

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.

This lot is 5 sided. The setback that we are seeking the variance for is a property line that should be considered a side lot line and not a rear lot line.

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

The property was created in this shape by the developer.

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 property clearly has a front lot line and a rear lot line. Due to the shape of the property the south side lot line is not in one continuous straight line, there is a change in direction. Due to the standard operating procedure of determining the rear property line this variance is needed because the standard operating procedure does not account for lots with more than 4 sides. Also this lot line must have been considered a side lot line rather than a rear when the subdivision was created because the house as originally constructed would not comply with a 20' setback.

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.

It would not be equitable to impose two lot line with a 20' setback on this 5 sided lot. Other properties do not have multiple rear lot lines. Other properties do not have multiple 20' setbacks. Imposing two rear lot lines deprives me of utilizing my property as other get to utilize theirs. Also HOA approval was granted without hesitation by the Community ARB.

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

7.5' is the minimum setback for a side lot line. The proposed screen room would be well over 7.5' from the lot line in every area except the very South-West corner because the screen room is square to the house and the lot line runs at an angle. See attached survey and plot plan of Proposed Screen Room.

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.

HOA Architectural Review Board for the community has already approved the project as proposed. The intent of having a larger rear lot line setback (20') is still fulfilled as shown on the attached plot plan.