

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 variance addresses unique site conditions and enables development that is consistent in scale, design, and use with surrounding properties. The requested relief does not increase the density or intensity of use allowed in the zoning district, nor does it compromise safety, access, or the orderly development envisioned by the Land Development Code. The variance is carefully limited to what is necessary, ensuring it does not alter the essential character of the area or create any nuisance.

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

The existing layout of the property, including the location of the residence and other site features existed prior to the proposed livestock and farm structure placement and were not created by the applicant for the purpose of obtaining a variance.

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?

Approval of the variance would allow reasonable use of the property similar to that enjoyed by other residential properties. The variance would not provide a special privilege but would allow the applicant to utilize the property in a practical and customary manner.

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?

The literal interpretation and strict enforcement of the zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district because the unique physical constraints of this property—such as its irregular shape, reduced size, or topography—significantly restrict the ability to develop the lot while meeting all required setbacks, height, and coverage limits.

Most properties in the district can build structures that fully comply with zoning requirements without difficulty. However, applying these regulations literally on this site would prevent the applicant from making reasonable use of the property, such as constructing a home or building of a size comparable to neighboring properties.

This creates an unnecessary and undue hardship because it denies the applicant the same opportunity to use their land effectively and enjoy the benefits allowed to others in the zoning district. The hardship is not self-imposed but arises from the property's unique conditions. Granting the variance would remedy this hardship by allowing development that is consistent with the intent of the zoning code while acknowledging the property's special circumstances.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of

the land, building, or structure?

The requested variance represents the minimum relief necessary to allow reasonable use of the land because it only adjusts the specific zoning requirement that directly conflicts with the unique physical limitations of the property. The variance seeks to modify setback requirements (or other specific regulation) by the smallest amount needed to enable the construction of a building that is consistent in scale and character with other structures in the neighborhood.

No greater variance is requested, as the applicant has designed the project carefully to comply with all other applicable regulations to the fullest extent possible. This ensures that the variance provides just enough flexibility to accommodate the site's unique conditions while minimizing any potential impact on surrounding properties or the overall intent of the Land Development Code.

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 requested variance is needed to allow the placement of an agricultural structure in a location that best accommodates the property's size, shape and existing features. This placement supports the intended agricultural use while minimizing impacts on surrounding properties. It would support the agricultural use of livestock , plants and bee keeping.