

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?

My corner lot sits on a swell and is more elevated compared to the surrounding area. Because of this topography, a standard fence height wouldn't offer privacy or safety for my family. This condition is specific to my land and not typical in the zoning district, so an adjusted fence height is necessary.

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

In my situation, the natural swell of the land was already present before I owned the property. I didn't alter or create the elevation difference, it's simply a natural condition of the lot. Thus, the need for a taller fence comes from the land's inherent topography, not from any changes I made.

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?

Granting the variance wouldn't give me a special privilege because it only corrects a unique privacy issue due to my lot's elevation. Other properties at normal elevation don't need this adjustment. The variance simply allows reasonable use of my property like others enjoy. Without it, I'm at a disadvantage, not seeking anything beyond what's reasonable for safe and private use.

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?

My corner lot sits on a swell, making my property significantly elevated. A standard fence won't provide privacy when my young children or wife are in the pool, specially given neighbor's frequent gatherings. The extra height ensures safety, privacy and peace of mind.

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 increase for 8' is the minimum height needed to restore privacy given my lot's elevation. Any lower would fail to block visibility.

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?

Granting the variance supports the zoning's intent by ensuring residential privacy and safety. The taller fence won't harm neighbors or public welfare, as it's a reasonable adjustment for topography and will blend into the residential character.