

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 special condition that exist for this property is that the home will be used as a group home for persons with special needs.

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

Although the actions to purchase this property and to use it as a group home for disadvantaged special needs children was that of the owner, the need for the safety parameters the proposed height of the fence is not. The requested height would help to ensure that the children will have a safety space both inside and outside the property for both recreational and developmental benefits.

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?

The granting of this variance would not bear any special privilege or unfair advantage to other properties in the area. The proposed fence height prior to 2024; was considered the standard in this community. In actuality, this variance would simply mimic that of pre-existing standard single family dwellings in the prescribed zoned area. Therefore, this variance would allow this property to conform to the existing appearance within the community and do so without any obstruction to the view within the property due to the elegant style of fence.

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 existing zoned regulations would significantly prevent equitable improvements and use of this property. The exceptional children designated to be housed within this property would lose a tremendous amount of outdoor space if required to push the fence line back by minimum 50 feet or would lose a heightened sense of security if required to lower the column height to 4 feet. This would in turn pose as an unnecessary yet avoidable hardship by limiting the potential possibilities for the outdoor space for these children to flourish within.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

This request considers all zoning requirements and strives to prevent any deviation thereof. The variance requested is not outside of what was once considered the norm for this community and therefore should be seen as the minimum relief necessary to permit the reasonable use of this land space and in turn help to promote its intended use and benefit to the community.

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 proposed variance will not infringe on the existing essence within the community but would rather enhance and uphold it. It will not affect existing or future utilities, drainage, traffic, or public safety needs or developments. Therefore, it would still be in harmony with the general intent and purpose of the zoning regulations all while maintaining the residential character of the community and surrounding neighbors.