

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?
 - Because of the Pie shaped lot in this development, this makes the subject property one of the few properties in the development that allowed for a Pool / Screen Room to be constructed in 1997.
2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?
 - This same structure was approved and constructed in 1997, The homeowner is not asking for any additional Sq Ft but to replace the structure.
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?
 - As this variance seeks relief based on unique and site-specific conditions, it is not considered a special privilege as the subject lot is irregular.
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?
 - Because the Screen Room has been utilized over the course of the last 27 years, it would be depriving the homeowner of the space that they have had for so long.
5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?
 - As the composite panel screen room is a part of the Pool Enclosure, reducing the composite panel portion from the rear property line, would also change the shape of the Pool Enclosure bringing the screen walls very close to the edge of the pool, restricting the walkway around the waters edge.
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 replacement of this structure to bring it up to the latest Building Code does not diminish property values, hinder any access, or reduce neighborhood functionally. As the structure has been in place for 27 years, adjacent residences have been familiar with the structure for years.