

# 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 subject property is affected by special conditions and circumstances unique to the lot that limit the reasonable placement of a patio cover in full compliance with the required 20-foot setback.**  
**These conditions include the configuration of the existing residence on the lot, the location of existing improvements, and the buildable area remaining on the property. Due to these site constraints, strict compliance with the setback requirement would prevent the patio cover from being constructed in a functional and reasonable manner. These conditions are specific to the property and are not generally applicable to other properties within the same zoning district.**
2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?  
**The special conditions necessitating the variance are not the result of any action taken by the applicant. The existing placement of the residence and improvements predates the proposed patio cover extension and was not altered to create the need for this variance.**  
**The requested encroachment is solely a response to existing site conditions and is not self-created.**
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 requested variance will not confer a special privilege on the applicant that is denied to other properties within the same zoning district. The variance is limited in scope and is intended only to allow reasonable use of the property comparable to similar patio and outdoor living improvements commonly found in the area.**  
**The request does not exceed what is necessary to address the unique constraints of the lot.**
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?  
**A literal enforcement of the 20-foot setback requirement would deprive the applicant of the ability to reasonably utilize their outdoor living area in a manner consistent with other properties in the neighborhood.**  
**Without the variance, the patio cover extension cannot be constructed in a functional location, creating an unnecessary hardship that is not shared by similarly zoned properties without the same site limitations.**
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 variance represents the minimum relief necessary, as the proposed patio cover extension encroaches only 5 feet into the required 20-foot setback.**  
**The design has been carefully planned to minimize the extent of the encroachment while still allowing for a practical and usable structure. No greater deviation from the zoning requirements is requested.**
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 patio cover extension is consistent with the intent and purpose of the zoning regulations and will not be injurious to the surrounding neighborhood or detrimental to the public welfare.**  
**The structure is residential in scale, will not impact neighboring properties, does not obstruct access, light, or air, and will not create safety, traffic, or drainage concerns. The variance supports reasonable residential use while maintaining the character of the neighborhood**