

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? *SEE ATTACHED*

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

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? *SEE ATTACHED*

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? *SEE ATTACHED*

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

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? *SEE ATTACHED*

1. Special Conditions and Circumstances: The property at 3316 Regal Crest is uniquely situated on a pie shaped lot with the house placed 8 ft from the property line. The original builder must have had a variance as the setback is supposed to be 10 ft. The new pool enclosure is going to attach to the corner of the house and run on the outside of the existing pool. This will require the variance as the enclosure will be 6 ft 6 inches from the property line at the far corner.

2. Not the Result of Applicants Actions: The special conditions stem from the property being built inside the current setback requirement. This was established before our ownership and beyond our control.

3. No special Privilege Conferred: Granting the variance to install the screen enclosure will not confer any special privilege denied to other properties under Chapter 30. Pool enclosures are consistent with the homes with pools in Alaqua Lakes community.

4. Deprivation of Rights and Undue Hardship: Enforcement of the zoning regulation limiting the enclosure would deprive the applicant of functional use of the pool area. The enclosure will keep unwanted insects, animals and debris out of the pool area. Without the enclosure the pool requires daily cleaning due to large trees in the common area behind the house. The owners also feel unsafe as there are bears regularly in the area and feel the enclosure will deter them from the pool area.

5. Minimum Variance for Reasonable Use: The variance to install the pool enclosure as confirmed by the survey and drawing is the minimum necessary to enable reasonable use and effectiveness.

6. Harmony with Zoning Intent and No Detriment to Public Welfare: Granting the variance to install the screen enclosure as confirmed by the drawing and survey aligns with Chapter 30's intent to promote functional residential development and compatibility. This enables reasonable use without altering the property's character.

3316 Regal Crest, Longwood Fl 32779