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.

   The property line is already 35 feet from the road and the additional setback specified in the standard would place the entry columns a full 70 feet from the road causing the property entrance to be set too deep. The variance we request would place the entrance at a comfortable distance of 45 feet from the road and in fact be like the other properties on the road. There are numerous recently built properties on Lake Markham Road that have walls, columns, and/or gates either on or within 10 or 15 feet of their property line. We are merely asking to be consistent with the neighboring homes. See attached exhibit for examples.

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

   As per above, we are not claiming special circumstances, only asking for a consistent appearance across our neighborhood and that our entrance columns be placed at a reasonable distance from the road.

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.

   Many other homes in the nearby area already have structures well in line with our variance request, so granting this variance would not grant us any special privileges.

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.

   Requiring us to set our columns 35 feet back from the property line would seem to enforce a standard not required of many neighboring properties. Having our entry columns set back so far from the road (70 feet) to meet the stipulated standard defeats the purpose of providing a clear entry designation.

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

   Allowing the columns to be placed within a reasonable distance of the road will make our entry more visible. It will be far easier for visitors/deliveries to see house address numbers placed on the columns at a setback of 10 feet and it will make it easier for people searching for this address without impeding traffic.

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.

   Given the minimal size of these columns and their decorative and practical use, it seems like placing them in a more obvious and visible location will only enhance the neighborhood and the public welfare.