

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.

In 2022 the first floor of the home was destroyed by Hurricane Ian flooding (approximately 4' of water that took months to recede). A 680 SF addition to single family residence is planned to replace living space destroyed by Hurricane Ian flooding. The addition will be built on piers at an elevation matching the existing second floor of home to avoid future flooding. The first floor will be converted to open air carport to mitigate future flooding risks. To make the addition spatially functional with the existing second floor, the rear of the addition will be aligned with the existing rear of the home. The rear setback of the existing home built in 1973 is 21.8'. The county minimum setback is now 30'. The rear property line abuts Lake Harney so there are no neighbors to the rear.

The special conditions that exist are peculiar to my property due to the Hurricane Ian flooding. The flood damage necessitates the replacement of the living space, and the proposed addition on piers at an elevation matching the existing second floor ensures a safe and resilient structure. The rear setback constraints, stemming from the 1973 construction and the proximity to Lake Harney, create a unique situation that requires a variance for spatial functionality.

Note: This addition is a home mitigation project coordinated through the Seminole County Office of Emergency Management.

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

The special conditions are not the result of any actions on my part. The flood damage caused by Hurricane Ian was an unforeseen natural disaster that necessitates the rebuilding of the living space. The proposed addition is a response to the circumstances created by the disaster rather than any actions or decisions made by the applicant.

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 variance request would not confer any special privilege denied to other properties in the same zoning district. There are no neighboring properties to the rear. The unique conditions and setbacks specific to my property necessitate the variance for the reasonable use and reconstruction, aligning with the broader goal of maintaining the integrity and safety of 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.

A literal interpretation of the zoning regulations would deprive me of rights commonly enjoyed by other properties in the same zoning district. The existing setback requirements, given the rear property line abutting Lake Harney, would unreasonably restrict the spatial functionality of the proposed addition and create an undue hardship on my family.

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

The requested variance is the minimum necessary to make possible the reasonable use of the land. Aligning the addition with the existing rear of the home ensures spatial functionality and addresses safety concerns without imposing unnecessary variances beyond what is essential for the reconstruction.

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.

Granting the variance will be in harmony with the general intent and purpose of the zoning regulations. The elevation and setback adjustments are essential for ensuring the safety and resilience of the rebuilt structure, aligning with the broader goal of maintaining the well-being of the neighborhood and adhering to the County's zoning regulations.