

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?

Our original fence was 12' before we had to remove it. Our HOA Architecture Review Application shows we have been cleared for the 8' fence, as we were grandfathered in due to the original height of the damaged fence that was removed.

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

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?

Approving the variance would not allow for any special privileges, in any way. The original fence height was 12'. The HOA grandfathered this and their approval is located in their completed Architectural Review Application. We are applying for an 8' fence to replace the old one which stood at 12'.

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?

Our neighbors enjoy fence heights of 8'. We would like the same experience of privacy.

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 is the minimum variance that will make the replacement fence a reasonable use of the structure, as our original fence was 12'. We are requesting 8' instead of 6.5'.

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?

Approving the replacement fence at 8' will, in no way, be injurious to the neighborhood or detrimental to the public welfare as our HOA has approved (and grandfathered this property) our request. Additionally, our neighbors also have 8' fences.