and future kids to keep playing.

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.

   After reading through Seminole County Comprehensive Plan I truly believe that the granting of this variance would be in harmony with my R-1A, Single Family-9000, LDR zoned property. By allowing me to move my fence the county would be supporting their goal to "protect residential neighborhoods" as this would allow me to make my home safer and more attractive, thus contributing to long term viability of my neighborhood while complying with the Land Development Code.